EMERGENCY NUMBERS

Calls to the emergency numbers listed below are answered 24 hours a day, seven days a week. BUPD call button from a campus phone and code blue poles speak directly to BUPD dispatch. Calls to 317-940-9999 from a cell phone, computer or campus desk phone for police, fire, or medical will speak directly to BUPD dispatch. Calls placed to 911 on any phone will be received by Indianapolis, Marion County Emergency Services who will then contact BUPD dispatch.

Dawg Ride is an on-demand safety transportation service that allows students to safely traverse campus during the evening hours, especially when alone. Dawg Ride operates 7 days a week from 7:00 PM to 3:00 AM, during the academic year when classes are in session. After normal operational hours if there is a need for an escort, contact BUPD for alternatives.

Use the TapRide app or call 317-940-BUPD (2873) Option 1 to request a ride during evening hours.
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Dear Butler Community,

Butler University values the wellbeing of our community. It is important to maintain a safe and vibrant campus atmosphere to ensure we attract the best students, faculty, and staff to our institution. While Butler is fortunate to be part of a peaceful neighborhood in a stable city, no campus can be fully protected from the realities of modern life.

Our Public Safety staff does everything they can to ensure our safety, we as individuals also bear some responsibility. That's why, each year, I ask the incoming class of first-year students to take the Butler Pledge to look out for one another. It's important that everyone understands the importance of bystander intervention. When something looks wrong, I encourage you to act. Get involved by knowing the many resources you can utilize for your safety and the safety of others.

This report will acquaint you with all the facts about safety and security on the Butler campus so that you, too, can be involved in our efforts. The report follows the University's established practice of openly reporting incidents and current policies and procedures to our community. We believe that accurate and full reporting is vital to a safe campus. The more we know, the more effective all of us can be in supporting a safe and protected environment.

The Department of Public Safety compiled the information found in this report. Read through it, examine the statistics, and consider the sound advice of our University Police Department. Thank you for helping to continue the fine tradition of cooperation that makes Butler a safe and caring place.

Sincerely,

James M. Danko
President, Butler University
Greetings,

The 2022 Annual Security Report contains information on Butler University’s Department of Public Safety, which comprises the University Police Department, Emergency Preparedness, and Parking Services. The department is a division of the Office of Finance and Administration.

Butler works closely with local, state, and federal officials to enhance our efforts to protect the campus and surrounding neighborhood. This report, the annual fire safety report for campus housing, and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act are tools to help keep you informed and safe. Your involvement is key to their effectiveness.

This report outlines the commitment of our university public safety employees to ensure a safe campus environment. Please visit our website at https://www.butler.edu/public-safety/ to view up-to-date statistics, our daily crime log, and information on our safety programs. You can also contact me if you have any questions or concerns.

Cordially,

John Conley
Chief of Public Safety
THE CLERY ACT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, commonly known as the Clery Act, 20 U.S.C §1092(f) et. seq., requires colleges and universities to:

- Publish an annual report every year by October 1 that contains three years of campus crime and fire safety statistics and certain campus security policy statements.
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other University officials who have “significant responsibility for student and campus activities.”
- Provide “timely warning” notices of those crimes that have occurred and pose a “serious or continuing threat to students and employees.”
- Issue an emergency notification, upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.
- Disclose in a Daily Crime Log & Fire Safety Log, all alleged crimes that occurred on campus or within the patrol jurisdiction of the campus police and is reported to the campus police, as well as any fire that occurred in an on-campus student housing facility.
UNIVERSITY DEPARTMENT OF PUBLIC SAFETY

The Butler University Department of Public Safety is responsible for the security of the campus and the safety of diverse community groups, including a combined enrollment of more than 5567 undergraduate and graduate students for the 2020-2021 academic year and 1,459 full-time and part-time faculty/staff on campus. The department has a staff of 33 employees.

The department reports to the Chief of Public Safety and is a division of the Office of Finance and Administration. The Chief of Public Safety reports directly to the Vice President of Finance and Administration.

Command staff consists of an Assistant Chief of Police Operations and an Assistance Chief of Administration. The Lieutenant of Emergency Preparedness and Training coordinates emergency preparedness planning and training for the Department of Public Safety.

The Department of Public Safety, which houses the Butler University Police Department (BUPD), is located on campus at 525 W. Hampton Drive. Officers work 24 hours a day, seven days a week, 365 days a year.

The Office of Parking Services is part of the Department of Public Safety. The Office is headed by the Associate Director of Parking and Transportation who reports to the Chief of Public Safety. Contact information is below.

4702 Sunset Drive, Suite 500
Located on the 1st floor of the Sunset Avenue Parking Garage

Open Monday – Friday 8:00 AM to 4:30 PM (Closed Noon to 1:00 PM)
Closed on Butler University recognized Holidays

Phone: 317-940-9243
Email: park@butler.edu
Website: www.butler.edu/parking
LAW ENFORCEMENT AUTHORITY

Butler University Police (BUPD) officers are appointed under Indiana Code 21-17-5 with general law enforcement authority, including the power to arrest. They have the same common law and statutory powers, and privileges as state police officers, sheriffs, and constables. BUPD officers are graduates and certified by the Indiana Law Enforcement Academy. The Butler University Board of Trustees pursuant to Indiana Code 21—17-5-5 establishes the legal jurisdiction of the University Police Department.

Officers patrol campus-owned and controlled property and a radius surrounding campus that extends to 42nd Street to the south, 52nd Street to the north, Graceland Avenue to the east, and Michigan Road and White River to the west.

BUPD conducts and participates in annual training to meet state-mandated requirements. These areas may vary from year to year and include firearms, physical tactics/use of force with de-escalation training, police vehicle operation, mental illness, addiction and disabilities, Autism, Alzheimer’s, dementia, high risk missing persons, human trafficking, cultural diversity awareness, family violence (including child abuse, endangered adults), SIDS, CPR, Heimlich Maneuver, and other law enforcement related topics. New in 2021 is the addition of ongoing specialized, intensive, and integrative training for persons responsible for investigating sexual assault cases involving adult victims to include the neurobiology of trauma, trauma informed interviewing, and investigative techniques. There is also training in the areas of Title IX, Violence Against Women Act and Clery Act.

Butler University contracts with various security companies who employee Indiana sworn police officers and non-sworn security officers for special events and work details. Certified sworn police officers have the authority to make arrests.

At various times throughout the academic year, it is possible the Indiana State Excise Police will patrol, work events, or assist on special details. The Indiana State Excise Police are charged with enforcement of statutes and rules for the Indiana Alcohol and Tobacco Commission.

When a Butler University student is involved in an off-campus offense, University police officers may assist with the investigation in cooperation with local, state, or federal law enforcement. Indianapolis Metropolitan Police Department routinely work and communicate with BUPD on any serious incidents occurring on campus or in the immediate neighborhood surrounding campus. Butler University operates no off-campus housing or off-campus student organization facilities.

IMPD has primary jurisdiction in all areas off campus, Butler officers often respond to incidents that occur in close proximity to campus.
BUPD and IMPD use the Indianapolis Public Safety Communications System to communicate via portable radio. While BUPD maintains a separate records management system, we share access with IMPD - City of Indianapolis records management system as well as their computer-aided dispatch terminals for increased efficiencies and assistance.

Students, employees, and visitors are subject to all local, state, and federal laws, in addition to campus policies, procedures, and regulations. BUPD officers may arrest individuals when probable cause exists that a violation of law has occurred. For violations of University policies, reports may be referred to the Office of the Vice President of Student Affairs or the Office of Associate Vice President of Human Resources for conduct action. Violations of Butler University’s Sexual Misconduct Policy will be referred to the Title IX Coordinator. Local public safety agencies may provide assistance to the University for any emergency that might require additional police services.

Butler University has a Memorandum of Understanding with the Indianapolis Metropolitan Police Department as follows:

1. IMPD agrees to grant BUPD officers authority to enforce violations of the Revised Code of the Consolidated City and County (Revised Code).
2. IMPD agrees to grant BUPD officers police powers and jurisdiction to enforce city ordinances over all property in Marion County, Indiana.
3. IMPD and BUPD agree to mutual cooperation and responsibility for enforcement of the Revised Code.
4. Sec. 103-52 of the Revised Code outlines the schedule of code provisions and penalties.
5. IMPD and BUPD shall provide mutual assistance as necessary or upon request by either party.
REPORTING CRIMINAL ACTIONS AND OTHER EMERGENCIES

Butler University encourages all students, employees, and guests to accurately and promptly report criminal incidents, accidents, and other emergencies to the Butler University Police Department located at 525 W. Hampton Drive, 317-940-BUPD (2873) (non-emergency) or 317-940-9999 (emergency), or report to local law enforcement agencies, either by phone at 911 or in person. Crimes should be reported to BUPD for inclusion in the daily crime log, annual statistical disclosure of crimes as well as for assessment for a Timely Warning or Emergency Notification.

Reports of sexual assaults, domestic violence, dating violence, and stalking should be reported to the BUPD or the Title IX Coordinator.

Additionally, incidents can be reported to any BUPD officer. The University has several two-way call stations (blue light phones) around campus and its vicinity for use during emergencies. By pressing the red button on the stations, users are immediately connected with the BUPD Communications Office. In response to reports of emergencies or criminal actions, BUPD will respond to reports of crimes and other emergencies and vigorously investigate all reported incidents. This includes confidential reports (where the reporting parties’ names are known but not released.)

Daily Crime Logs containing the time, date, general locations, and disposition (if known) of all reported incidents are available to the public by visiting the BUPD office; via email through a listserv; or at https://www.butler.edu/public-safety/daily-crime-log/ Information from crime reports is analyzed to identify emerging crime trends, allocate resources more efficiently and alter the Butler University community to any immediate or continuing threats to the safety or property.

VOLUNTARY CONFIDENTIAL REPORTING

A victim of a crime, who does not want to pursue action within the criminal justice system or through Butler University, may still consider making a confidential report. The purpose of a confidential report is to comply with a victim’s wish to keep the matter confidential, while taking steps to ensure the future safety of those involved and others. With such information, the University can keep accurate records of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger through issuance of a Timely Warning. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution without victim or suspect information. Confidential reporting of a crime may be done on the University Police Department “Silent Watch Reporting” website at: https://www.formstack.com/forms/butler-bupd_silent_watch_reporting
ADDITIONAL INDIVIDUALS TO WHOM A CRIME CAN BE REPORTED

Under the Clery Act, several individuals have been designated as Campus Security Authorities (CSA). A campus security authority is an official of an institution who has significant responsibility for student and campus activities, including, but not limited to student housing, student discipline, and student conduct proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

The “live-in” staff—the Community Directors, Apartment Community Assistants, and the Residential Assistants— who are designated as a CSA also have established procedures to assist in responding to criminal actions or other emergencies. As soon as possible, all emergencies and criminal actions involving students are brought to the attention of the Dean of Student Life and/or Dean of Student Services, who provides either appropriate follow-up or student conduct action.

Campus “Pastoral Counselors,” campus “Professional Counselors,” and the “Sexual Assault Response and Prevention Specialist” are not considered to be campus security authorities and are not required to report crimes for inclusion into the annual disclosure of crime statistics. They are encouraged if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

A Pastoral Counselor is defined as:

A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and who is functioning within the scope of that recognition as a pastoral counselor.

A Professional Counselor is defined as:

A person whose official responsibilities include providing mental health counseling to members of the institution’s community, and who is functioning within the scope of counselor’s license or certification. This definition applies even to professional counselors who are not employees of the institution but are under contract to provide counseling at the institution.
TIMELY WARNING PROCEDURES

In the event a Clery Act crime is reported to campus security authorities or local police; the crime has occurred on Clery Act geography; and is considered to represent a threat to students and employees, a timely warning will be considered by the Chief of Public Safety or designee. The decision to issue a timely warning will be made on a case-by-case basis using the following factors:

- The nature of the crime
- The continuing danger to the campus community
- The possible risk of comprising law enforcement efforts

Sex offenses are also considered on a case-by-case basis with the information forwarded to a group of decision makers consisting of Chief of Public Safety, Vice President of Student Affairs, University General Counsel, Title IX Coordinator, Clery Compliance Officer, and BUPD Investigation Section. This group will evaluate known information to determine if a timely warning is appropriate.

Cases involving property crimes are generally exempt from timely warning. However, they will be assessed on a case-by-case basis and alerts will typically be sent if there is a discernible pattern of crime.

The Investigative Staff and Clery Compliance Officer will review all reports to determine if there is an ongoing threat to the community and if the distribution of a timely warning is warranted.

Crimes reported to a pastoral counselor, professional counselor, or sexual assault response and prevention specialist are exempt from the timely warning requirement.

The timely warning is generally written by the Chief of Public Safety. The timely warning will be provided to all students and employees in a manner that is timely, that withholds identifying information (i.e., names, addresses, etc.) of victims as confidential, and contains information that will aid in the prevention of similar occurrences.
Methods for issuing a timely warning notification can vary. The University Police Department, or its designee, can use one, or all of the following systems to communicate and notify all Butler University faculty, staff, and students: all-campus email and University website.

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<tr>
<th>System to use</th>
<th>Primary Message Creator</th>
<th>Backup Message Creator</th>
<th>Authority for approving and sending messages</th>
<th>Primary Message Sender</th>
<th>Backup Message Sender</th>
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<tr>
<td>All-Campus Email</td>
<td>Chief of Public Safety</td>
<td>Assistant Chief of Police, Director of University Relations</td>
<td>Chief of Public Safety or Assistant Chief of Police</td>
<td>Marketing and Communications Staff</td>
<td>Marketing and Communications Staff</td>
</tr>
<tr>
<td>University Police Website</td>
<td>Chief of Public Safety</td>
<td>Assistant Chief of Police, Director of University Relations</td>
<td>Chief of Public Safety or Assistant Chief of Police</td>
<td>Chief of Public Safety or designees</td>
<td>Marketing and Communications Staff</td>
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EMERGENCY NOTIFICATION

An emergency notification will be sent for situations that require emergency response, evacuations, or any situation, upon confirmation, deemed to be a significant emergency or dangerous situation occurring on the campus that involves an immediate threat to the health or safety of students or employees. Periodic updates may be posted via use of Twitter @ButlerUpolice or @DawgAlert or at www.butler.edu. Once the reported incident is no longer a threat, an update will be provided using the campus Dawg Alert notification system.

Beginning April 3, 2020, after the Office of Postsecondary Education released additional guidance because of the COVID-19 epidemic, Butler University created an informational banner at the top of its homepage which linked members of the Butler community to the required COVID-19 information. This informational banner satisfies the emergency notification requirements of the Clery Act and § 668.46. Emergency Notifications dealing with issues outside of COVID-19 will be distributed using the methods described below.

The University Police Department reserves the right to investigate an incident for confirmation of an immediate threat before issuing an emergency notification. Other methods of confirmation may include notification by a local police agency, or notification by the National Weather Service or other emergency authority. Butler University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the appropriate notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The emergency notification will direct the community to do or not to do something. For example, but not limited to evacuate, shelter in place, or avoid a certain area of campus. The University Police Department will identify the appropriate segment or segments of campus to receive the immediate notification if the threat is limited to a particular segment of the University. Members of the University Police Department generally write the Emergency Notifications.

Methods for issuing an emergency notification can vary. University Police or Marketing and Communications staff can use one, a series of, or all of the following systems to communicate to and notify all Butler University faculty, staff, and students: all-campus email, all-campus voicemail, fire alarms/voice, and Dawg Alert (text messages and computer alerts through Rave and Alertus). The emergency notifications systems are tested monthly.
Below is a chart of the various methods and personnel responsible for drafting the message.

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<th>System to use</th>
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<th>Authority for approving and sending messages</th>
<th>Primary Message Sender</th>
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<tbody>
<tr>
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<td>University Police Department or Marketing and Communications</td>
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<tr>
<td>Telephone Voicemail</td>
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<td>Text Message Via Rave</td>
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<td>Computer Via Alertus</td>
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<td>University Police Department or Marketing and Communications</td>
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Members of the larger community who are interested in information about emergencies on campus may visit the BUPD website at [https://www.butler.edu/public-safety/](https://www.butler.edu/public-safety/)

To register for Dawg Alert Messages

For Students: Log in to my.butler.edu > My Info Tab > Dawg Alert

For Employees: Log in to my.butler.edu > Employee Tools > Dawg Alert
EMERGENCY RESPONSE AND EVACUATION PROCEDURES

The Butler University Emergency Operations Plan describes how the University responds to emergencies, addresses all types of hazards and establishes policies, methodology, and responsibilities designed to effectively and efficiently address the needs of Butler University during an incident or event. It is intended to be a “living” document that will reflect the continually evolving environment with each update. The primary objectives of this plan is to:

- Contribute to the protection of life, property and the environment
- Contribute to the safety of students, faculty, staff and visitors
- Minimize disruption of university operations and activities
- Effectively manage the response operations to an emergency affecting the university
- Effectively work with internal resources and external partners during emergency operations
- Restore the university to normal operations

Emergency response and evacuation drills are conducted on an annual basis. The tests may be announced or unannounced. Notification of the test results will be sent to the campus community via an email announcement.

The Department of Public Safety coordinates an evacuation drill each semester for all residential facilities. These drills are conducted twice a semester (four times a year). Additionally, each academic building conducts required drills annually. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for short-term building evacuation. The Department of Public Safety does not tell residents in advance about the designated locations for long-term evacuations because those decisions are affected by the time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, University Police and Residential Life will both be on the scene and will communicate information to the students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At Butler University, evacuation drills are used as a way to educate and train occupants on issues specific to their building. During the drill, occupants practice drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.
In addition to educating the occupants about the evacuation procedures during the drills, the process also provides the University an opportunity to test the operation of the fire alarm system. Evacuation drills are monitored by the Department of Public Safety and Residence Life to evaluate egress and behavioral patterns. The Department of Public Safety and University Operations (Facilities) identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments/offices for consideration.

**EVACUATION PROCEDURES**

In situations where a building is to be evacuated, individuals should immediately proceed to the nearest exit in a quick but orderly manner. After exiting the building, proceed to the nearest rally point. A list of the rally points can be found at: [https://www.butler.edu/public-safety/emergency-preparedness/](https://www.butler.edu/public-safety/emergency-preparedness/) under the “Rally Point & Shelter in Place Locations” heading.

*What it Means to Shelter in Place*

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors because leaving the area may expose you to that danger. Thus, to shelter in place means to make a shelter of the building that you are in until it is safe to go outside.

*Basic Shelter in Place/Evacuation Guidance*

In most cases, stay inside seeking an interior room, until you are told it is safe to come out. If your building is damaged, be sure to evacuate when it’s safe to do so. Evacuation procedures: close your door, proceed to the nearest exit, and use the stairs instead of the elevator. Once you have evacuated, seek shelter at the nearest building. If police or fire personnel are on scene, follow their directions.

*How You Will Know to Shelter in Place/Evacuate*

Shelter in place notifications may come from several sources, including the University Police, Residence Life staff members, other University employees, or other authorities using the University’s emergency notification system, Dawg Alert.
How to Shelter in Place

No matter where you are, the basic steps of shelter in place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter in place supplies and a telephone to be used in case of an emergency. If you are outdoors, quickly proceed into the closest building or follow instructions from emergency personnel on the scene.

2. Locate a room in which to shelter. It should be: An interior room without windows or with the least numbers of windows. If there is a large group of people inside a particular building, several rooms may be necessary.

3. Shut and lock all windows (tighter seal) and close exterior doors.

4. Make a list of the people with you and ask someone to call in the list to University Police so they know where you are sheltering. If only students are present, one of the students should call in the list.

5. Remain calm.
SECURITY OF AND ACCESS TO CAMPUS FACILITIES

Most campus buildings and facilities are accessible to faculty, staff, students, guests, and contractors during normal operating hours on weekdays and during designated hours on weekends. Normal operating hours vary for individual buildings and University offices. Many buildings have 24-hour availability using card access; however, hours may vary during the periods of time the University is not in normal operation. (This includes most holidays.)

Policies regarding guests and visitors on campus are integrated with other policies relating to student housing, student conduct, and facilities access. Generally, students and other campus community members are held accountable for the conduct of their guests while they are on campus. All guests are subject to the same University rules and regulations governing the conduct of students, faculty, and staff.

Academic, administrative, and housing facilities do not have full-time University Police or security officers assigned to them. However, officers patrol all facilities on a regular basis.

ACCESS TO RESIDENCE HALLS

With the exception of the main entrances, all Butler University residence hall exterior doors are locked 24 hours a day. All residence halls’ main entrances are unlocked during the day but are locked at night, with the exception of Butler Terrace, the Apartment Village, and the CTS Apartments, which are locked 24/7. Community Assistants check the residence hall doors during routine rounds throughout the night to ensure the doors remain locked. Residential College, Ross Hall, Fairview House, Irvington House, University Terrace, and the Apartment Village have front desk operations. Rooms in Residential College, Ross Hall, Irvington House, University Terrace, Butler Terrace, and the Apartment Village are equipped with a self-locking door and/or dead-bolt system that provide additional security. Card access is available in Ross Hall, Residential College, Fairview House, Irvington House, University Terrace, and the Apartment Village.

The maintenance of a safe and secure residence hall environment is everyone’s responsibility. To this end, the admittance of unauthorized persons to residence halls is prohibited. Residents should always lock their room doors to ensure personal safety and security of their property. To enhance the safety and security of all hall residents, residents’ property, as well as University property, University Police personnel will conduct patrols of the residence halls on a periodic basis.
MAINTENANCE OF CAMPUS FACILITIES

The University maintains a very strong commitment to campus security and safety through monitoring of the following:

Exterior Lighting. Formal surveys of exterior lighting on campus are conducted on a regular basis. Members of the campus community are encouraged to report any exterior lighting deficiencies to the University Police at 317-940-BUPD (2873).

Exterior Doors/Locks. After buildings are secured, exterior doors are routinely checked each night by members of the Public Safety Department. Concerns, defects, or general maintenance issues can be reported to the University Police Department at 317-940-BUPD (2873).

Shrubbery and Trees. Landscaping is maintained in a manner that reduces hazardous conditions. Any concerns can be reported to University Police at 317-940-BUPD (2873).

Parking Lots. University Police actively patrols all campus parking lots on a daily basis. Some parking lot facilities are monitored by cameras and gated card access.
SAFETY ON CAMPUS:
EVERYONE’S RESPONSIBILITY

University Programming—Crime Prevention
Butler University places a high priority on keeping its campus safe for students, employees, and visitors. Working together, there are many things the University’s community – its students, faculty, and staff – can do to decrease the chances of crime occurring.

Butler students have the opportunity to learn safe personal living habits through programs sponsored by the Division of Student Affairs, Office of Health Education & Outreach Programs, and Butler University Police Department. Topics covered in these programs vary but often focus on how to avoid becoming the victim of crime; how to recognize crimes when they occur; how to overcome fears about reporting crimes; how to keep informed of University policies, as well as federal, state, and local laws; and how to develop social responsibility toward others on campus, as well as the surrounding community.

Among reported crimes on and around campus, incidents of violent crime are infrequent. In cases such as rape – crimes that often go unreported – special programs have been initiated to encourage students to recognize rape and other forms of sexual violence and overcome their fears of reporting it.

SECURITY AWARENESS
BUPD offers the following Security Awareness programs to faculty, staff, and students. A common theme in these programs is to encourage students and employees to be responsible for their own security and the security of others. Please contact BUPD at 317-940-BUPD (2873) for additional information on each program.

The BUPD offers the following Security Awareness programs to faculty, staff, and students. A common theme in these programs is to encourage students and employees to be responsible for their own security and the security of others.

R.A.D.—Rape Aggression Defense Training system is a program of realistic, self-defense tactics and techniques. The R.A.D. course is offered to female students for limited credit once in the fall and spring semesters. The comprehensive course begins with awareness, prevention, risk reduction, and avoidance, and progresses to the basics of hands-on, self-defense training. R.A.D. is not a martial arts program. Our courses are taught by certified R.A.D. instructors and those who take the course receive a workbook/reference manual. This manual outlines the entire physical defense
program for reference and continuous personal growth. More information on R.A.D. can be located by visiting: https://www.butler.edu/public-safety/rape-aggression-defense-course/

**Avoiding An Active Shooter.** Although the threat of being involved in an active shooter situation is less likely than being hit by lightning, the University Police Department offers training on this topic. Students, faculty, and staff will be exposed to a proven curriculum that instructs the participant with simple messages to increase awareness and chance of survival. A video, “Response to an Active Shooter,” is available at: https://www.butler.edu/public-safety/emergency-preparedness/active-shooter-response/. Requests for a training presentation on how to respond to an active shooter can be made by contacting University Police at 317-940-BUPD (2873).

**Self-Defense Awareness.** The Butler University Police Department offers self-defense training for students, faculty and staff throughout the academic year. This training focuses on the mental and physical preparation needed to increase their awareness and reduce their risk of becoming a crime victim. The course is instructed by police officers who are certified as a Rape Aggression Defense instructor or Physical Tactics/Self-Defense Instructor.

**Community Outreach Programs.** The Butler University Police Department participates in many presentations covering substance abuse, general crime prevention and safety awareness, Violence Against Women Act crimes, and general public safety topics upon request. Audiences for these programs include New Employee Onboarding, New Student Orientation, Greek Life, Diversity Center, Student Affairs, and Residential Life staff.

**2021 ALCOHOL, DRUG, AND SEXUAL VIOLENCE PREVENTION EDUCATIONAL PROGRAMMING**

The following programs were offered during 2021 by the Office of Health Education & Outreach Programs. Additional information can be obtained by contacting the Office of Health Education & Outreach located in the Health & Recreation Complex, Room 101. Their telephone number 317-940-8311.

**Events, Programs, and Trainings**

**Peer education**, regarded as a best practice for behavior change in the collegiate environment, is utilized to address a variety of wellness topics, including alcohol and other substances and sexual misconduct prevention. Butler has several existing peer education groups, Promoting Awareness Victim Empowerment (PAVE), Greeks as Educators, Advocates, and Resources (GEAR), and Sexy Can I? Consent Workshop Facilitators.
- **Promoting Awareness, Victim Empowerment (PAVE)** meets monthly and provide prevention programming and sexual misconduct education to students through educational programs and information sharing via social media.

- The **BUBeWell Wellness Champions (SWC)** serve as BUBeWell’s peer educator network. These student leaders receive training in health promotion, holistic wellness, mental health, and other relevant student wellness topics in order to support their fellow students and community. SWCs design, plan, implement, and evaluate education and outreach initiatives and serve as wellness role models during their time at Butler. Currently, most student organizations have a designated BUBeWell SWC Officer position, and we also have a cohort of volunteer SWCs. Together, there are around 80 student leaders total, with hopes to continue growth in the program.

- The **Student Advocacy Fellow** is a student employee of the Sexual Assault Response and Prevention (SARP) Office who strives to improve Butler’s cross-campus communication regarding power-based personal violence, healthy relationships, and healthy sexual behavior. They create and curate content and educational presentations that depict positivity, self-care, healthy relationships and healthy sexual health, bystander intervention, and other advocacy related messages, as well as increased awareness for ongoing endeavors and upcoming events.

- The **Sexy Can I? Consent Workshops Facilitators** is a team comprised of 16 students who serve as peer facilitators for the consent education program, a sexual misconduct and sexual assault prevention program offered for new first year and transfer students during the first week of classes. Sexy Can I? Facilitators attend a one-day training retreat and educate new students on healthy sexual consent communication and sexual misconduct prevention.

**U Got This!** is an online program that educates students about sexual misconduct and bystander intervention. The curriculum encourages students to examine unchecked attitudes that contribute to a cultural tolerance of sexual violence, domestic violence, and stalking and provides tools and simulated scenarios for them to engage in bystander intervention. All new Butler students (undergraduate and transfer) are required to complete the three-part course prior to arrive to campus their first semester. This course began in May 2019.

**AlcoholEdu** is a confidential, online program that approaches all levels of alcohol and other drug usage to educate students to make safe choices and help friends. This online module provides awareness training, alcohol abuse prevention, and safe drinking tips for college students who choose to drink. This course began in July 2019.

**Resident Assistant (RA) training** occurs annually in the fall for all Residence Life staff and includes alcohol and sexual misconduct training. The sexual misconduct
training is comprised of a workshop about campus and legal definitions for sexual misconduct, reporting protocols, and explanation of resources/services for survivors, discussing how to help a survivor of sexual violence, and primary prevention of sexual misconduct. Residence Life staff training concludes with a role play activity, which includes scenarios related to underage drinking, alcohol poisoning, and sexual misconduct. Additionally, all newly hired Residence life staff members participate in an RA class in which they learn about the Butler University wellness model and are introduced to information about the prevalence of high-risk drinking and sexual misconduct in the collegiate environment and related consequences.

**Ambassadors of Change (AOC) training** occurs annually in the fall for all student leaders involved with the pre-orientation community and leadership program. The 2021 training consisted of a workshop about establishing boundaries in relationships and practiced techniques needed to help a friend who has experienced trauma.

**Dawg Days Leader training** occurs annually in the fall for all Dawg Days Mentors, a group of student leaders who mentor incoming first year students. The 2021 training focused on establishing boundaries in relationships and practiced techniques needed to help a friend who has experienced trauma.

**Online Prevention Education for Student-Athletes** and staff is completed annually. Butler University offers the Everfi Sexual Assault Prevention Training for each group.

**Sexy Can I? Consent Workshops** is a peer-education based education program required for all first year and transfer students to learn the importance of consent and practice a variety of skills related to communicating consent with their sexual partner, as well as being able to understand the communication their partner is giving them in order to have a better concept and application of consent in their relationships.

**BUpstanding Bystander Intervention Training** is designed to teach students ways to recognize and overcome their personal barriers to intervening by utilizing simple and effective tools to step in and help another person in a variety of situations. Many of the trainings in 2021 focused on how to intervene in situations that could lead to sexual misconduct.

**Green Dot Program** is a comprehensive approach to violence prevention that capitalizes on the power of peer and cultural influence across all levels of the socio-ecological model. The Green Dot curriculum is extensive and encompasses a variety of topics in order to effect the most culture change in a community focusing on bystander intervention strategies. The curriculum consists of two main pieces: 1) the Overview, which is intended to mobilize the whole community into action, and 2) the Bystander Training, which is intended to train socially influential individuals to role-model and endorse key attitudes and behaviors. This program began in May 2019.

**Stalking Awareness Month** is recognized in January when the Sexual Assault Response and Prevention Office hosts a variety of events educating students about stalking, how they can help and support survivors, and what they can do to prevent it
from occurring. In January 2021, there was a virtual event offered examining the impact and implications of stalking in the media.

**Sexual Assault Awareness Month** is recognized in April when the Sexual Assault Response and Prevention Office hosts a variety of events educating students about sexual violence, how they can help and support survivors, and what they can do to prevent it from occurring. In April 2021, there were virtual events offered that focused on how sexual violence affects people with disabilities, how to help a friend, the #MeToo movement, and self-care. There were also two podcast episodes released in support of the month.

**Domestic Violence Awareness Month** is recognized in October when the Sexual Assault Response Prevention Office hosts a variety of events educating students about intimate partner violence, how they can help and support survivors, and what they can do to prevent it from occurring. In October 2021, events were able to be offered in person. These events included an “In Their Shoes” simulation, a short film screening and discussion, a bystander intervention wheel, and a workshop about how to help a friend.

**Alcohol abuse prevention and risk reduction programs in residence halls and fraternity and sorority houses** are provided upon request by the Assistant Director for Healthy Promotion & Wellness, the Sexual Assault Response and Prevention Office, or Counseling and Consultation Services.

**Sexual misconduct prevention programs in residence halls, fraternity and sorority chapters, classrooms, and to employees** are provided upon request by the Sexual Assault Response and Prevention Office, the Office of the Title IX Coordinator, or Counseling and Consultation Services.

**Substance-Free Alternative Social Activities**

**The Student Government Association (SGA)** at Butler University has a dedicated committee who plan and host late night activities during high-risk drinking times (evenings and weekends). The programs this year included black light bingo, karaoke, outdoor film screenings, boat races, craft nights, trivia, and food trucks.

**Visual Media, Communications, Digital Tools, and Social Media Campaigns**

**Social media messages** were posted on the Sexual Assault Response and Prevention Office social media handles (Instagram and Twitter) through the year to continuously educate students about violence prevention strategies and what they can do to support prevention efforts on campus.

**A bi-annual email message from the Title IX Coordinator** is sent out to the campus community to keep students, faculty, and staff abreast of the prevention and compliance efforts happening at Butler University.
**360 Proof Personal Feedback Index** is an online tool that allows Butler students to access individualized feedback about their own alcohol use and only takes 15 minutes to complete. The PFI offers immediate results that show the effects of alcohol in one’s life, if any, and how to minimize impacts on health, finances, and social life. All results are confidential and are only for the individual’s knowledge and personal use. In 2019, two years after the program was launched, it was utilized by over 300 users. Many of these users participated during a Homecoming Week challenge to earn points by completing the PFI.

**Campus Support Services**

**Sexual Assault Response and Prevention Specialist** carries a dedicated cell phone which can receive calls and texts. The number is listed on the back of all university issued ID cards. The SARP Specialist is available Monday through Friday from 9:00am-5:00pm to any student who has been a victim of sexual violence, intimate partner violence or abuse, or stalking. The SARP Specialist will offer options to minimize and treat physical harm, assist with processing the unique and complex emotional aftermath, and help preserve evidence and understand options for reporting. If a student wishes to report to either law enforcement or through the campus sexual misconduct process, the SARP Specialist can be an ongoing resource to the student through those processes. The SARP Specialist is a confidential resource.

After Hours: During non-business hours, callers who reach out to the SARP Specialist phone will receive a message listing two resources which are available 24/7 – the confidential Julian Center Crisis Line (317-920-9320) or Butler University Police Department (317-940-9396).

Calls to the Julian Center Crisis Line will be handled confidentially by crisis line staff who will assess the caller’s immediate needs and provide appropriate support or referral information. Butler students who prefer to work with the Butler University SARP Specialist may reach them during business hours or indicate to the Julian Center advocate that they would like such contact to be made on their behalf.
ALCOHOL POLICY STATEMENT

INDIANA LIFELINE LAW

Butler University’s primary concern is the health and safety of individuals involved with the use of alcohol. Therefore, students and student organizations are expected to summon immediate emergency medical care for students, members, or guests who are in need of medical assessment.

The University also recognizes and adheres to Indiana’s Lifeline Law.

A summary of the Lifeline Law as provided by the Indiana Attorney General’s Office

- Indiana's Lifeline Law provides that a person is immune from arrest or prosecution for certain alcohol offenses if the arrest or prosecution is due to the person: (1) reporting a medical emergency; (2) being the victim of a sex offense; or (3) witnessing and reporting what the person believes to be a crime.

- Within the State of Indiana, "the Lifeline Law provides immunity for the crimes of public intoxication, minor in possession, minor in consumption, and similar laws, to persons who identify themselves to law enforcement while seeking medical assistance for a person suffering from an alcohol-related health emergency. In order to receive immunity, the reporting individual must demonstrate that they are acting in good faith by fulfilling the following expectations:
  - Providing their full name and any other relevant information at the request of law enforcement officers.
  - Remaining on the scene until law enforcement and emergency medical assistance dismiss.
  - Cooperating with all authorities.

- The Indiana Lifeline Law will not interfere with law enforcement procedures or limit the ability to prosecute for other criminal offenses such as providing alcohol to minors, operating vehicles while intoxicated, or the possession of a controlled substance.

Additional information about the Indiana Lifeline Law can be found at http://indianalifeline.org
USE OF ALCOHOLIC BEVERAGES

The Butler University rules of conduct prohibit the unauthorized use, possession, sale, or illegal distribution of any alcoholic beverage. University Police enforces violations of state underage drinking laws. Indiana State Excise Police patrol campus during special events and major athletic events.

All Butler students are responsible for complying with Indiana and local laws. Attention is called to the Indiana alcoholic beverages law (Indiana Code 7.1-5) found here:

http://iga.in.gov/legislative/laws/2021/ic/titles/7.1

The Butler University Alcohol Policy for Students, Student Organizations Alcohol and Social Events Procedures, Greek Alcohol and Social Events Procedures, and Possible Consequences for Alcohol Policy Violations are located at Appendix A (page 75).
DRUG POLICY STATEMENT

The illegal or abusive use of drugs by members of the campus community jeopardizes the safety of the individual and the community and is contrary to the academic learning process. Butler University is, therefore, committed to having a campus that is free of the illegal or abusive use of drugs. In keeping with this commitment, it is the policy of the University that the illegal or abusive use, possession, and sale of drugs is prohibited on University property and as part of University activities. University Police enforces all state laws and federal law enforcement enforces federal laws pertaining to the illegal possession, use, and sale of drugs.

In order to inform all University students of their responsibilities as set forth in the Drug-Free Schools and Communities Act Amendments of 1989, the most recent Biennial Review is provided at the following site: https://www.butler.edu/student-life/student-handbook/campus-life/drug-free-compliance/.

The Butler University rules of conduct prohibit the unauthorized use, possession, sale or distribution of any controlled substance or illegal drug. Conduct sanctions the University may impose for violations of the University drug and alcohol policies include dismissal, suspension, probation, restitution, suspension from University housing, and forfeiture of financial assistance. Students may be accountable to both civil authorities and the University for acts that constitute violations of law and/or University policy. Conduct action at the University will normally proceed during the pending of criminal proceedings and will not be subject to challenge on the grounds that criminal charges involving the same incident have been dismissed or reduced.

Appendix B contains Butler University’s Controlled Substances Policy beginning on page 88.
CRIME CATEGORIES & DEFINITIONS

The Clery Act requires your institution to include four general categories of crime statistics:

- **Criminal Offenses**—Criminal Homicide, including Murder and Non-negligent Manslaughter, and Manslaughter by Negligence; Sexual Assault, including Rape, Fondling, Incest and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson.

- **Hate Crimes**—Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/ Vandalism of Property that were motivated by bias;

- **VAWA Offenses**—Any incidents of Domestic Violence, Dating Violence and Stalking. (Note that Sexual Assault is also a VAWA Offense but is included in the Criminal Offenses category for Clery Act reporting purposes); and


DEFINITIONS OF CATEGORIES

1. Criminal Offenses

   **Criminal Homicide**

   - **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.

   **Sexual Assault (Sex Offenses):** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

   - **Rape** is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
• **Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

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

• **Statutory Rape** is sexual intercourse with a person who is under the statutory age of consent.

**Robbery:** Robbery is 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:** Aggravated Assault is 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:** Burglary is the unlawful entry of a structure to commit a felony or a theft.

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

**Arson:** Arson is 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.

2. **HATE CRIMES**

Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias;
**Larceny-Theft** is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.

**Simple Assault** is 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** is 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** is 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.

### 3. VAWA Offenses:

Any incidents of Domestic Violence, Dating Violence and Stalking. (Note that Sexual Assault is also a VAWA Offense but is included in the Criminal Offenses category for Clery Act reporting purposes);

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

(i) The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

(ii) For the purposes of this definition—

(A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(B) Dating violence does not include acts covered under the definition of domestic violence.

(iii) For the purposes of complying with the requirements of this section and § 668.41, any
incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Domestic Violence:**

(i) A felony or misdemeanor crime of violence committed—

(A) By a current or former spouse or intimate partner of the victim;

(B) By a person with whom the victim shares a child in common;

(C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or

    intimate partner;

(D) By a person similarly situated to a spouse of the victim under the domestic or family

    violence laws of the jurisdiction in which the crime of violence occurred, or

(E) By any other person against an adult or youth victim who is protected from that

    person’s acts under the domestic or family violence laws of the jurisdiction in

    which the

    crime of violence occurred.

(ii) For the purposes of complying with the requirements of this section and § 668.41, any

    incident meeting this definition is considered a crime for the purposes of Clery Act

    reporting.

**Stalking:**

(i) Engaging in a course of conduct directed at a specific person that would cause a reasonable

    person to—

    (A) Fear for the person’s safety or the safety of others; or

    (B) Suffer substantial emotional distress.

(ii) For the purposes of this definition—

    (A) *Course of conduct* means two or more acts, including, but not limited to, acts in

        which

        the stalker directly, indirectly, or through third parties, by any action, method,
device,
  or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.

(B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

(C) *Substantial emotional* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

(iii) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

4. ** Arrests and Disciplinary Referrals for Violations of Liquor, Drug Abuse and Weapons Laws

*Arrests:* Include individuals who are arrested or receive a summons for violations of Indiana weapon, drug, or liquor law violations.

- **Liquor Law Violation:** The violation of laws of ordinance prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; all attempts to commit any of the aforesaid. (Drunkenness and driving under the influence are not included in this definition).

- **Drug Abuse Violations:** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous
non-narcotic drugs (barbiturates, Benzedrine).

- **Weapons Law Violations**: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

**Disciplinary Referrals**: Individuals referred to the Office of the Vice President for Student Affairs for liquor law, drug law, and illegal weapon violations. The numbers include incidents that are reported to University Police.
**INDIANA CRIMINAL CODE**

**Indiana Sex Crimes (IC-35-42-4)**

**Rape** (IC 35-42-4-1): Knowingly or intentionally having sexual intercourse with another person or knowingly or intentionally causing a person to submit to other sexual conduct when: the person is compelled by force or imminent threat of force; the other person is unaware that the sexual intercourse or other sexual conduct is occurring; or the other person is so mentally disabled or deficient that consent to sexual intercourse or other sexual conduct cannot be given; when the person disregarded the other person's attempts to physically, verbally, or by other visible conduct refuse the person's acts.

**Sexual Battery** (IC 35-42-4-8): A person, with intent to arouse or satisfy the person's own sexual desires or the sexual desires of another, touches another person when that person is compelled to submit to the touching by force or imminent threat of force; or so mentally disabled or deficient that consent to the touching cannot be given; or touches another person’s genitals, pubic area, buttocks, or female breast when that person is unaware the touching is occurring.

**Consent:** The State of Indiana does legally define consent in reference to sexual activity with the following statement - when the person disregarded the other person's attempts to physically, verbally, or by other visible conduct refuse the person's acts.

**Indiana Statutes Involving Domestic Violence**

**Crime of Domestic Violence** (IC 35-31.5-2-78): for purposes of IC 5-2-6.1, IC 35-38-9, and IC 35-47-4-7, means an offense or the attempt to commit an offense that:

(1) has as an element the:
   (A) use of physical force; or
   (B) threatened use of a deadly weapon; and

(2) is committed against a family or household member, as defined in section 128 of this chapter.
**Crimes involving Domestic or Family Violence (IC 35-31.5-2-76):** When a family or household member commits, attempts to commit, or conspires to comment any of the following against another family or household member:

1. A homicide offense under IC 35-42-1.
5. A sex offense under IC 35-42-4.
7. Arson or mischief under IC 35-43-1.
8. Burglary or trespass under IC 35-43-2.
9. Disorderly conduct under IC 35-45-1.
10. Intimidation or harassment under IC 35-45-2.
12. Stalking under IC 35-45-10.
14. A crime involving animal cruelty and a family or household member under IC 35-46-3-12(b)(2) or IC 35-46-3-12.5.

**Family or Household Member (IC 35-31.5-2-128):** An individual is a “family or household member” of another person if the individual:

1. is a current or former spouse of the other person;
2. is dating or has dated the other person;
3. is or was engaged in a sexual relationship with the other person;
4. is related by blood or adoption to the other person;
5. is or was related by marriage to the other person;
6. has or previously had an established legal relationship:
   - (A) as a guardian of the other person;
   - (B) as a ward of the other person;
   - (C) as a custodian of the other person;
   - (D) as a foster parent of the other person; or
   - (E) in a capacity with respect to the other person similar to those listed in clauses (A) through (D); or
7. has a child in common with the other person.

**Dating Violence:** Indiana does not define “dating violence” as a crime. It does include dating relationships in the Family or Household Member definition (see above).

**Domestic Battery (IC 35-42-2-1.3):** A person who knowingly or intentionally:

1. touches a family or household member in a rude, insolent, or angry manner; or
(2) in a rude, insolent, or angry manner places any bodily fluid or waste on a family or household member;

Domestic Battery ranges from an A Misdemeanor to a Level 2 Felony depending on various enhancements. However, all include the “family or household member” definition.

**Indiana Stalking Statute**

*Stalking (IC 35-45-10):* means a knowing or an intentional course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the victim to feel terrorized, frightened, intimidated, or threatened. The term does not include statutorily or constitutionally protected activity. It also includes making an explicit or implicit threat with the intent to place the victim in reasonable fear of sexual battery, serious bodily injury, or death.

**BUTLER UNIVERSITY INFORMATION ABOUT CONSENT**

From Page 5 of the Butler University *Sexual Misconduct Policy (rev. February 2, 2021)*

C. CONSENT

Consent is voluntary words or actions mutually understood by each party to be agreement or permission to engage in a specific sexual act at a specific time.

1. Consent cannot be inferred from any of the following:
   a. Silence,
   b. Passivity,
   c. The absence of resistance,
   d. The existence of a current or prior relationship, and/or
   e. Consent given previously.

2. The party who initiates sexual activity is responsible for obtaining consent for that activity.

3. Consent may be withdrawn at any time by any party.
   a. Consent is withdrawn by words or actions a reasonable person would understand to mean that a party no longer agrees or gives permission to engage in a specific sexual act at a specific time.
   b. Once consent is withdrawn, sexual activity must cease immediately.

4. There is no consent if any of the following are present:
   a. **Force:** The use of physical force that would reasonably overcome an individual’s freedom to choose whether to participate in sexual activity.
b. **Intimidation or Threat:** Express or implied threat of immediate or future physical, emotional, reputational, financial, or other harm to an individual or others that would reasonably place an individual in fear and that is employed to compel someone to engage in sexual activity.

c. **Coercion:** Pressure to engage in sexual activity that would reasonably overcome an individual’s freedom to choose whether to participate in sexual activity.

d. **Incapacitation:** An individual is incapacitated when they are unable to understand the who, what, when, where, why, and how of the situation due to the use of alcohol and/or other drugs, mental or physical disability, being asleep or unconscious, and/or age (as defined by Indiana state law).

i. There is no consent when:

1. The individual who initiated the sexual activity knew of the other party’s incapacitation, or
2. A reasonable person in the same situation would have known of the other party’s incapacitation.
DEFINITIONS OF CLERY GEOGRAPHY

**On-Campus Buildings or Property:** 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, including residence halls (to include housing within one mile of the campus border) and any building or property that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

**On-Campus Residential:** A dormitory or other residential facility for students that is located on an institution’s campus or within the same reasonably contiguous geographic area. Note: Statistics for University housing facilities are recorded and included in both the all-campus category and the on-campus residential only category.

**Non-Campus Buildings or Property:** Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographical area of the institution.

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

**Patrol Jurisdiction:** Any property that is regularly patrolled by the campus public safety office but that does not meet the definitions of campus, non-campus, or public property. These patrol services are typically provided pursuant to a formal agreement with the local jurisdiction, a local civic association, or other public entity. The information retrieved from this geographic area is included in the Daily Crime Log only. It is not included in the Annual Security Report.
### Clery Geography Specifics for Butler University

The table below breaks down the map to specific Clery Geography Terms used within the Annual Security Report (ASR).

<table>
<thead>
<tr>
<th>ON CAMPUS – Everything in blue shaded area except the following</th>
<th>NONCAMPUS</th>
<th>PUBLIC PROPERTY</th>
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<td><strong>ON CAMPUS – RESIDENTIAL</strong></td>
<td>Alpha Chi Omega</td>
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<td>300 – 700 W. 49th Street</td>
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<td>Fairview House</td>
<td>Delta Delta Delta</td>
<td>300 – 700 W. 52nd Street</td>
</tr>
<tr>
<td>Irvington House</td>
<td>Delta Gamma</td>
<td>4900 – 5200 N. Boulevard Place</td>
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<td>Residence College</td>
<td>Delta Tau Delta</td>
<td>500 – 1000 Hampton Drive</td>
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<td>Kappa Alpha Theta</td>
<td>4200 – 4400 Haughey Avenue</td>
</tr>
<tr>
<td>University Terrace</td>
<td>Kappa Kappa Gamma</td>
<td>4400 – 4900 Sunset Avenue</td>
</tr>
<tr>
<td>Village Apartment</td>
<td>Lambda Chi Alpha</td>
<td>4200 – 4300 Fairview Terrace</td>
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<tr>
<td>CTS Apartments</td>
<td>Phi Delta Theta</td>
<td>Elwood &amp; Mary Black Park</td>
</tr>
<tr>
<td>4204 Fairview Terrace</td>
<td>Phi Kappa Psi</td>
<td>Indianapolis Water Co. Canal &amp; foot path adjunct to the Canal</td>
</tr>
<tr>
<td>4205 Fairview Terrace</td>
<td>Pi Beta Phi</td>
<td>IndyGo Bus Stops</td>
</tr>
<tr>
<td>4209 Fairview Terrace</td>
<td>Sigma Chi</td>
<td>49 &amp; Sunset Ave</td>
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<tr>
<td>4220 Fairview Terrace</td>
<td>Sigma Nu</td>
<td>Butler Way @ Clowes Hall</td>
</tr>
<tr>
<td>4242 Fairview Terrace</td>
<td>Structure &amp; Property (outside of structure)</td>
<td>Public Streets, Public Sidewalks adjacent to streets, &amp; Parks</td>
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<td>4250 Fairview Terrace</td>
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<td>4253 Fairview Terrace</td>
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<td>4259 Fairview Terrace</td>
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<td><strong>Within the Structure.</strong></td>
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</tr>
<tr>
<td><strong>Incidents outside of the Structure would be labeled as On Campus.</strong></td>
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</table>

**PATROL JURISDICTION** is another Clery geographical classification used in the Daily Crime Log only. Butler University’s Patrol Jurisdiction is located on the East and South of the blue shaded area. The boundaries are:

**On the East**  
Graceland Ave (from 52nd St to Berkley Rd.)

**On the South**  
Berkley Rd (from Graceland Ave) to Sunset Ave.  
Sunset Ave to 43rd St.  
43rd Street to Clarendon Rd.  
Clarendon Rd to 42nd St.  
42nd St. to Michigan Rd.
REPORTED CRIME STATISTICS

These charts report crime statistics for Butler University calendar years 2018, 2019, and 2020. All universities are required to list a breakdown of reported crimes by geographic location. The categories are:

1. On-campus property (University-owned, contiguous, educational, and student-used, including residence halls)
2. Non-campus property (fraternities, non-contiguous owned, and student-used)
3. Public property (streets, sidewalks, and lots adjacent to campus property)
4. On-campus residential only (University-owned or leased student housing)

The University is required to state if any of the subcategories of reported crimes fall under the category of hate crimes. In addition to the subcategories, the crimes of theft, simple assault, and intimidation shall be reported if perpetrated as hate crimes. A hate crime is defined as an act that has evidence to show the victim was intentionally selected because of the victim’s actual or perceived race, gender, religion, sexual orientation, ethnicity, disability, national origin, or gender identity.

The statistics in this annual report were prepared by the Butler University Police Department based on information gathered from individuals in the following University offices and departments, and law enforcement authorities (local, state, and national):

Division of Student Affairs: Dean of Student Services
Division of Student Affairs: Director of Residence Life
Title IX
Butler University Campus Security Authorities
University Police Department: Asst. Chief of Police Administration
Indianapolis Metropolitan Police Department
Indiana State Police
Indiana State Excise Police, and numerous law enforcement agencies nationally.
## 2019 – 2021 Crime Statistics

<table>
<thead>
<tr>
<th>Offense (Reported By Hierarchy)</th>
<th>Year</th>
<th>On-Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
<th>Total</th>
<th>On-Campus Residential Facilities</th>
<th>Unfounded Crimes</th>
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### Offense (Reported By Hierarchy)

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<th>Year</th>
<th>On-Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
<th>Total</th>
<th>On-Campus Residential Facilities</th>
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*Dating Violence is included in the Domestic Violence line according to Indiana statute.

### Hate Crime Reporting:

2021: There was one (1) hate crime. 1 Mischief (Religion Bias).
2020: There was one (1) hate crime. 1 Mischief (Religion bias). There was one (1) Battery (National Origin) Unfounded
2019: There were two (2) hate crimes. 1 Mischief (Sexual Orientation) and 1 Intimidation (Religion).
MISSING STUDENTS NOTIFICATION POLICY STATEMENT

Students living in an on-campus housing facility have the option to identify a confidential contact person(s) whom the institution shall notify within 24 hours of the determination that the student is missing by the University Police Department. This contact person(s) can be the same as the student’s confidential contact person but it is not a requirement.

The contact information registered by the student will be confidential and will only be accessible to authorized campus officials and law enforcement and it may not be disclosed outside of a missing person investigation.

If a member of the University community has reason to believe that a student who resides in on-campus housing is missing, he or she shall immediately notify the Butler University Police Department at 317-940-9999. The University Police Department will immediately begin to investigate the incident. During the investigation, attempts to gather relevant information about the individual will be made that would assist in locating the missing individual. Evaluation of the circumstances will be conducted to determine if the missing person may be classified as a “high risk” missing person as defined by Indiana Code 5-2-17.

The University Police Department will notify the Indianapolis Metropolitan Police Department and notification will be made to the student’s confidential contact person(s), within 24 hours of the student being reported missing. During the course of the investigation, it is also possible other law enforcement agencies (i.e. Indiana State Police) will also be contacted depending on the information uncovered. If the missing person is classified as a “High Risk Missing Person” under Indiana statute, their information will be entered into the National Crime Information Center (NCIC) and/or Indiana Data and Communication Systems (IDACS) databases with two (2) hours of contact with BUPD.

If the missing student is under the age of 18 and is not an emancipated individual, Butler University will notify the student’s parent or legal guardian immediately after the University Police Department has determined that the student has been missing, but no longer than 24 hours after the student has been reported missing. The confidential contact person(s) will also be notified.
HOW TO BE AN ACTIVE BYSTANDER

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. Further information regarding bystander intervention may be found at www.butler.edu/ community-of-care. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive toward another and it is not safe for you to interrupt.

- 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 he or she is okay.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on- or off-campus resources listed in this document for support in health, counseling, or with legal assistance.

RISK REDUCTION

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduces one’s risk of being a victim of a crime

- Be aware of your surroundings. Knowing where you are and who is around you may help you find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don’t know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
• Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
• Make sure your cell phone is with you and charged and that you have cab money.
• Don’t allow yourself to be isolated with someone you don’t trust or someone you don’t know.
• Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
• 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.
• 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.).
• 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.
• 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.
• 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.
• 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).
• 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.

• 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?

• 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.
PROCEDURES VICTIMS SHOULD FOLLOW IF A CRIME OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING OCCURS

After an incident of sexual assault, dating violence, or domestic violence, the victim should consider seeking medical attention as soon as possible to assess for injury, sexually transmitted infections, and pregnancy. If you suspect a substance other than alcohol was used in the assault, it is recommended to report to the hospital as early as possible before the substance leaves your system. Immediate medical attention for victims of sexual assault is available at area hospitals that have a Center of Hope. The hospitals closest to campus that have a Center of Hope are St. Vincent and Methodist; they are open 24 hours a day. With a victim’s consent, a specially trained nurse will conduct an exam to collect evidence (fees for the exam and evidence collection are covered by the State of Indiana). At the hospital, you will be given an opportunity to speak with a police officer to report and investigate the incident. You may choose to do this or not. A University Police officer can be used for this reporting function. A forensic exam can also be done, without reporting to law enforcement, and at no expense to the survivor.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing, or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social-networking pages, other communications, and keeping pictures, logs, or other copies of documents, if they have any, that would be useful to University adjudicators/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with the University Police or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University at a later date to
assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

**VICTIMS OPTIONS FOR INVOLVEMENT OF LAW ENFORCEMENT AND CAMPUS AUTHORITIES**

Although the University strongly encourages all members of its community to report violations of this policy to the University Police or local law enforcement, it is the victim’s choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. Butler University will assist any victim with notifying the University Police if the victim so desires. The victim can contact the Title IX Coordinator or the Sexual Assault Response and Prevention Specialist to request assistance.

**REPORTING INCIDENTS OF DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING**

Victims of dating violence, domestic violence, sexual assault, or stalking should report the incident promptly to the Title IX Coordinator, or report in person to the University Police (if the victim desires.) Reports of all crimes of dating violence, domestic violence, sexual assault, and stalking will be referred to the Title IX Coordinator for investigation regardless if the complainant chooses to pursue criminal charges.

The institution’s Sexual Misconduct Policy including a description of the procedure can be found here: [http://www.butler.edu/hr/policies](http://www.butler.edu/hr/policies) or Appendix C of this document.

Although the University strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim’s choice whether or not to make such a report and victims have the right to decline involvement with the police. The University will assist any victim with notifying local police if they so desire. The Indianapolis Metropolitan Police Department may also be reached directly by calling 317-327-3811 (dispatch), 317-327-6100 (North District), or in person at 3120 E. 30th Street, Indianapolis, IN 46208. Additional information about the Indianapolis Metropolitan Police Department may be found online at: [https://www.indy.gov/activity/impd-north-district](https://www.indy.gov/activity/impd-north-district)
Procedures for getting a court ordered protective order can be found at:
https://www.indy.gov/activity/file-a-protective-order

PROCEDURES THE UNIVERSITY WILL FOLLOW WHEN A CRIME OF DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING IS REPORTED

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, financial aid, and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation, and working accommodations, if reasonably available. The University will make such accommodations if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the University Police or local law enforcement. Students and employees should contact the Title IX Coordinator to request assistance with accommodations.

The University will provide options to the victim about the involvement of law enforcement and campus authorities, including the notification of the victim’s options.
The table below is a sample of what BUPD will do in various cases of sexual assault, domestic violence, dating violence, and stalking.

<table>
<thead>
<tr>
<th>Incident Being Reported</th>
<th>Procedure Institution Will Follow:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Sexual Assault</strong></td>
<td>Depending on when reported (immediate vs. delayed report), institution will provide complainant with access to medical care. Institution will assess immediate safety needs of complainant. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department. Institution will provide written information to complainant on how to preserve evidence. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate. Institution will provide a “No trespass” directive to accused party if deemed appropriate. Institution will provide written instructions on how to apply for a Protective Order. Institution will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged, and the outcome of the hearing. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.</td>
</tr>
<tr>
<td><strong>Domestic Violence</strong></td>
<td>Institution will assess immediate safety needs of complainant. Institution will assist complainant with contacting local police if complainant requests. Institution will provide written information to complainant for Protective Order. Institution will provide written information to complainant on how to preserve evidence. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate. Institution will provide a “No trespass” directive to accused party if deemed appropriate.</td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th></th>
<th>Institution will assess immediate safety needs of complainant.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Institution will assist complainant with contacting local police if complainant requests.</td>
</tr>
<tr>
<td></td>
<td>Institution will provide written information to complainant for Protective Order.</td>
</tr>
<tr>
<td></td>
<td>Institution will provide written information to complainant on how to preserve evidence.</td>
</tr>
<tr>
<td></td>
<td>Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.</td>
</tr>
<tr>
<td></td>
<td>Institution will provide a “No trespass” directive to accused party if deemed appropriate.</td>
</tr>
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</table>

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</tr>
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<td></td>
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</tr>
<tr>
<td></td>
<td>Institution will provide a “No trespass” directive to accused party if deemed appropriate.</td>
</tr>
</tbody>
</table>
Specific information regarding Butler University’s Policy on Sexual Misconduct can be obtained from:

Ms. Georgia Hensley  
Title IX Coordinator  
317-940-6509  
titleix@butler.edu  
www.butler.edu/sexual-misconduct

Specific information regarding the criminal justice process concerning Sexual Assault, Domestic Violence, Dating Violence or Stalking can be obtained from:

Detective Sergeant Jeffrey Wager  
Butler University Police Department  
317-940-6584  
jlwager@butler.edu

Detective Courtney White  
Butler University Police Department  
317-940-8953  
cawhite1@butler.edu

Lieutenant Roy Betz  
Butler University Police Department  
317-940-2042  
rbetz@butler.edu

For more detail, the Rights and Options for Individuals affected by Sexual Assault, Dating Violence, Domestic Violence and Stalking can be located at:


The Sexual Misconduct Policy, along with information concerning the sexual misconduct process can be located at:

**IMMEDIATE HEALTH ASSISTANCE**

<table>
<thead>
<tr>
<th><strong>Sexual Assault Nurse Examiner (SANE)</strong></th>
<th>Specially trained nurses located at Center of Hope facilities (available 24 hours) within many hospitals around Indiana.</th>
</tr>
</thead>
</table>
| Center of Hope at Methodist Hospital *(within E.R.)*  
1701 North Senate Avenue, Indianapolis, IN 46206  
317-963-3394 or 317-962-1172 (24/7) | **This is a free, confidential resource available to students and employees.** |
| Center of Hope at St. Vincent Hospital *(within E.R.)*  
2001 W. 86th Street, Indianapolis, IN 46260  
317-338-1956 | Provide medical care for victims of sexual assault and family violence. If the victim wishes to pursue criminal charges, the Center will also collect evidence for future court proceedings. Prophylactic medication and other referral services are also available. |

**LAW ENFORCEMENT ASSISTANCE**

<table>
<thead>
<tr>
<th><strong>Law Enforcement</strong></th>
<th>Make a police report, conduct a criminal investigation, and refer to the Marion County Prosecutor’s Office. (The victim can choose to only make a police report, ask an investigation to stop at any time, or not pursue criminal prosecutions.)</th>
</tr>
</thead>
</table>
| Butler University Police Department  
525 W. Hampton Drive, Indianapolis, IN  
317-940-9396 (Emergency Assistance)  
317-940-2873 | BUPD can also assist the victim with application to court for a Protection Order. This process can be done on campus. |
| Indianapolis Metropolitan Police Department  
911  
317-327-3811 (Nonemergency Assistance) | IMPD, with the victim's assistance, will make a police report, conduct a criminal investigation, and refer to the Marion County Prosecutor’s Office. (The victim can choose to only make a police report, ask an investigation to stop at any time, or not pursue criminal prosecutions) |

**CAMPUS REPORTING OPTIONS FOR ADMINISTRATIVE ACTION**

<table>
<thead>
<tr>
<th><strong>Butler University Title IX Coordinator</strong></th>
<th>Identify resources.</th>
</tr>
</thead>
</table>
| Maria Kanger  
Title IX Coordinator  
317-940-6509  
titleix@butler.edu | Conduct administrative investigation and process. Can assist in making accommodations for student, faculty, and staff. |
| Tammy Pressler  
Deputy Title IX Coordinator  
317-940-2056 | |
| Molly Sullivan  
Deputy Title IX Coordinator  
317-940-9630 | |
| **Butler University Campus Security Authority (CSA)** | A federal Jeanne Clery Act specific term that encompasses four groups of individuals associated with the University: campus police, individuals responsible for campus security, individuals to whom students and employees should report criminal offenses, and officials who have significant responsibility for student and campus activities. Examples include Dean of Students; Director of Athletics or team Coaches; Faculty Advisor to a student group; Student Resident Advisor or Assistant. |
|  | Identify resources. |
### Butler University Responsible Employee

According to federal guidance, a responsible employee includes any employee who has the authority to take action to redress sexual violence, who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX Coordinator, or whom a student could reasonably believe has this authority or duty.

Identify resources.

Is required to minimally report criminal information to include date, time, location, and general type of crime.

### CAMPUS VICTIM ADVOCACY SERVICES FOR STUDENTS

**Butler University Sexual Assault Response and Prevention Specialist (SARPS)**  
Health and Recreation Complex  
317-910-5572

**After Hours**  
The Julian Center  
317-920-9320 (available 24/7)

Offers support and identify resources on and off campus. Available Monday–Friday from 9:00 AM–5:00 PM.

The SARPS is a confidential resource.

**The Julian Center is a confidential resource.**

### CENTER FOR FAITH AND VOCATION

**Butler University Center for Faith and Vocation**  
4615 Sunset Avenue  
317-940-8252

Pastoral counseling services are provided by appointment to students or staff. Contact Rev. Daniel Meyers, M. Div. by telephone or dgmeyers@butler.edu.

This is a confidential resource.

### CAMPUS HEALTH AND PSYCHOLOGICAL SERVICES FOR STUDENTS

Counseling Center Services and Health Services are provided to students. These are available Monday–Friday from 8:00 AM–4:00 PM.

**Butler University Counseling and Consultation Services**

Butler University Health Services  
Health and Recreation Complex  
317-940-9385

**After Hours**  
St. Vincent’s Stress Center  
317-338-4800 (available 24/7)  
Community Health Network  
317-621-5700 (available 24/7)  
Text Option 20121

These are confidential resources.
### OTHER CAMPUS RESOURCES FOR STUDENTS

<table>
<thead>
<tr>
<th>Office of the Vice President for Student Affairs</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Atherton Union, Room 200</td>
<td>317-940-9570</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Student Disability Services</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Jordan Hall, Room 136</td>
<td>317-940-9308</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>International Student Services</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Atherton Union, Room 004</td>
<td>317-940-9888</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Center for Global Education</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Jordan Hall, Room 138</td>
<td>317-940-8473</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Office of Financial Aid</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Robertson Hall, lower level</td>
<td>317-940-8200</td>
</tr>
</tbody>
</table>

These offices can provide you with additional information and resources if you find you need assistance within these areas.

### OTHER CAMPUS RESOURCES FOR EMPLOYEES

<table>
<thead>
<tr>
<th>Employee Assistance Program Consultants</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>855-387-9727</td>
<td></td>
</tr>
<tr>
<td>TDD - 800-697-0353</td>
<td></td>
</tr>
</tbody>
</table>

Web: https://www.guidanceresources.com
Web ID - ONEAMERICA3
Confidential
### OFF-CAMPUS RESOURCES FOR STUDENTS AND EMPLOYEES

#### Shelters
- Julian Center Shelter  
  317-920-9320  
- Salvation Army Emergency Lodge  
  317-637-5551  

These shelters are located in Indianapolis and provide assistance 24/7.

#### Protection Orders
If you are a victim of dating violence, domestic violence, sexual assault, or stalking, you may qualify for a Protection Order. You do not need to file a police report or pursue prosecution to be considered.

Marion County Superior Court 21  
200 E. Washington Street, Indianapolis, IN  
City-County Building, Room G108  
317-327-8577—Protective Order Intake

Court ordered Protection Orders can be obtained by going to the Protective Order Intake Office located adjacent to Marion County Superior Court 21. Applications for Protection Orders are accepted Monday–Friday between 8:00 AM and 3:00 PM. It is also possible to apply for a Protection Order at BUPD or any of the organizations listed below in the Legal Assistance area. You will need to contact them to get information on when they will take applications.

#### Legal Assistance
- Center for Victim and Human Rights  
  Indianapolis, IN  
  317-610-3427  
- Indiana Coalition Against Domestic Violence  
  1915 W. 18th Street, Indianapolis, IN  
  317-917-3685  
- Julian Center  
  2011 N. Meridian Street, Indianapolis, IN  
  317-941-2200  
  317-920-9320 (available 24/7)  
- Latino Coalition  
  300 E Fall Creek Pkwy N Dr # A, Indianapolis, IN  
  317-926-4673  
- Legal Aid  
  615 N. Alabama Street, #122, Indianapolis, IN  
  317-635-9538  
- Neighborhood Christian Legal Clinic  
  3333 N. Meridian Street, Suite 201, Indianapolis, IN  
  317-429-4131

These various organizations will provide legal services in matters dealing with civil actions connected to dating violence, domestic violence, sexual assault, and stalking. They can also assist in matters connected to U Visas and T Visas if you are a foreign national and victim of a crime.
## ADDITIONAL RESOURCES

<table>
<thead>
<tr>
<th>Organization</th>
<th>Address</th>
<th>Phone Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Julian Center</td>
<td>2011 N. Meridian Street, Indianapolis, IN</td>
<td>317-941-2200 (24/7) 317-920-9320—Crisis Line</td>
</tr>
<tr>
<td>Legacy House</td>
<td>2505 N. Arlington Avenue, Indianapolis, IN</td>
<td>317-554-5272</td>
</tr>
<tr>
<td>Prevail (serving Hamilton County and surrounding counties)</td>
<td>1100 S. 9th Street, Suite 100, Noblesville, IN</td>
<td>317-776-3472 (24/7) 317-773-6942</td>
</tr>
<tr>
<td>Indiana Coalition Against Domestic Violence</td>
<td>1915 W. 18th Street, Indianapolis, IN</td>
<td>317-917-3685</td>
</tr>
<tr>
<td>RAINN—Rape, Abuse, and Incest National Network Crisis Support</td>
<td>800-656-Hope (24/7) online.rainn.org (24/7)</td>
<td></td>
</tr>
<tr>
<td>Indiana Youth Group</td>
<td>2943 E. 46th Street, Indianapolis, IN</td>
<td>317-541-8726</td>
</tr>
<tr>
<td>Connect2Help</td>
<td>211</td>
<td><a href="http://www.Connect2Help.org">www.Connect2Help.org</a></td>
</tr>
<tr>
<td>VINE (Victim Information and Notification Services within Marion Co.)</td>
<td>866-959-8463</td>
<td></td>
</tr>
<tr>
<td>Marion County Prosecutor’s Office</td>
<td>251 E. Ohio Street, #160, Indianapolis, IN</td>
<td>317-327-3522</td>
</tr>
<tr>
<td>US Citizenship and Immigration Svcs</td>
<td>Gateway Plaza Building, 950 N. Meridian Street, Room 400, Indianapolis, IN</td>
<td></td>
</tr>
</tbody>
</table>

These organizations can provide a wide range of services for victims of domestic violence, dating violence, sexual assault, and stalking.

Provides safe places and confidential environments where self-identified lesbian, gay, bisexual, transgender, and questioning youth (ages 12–20 years) are empowered through programs, support services, social and leadership opportunities, and community service.

This free service is available 24/7 and can provide assistance in locating health care, support groups, mental health services, and other needs.

VINE is a free, automated service providing crime victims and other concerned citizens free, prompt, and confidential notification and status information for offenders in Indiana County Jails. Information is provided 24 hours a day, over the phone, through the internet or by email. Indiana VINE also has live operators available to assist callers. You may also register to receive automated messages by telephone or email when a particular offender is released, transferred, or escapes.

Assistance with matters concerning criminal charges within Marion County.

Local U.S. Governmental office dealing with visa issues.
FIRE SAFETY REPORT

Butler University is committed to providing a safe environment and takes fire prevention and education seriously. University representatives meet annually with the Indianapolis Fire Marshal to conduct fire safety and regulatory inspections. The University conducts annual testing of all fire monitoring and alarm equipment, conducts fire response, and evacuation drills. The following chart represents the type of fire monitoring and safety equipment located in each residence hall.

**BUTLER UNIVERSITY FIRE SAFETY MATRIX**

<table>
<thead>
<tr>
<th>Residential Facility</th>
<th>Fire Alarm Monitoring Done by BUPD</th>
<th>Sprinkler System (Full)</th>
<th>Sprinkler System (Partial)</th>
<th>Smoke Detection</th>
<th>Fire Extinguisher Devices</th>
<th>Evacuation Plans/Placards</th>
<th>Number of Fire Evacuation Drills Each Academic Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ross Hall 629 W. Hampton Drive (building closed)</td>
<td>X</td>
<td></td>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>0</td>
</tr>
<tr>
<td>Fairview House 4550 Sunset Avenue</td>
<td>X</td>
<td>X</td>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>2</td>
</tr>
<tr>
<td>ResCo 630 W. Hampton Drive</td>
<td>X</td>
<td>X</td>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>2</td>
</tr>
<tr>
<td>Irvington House 750 W. Hampton Drive</td>
<td>X</td>
<td>X</td>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>2</td>
</tr>
<tr>
<td>University Terrace 599 W. Westfield Boulevard</td>
<td>X</td>
<td></td>
<td></td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>2</td>
</tr>
<tr>
<td>Residential Facility</td>
<td>Fire Alarm Monitoring Done by BUPD</td>
<td>Sprinkler System (Full)</td>
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<tr>
<td>Apartment Village #A</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>2</td>
</tr>
<tr>
<td>5004 Boulevard Pl</td>
<td></td>
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</tr>
<tr>
<td>Apartment Village #B</td>
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<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
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<td>2</td>
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<tr>
<td>5008 Boulevard Pl</td>
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<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Apartment Village #C</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>x</td>
<td>2</td>
</tr>
<tr>
<td>5012 Boulevard Pl</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Apartment Village #D</td>
<td>x</td>
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<td>Sprinkler System (Full)</td>
<td>Sprinkler System (Partial)</td>
<td>Smoke Detection</td>
<td>Fire Extinguisher Devices</td>
<td>Evacuation Plans/Placards</td>
<td>Number of Fire Evacuation Drills Each Academic Year</td>
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Partial Sprinkle System is defined as having sprinklers in the basement lounge of the building.
Full Sprinkler System is defined as having sprinklers in both the common areas and individual rooms.
*CTS Building Apartment A/B/C—Fire Alarm Monitoring is done by Tyco.

**BUTLER UNIVERSITY FIRE SAFETY MATRIX (CONT.)**

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<thead>
<tr>
<th>Residential Facility</th>
<th>Fire Alarm Monitoring Done by BUPD</th>
<th>Sprinkler System (Full)</th>
<th>Sprinkler System (Partial)</th>
<th>Smoke Detection</th>
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Fire drills are not conducted in the above residential facilities. They are one family residents.
FIRE DRILLS IN RESIDENCE HALLS

The following chart represents the number of fire evacuation drills conducted for some on-campus residential housing facilities in 2021.

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<td>2021</td>
<td>Apartment Village Building J</td>
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<td>University Terrace</td>
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NOTE: Fire drills are not conducted at CTS Apartments, Butler Terrace Apartments, or single-family homes on Fairview Terrace or W. 43rd Street because they are equipped with smoke detection devices only.
FIRE SAFETY POLICIES

Fire Safety Policies for Students Living in Butler University Housing Facilities

1. Collection or storage of materials, supplies or personal property that constitute a fire hazard as determined by the University is prohibited. Storage or use of combustible materials, explosives, fireworks or firearms is prohibited. Use of outside TV or radio antennas, sun lamps, halogen lamps, heat lamps, space heaters or microwave ovens (Other than University provided in FVH and AV) is strictly prohibited. The following requirements have been created in conjunction with the Indianapolis fire marshal to ensure the safety of all residents:

   o Possession and burning of candles, incense, or spices such as sage in housing facilities is a fire hazard and is not permitted.
   o Electric potpourri pots and plug in air fresheners are prohibited.
   o Incense, lanterns, charcoal, lighter fluid, Bunsen type burners and propane are prohibited.
   o All extension cords must be of a surge-protector type with an ON/OFF switch, power on indicator light, and a breaker reset.
   o No two prong ground adapters are permitted. If a room has outlets that do not accept three prong plugs, the room should be reported to your CA or community director so that the outlets can be changed immediately.
   o Halogen bulbs generates extreme heat, which increases the potential fire hazard and are not permitted.
   o Refrigerators must be plugged in directly to the wall outlet, and not using any kind of extension cord.
   o The use of cooking appliances in individual student rooms is prohibited.
   o Wall, door and room decorations are limited to 20% of any given surface.
   o Personal floor mats, or any other item which represent a trip hazard, are not permitted in hallways.
   o Do not attach anything to, or hang any item on, any sprinkler head.
   o Do not attach anything near a sprinkler head that may obstruct the spray pattern.
   o Do not attach anything to or alter any life safety device such as fire alarm horns, strobe lights, sprinkler heads, smoke detectors, exit lights, pull stations or any type of emergency signage.
   o No items are to be hung from any ceiling or cloth hung on the walls (tapestries)
The use of acetate, cellophane, tissue paper or other combustible materials over or in light fixtures is prohibited.

String, rope, holiday, or other types of decorative lighting, and night lights are prohibited.

Exit doors, hallways and stair wells must be clear at all times.

Candles, incense, and plug-in air fresheners, fragrance heaters are prohibited.

The above information is taken from Butler University Community Standards and Rules, Standards of Behavior and Safety, Fire Safety located at https://www.butler.edu/res-life-policies

**REPORTING AN OCCURRENCE OF FIRE ON CAMPUS**

It is the policy of Butler University to disclose statistical data on all fires that occur in on-campus student residential facilities. If you are aware of a fire that has been extinguished or see evidence of a fire, please contact University Police at 317-940-9999.

**PLANS FOR FUTURE IMPROVEMENTS IN FIRE SAFETY**

There are no current plans for upgrading existing fire alarm safety equipment.
REPORTED FIRE STATISTICS

The following charts represent reports of fires occurring in the Butler University residential housing units. A fire is defined as any instance of open flame or other burning in a place not intended to contain the burning, or in an uncontrolled manner. A fire report log is maintained and reported within the Daily Crime Log and Fire Log. It is available for public review at the Butler University Police Department, 24 hours a day, and seven days a week. The log represents all reported fires covering a 60-day period. The log is also available at https://www.butler.edu/public-safety/daily-crime-log/
## 2021 FIRE STATISTICS & RELATED INFORMATION FOR ON-CAMPUS RESIDENTIAL FACILITIES

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<tr>
<th>Housing Facility</th>
<th>Total Fires in</th>
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<th>Cause of Fire</th>
<th>Number of Injuries That Required Treatment at a Medical Facility</th>
<th>Number of Deaths Related to a Fire</th>
<th>Value of Property Damage Caused by a Fire</th>
<th>Case Number</th>
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APPENDIX A - Alcohol Related Policies, Procedures, and Consequences for Students

Alcohol Policy for Students
The primary concern of Butler University, including incidents of intoxication and/or alcohol poisoning, is the health and safety of the individuals involved. Students and student organizations are expected to summon immediate emergency medical care for students, members, or guests who are in need of assessment.

The University’s policy and student conduct practices recognize and adhere to the State of Indiana’s Lifeline Law (www.IndianaLifeline.org) that:

• Provides that a person is immune from arrest or prosecution for certain alcohol offenses if the arrest or prosecution is due to the person: (1) reporting a medical emergency; (2) being the victim of a sex offense; or (3) witnessing and reporting what the person believes to be a crime.

• Provides immunity for the crimes of public intoxication, minor in possession, minor in consumption, and similar laws, to persons who identify themselves to law enforcement while seeking medical assistance for a person suffering from an alcohol-related health emergency. In order to receive immunity, the reporting individual must demonstrate that they are acting in good faith by fulfilling the following expectations:
  o Providing their full name and any other relevant information at the request of law enforcement officers.
  o Remaining on the scene until law enforcement and emergency medical assistance dismiss.
  o Cooperating with all authorities.

• The Indiana Lifeline Law will not interfere with law enforcement procedures or limit the ability to prosecute for other criminal offenses such as providing alcohol to minors, operating vehicles while intoxicated, or the possession of a controlled substance.
  (Note: BUPD officers will use their discretion, and consideration will be given on a case-by-case basis when marijuana is involved.)

Butler students who actively seek medical attention on the behalf of another person in accordance with the Indiana Lifeline Law, will not be charged with a violation of University policies regarding underage use and possession of alcohol. It should be recognized that:

• Those who assist in situations such as these can expect outreach from a Student Affairs staff member to discuss the incident.

• In the course of investigating an incident, if someone is found to have misrepresented their involvement, it is possible that student conduct charges could be levied.

• Student conduct action could result for other policy violations such as fake identification, causing or threatening physical harm, sexual misconduct, damage to property, unlawful provision of alcohol and other drugs, harassment, and hazing, etc. If student conduct action does result, the students’ actions to secure emergency medical attention will be considered in the University’s response.

Use of Alcoholic Beverages
All Butler students are responsible for complying with state and local laws. Attention is called to the Indiana alcoholic beverages law (Indiana Code 7.1-5 found here: www.in.gov/legislative/ic/code/title7.1/)

The following are violations of this policy:
(a) No person under 21 years of age may consume or be in possession of alcoholic beverages.
(b) Persons 21 or over may not make alcoholic beverages available to minors.
(c) It is unacceptable to misrepresent one’s age for the purpose of procuring alcoholic beverages.
(d) Residence hall and University apartment students 21 years of age and their guests 21 years of age or older may possess and consume alcoholic beverages on an individual basis in the privacy of their own rooms, with their room doors closed. Individuals younger than 21 years of age may not be in the presence of alcohol within the residence halls/apartments.

Alcohol on University Property and at University-sponsored Events:
1. Alcoholic beverages are prohibited on campus and on the sidewalks adjacent to campus property, except as noted in (d) above or,
   • With the expressed approval of the department head responsible for the administration of a designated facility/area.
   • Student organizations wanting to sponsor an event on campus with alcohol must receive prior authorization from the Vice President for Student Affairs.
   While the City of Indianapolis does permit open alcohol containers, Butler University policy does not. The exception to this rule, as noted above, is that alcohol may be served at approved events with the proper markings/area designated for alcohol consumption.
2. No University funds or monies from student organization accounts may be used to purchase alcoholic beverages without the prior authorization of the Vice President for Student Affairs.
3. Student organizations may provide alcoholic beverages at University-sponsored events on and off campus according to the social event guidelines found here: https://www.butler.edu/student-life/student-handbook/campus-life/alcohol/
4. University-recognized Greek chapters may provide alcoholic beverages at events on their premises according to the Greek alcohol and social event guidelines found here: https://www.butler.edu/student-life/student-handbook/campus-life/alcohol/

Updated annually: August 2019
Student Organization Social Event Procedures

Members of student organizations shall be subject to the Student Alcohol Policy and Social Event Procedures concerning the possession and consumption of alcoholic beverages on University-related premises or at University-sponsored events. Recommendations are listed that will enhance the ability of student organizations to better self-regulate events.

- The guidelines are not designed to encourage or discourage alcohol consumption. Rather, they establish parameters for alcohol use that are consistent with applicable laws and allow for social interaction and personal expression without infringing on the rights and property of others. Positive social interaction is an integral part of the educational process, and the guidelines enable organizations to maintain high behavioral standards that directly contribute to a positive living-learning environment.

- The planning and execution of a social event is the responsibility of all organized groups participating in the function. If a planned social event involves two or more student groups, the appropriate officers of the groups will participate in the planning and implementation of that event, regardless of where the event will occur.

- Conduct sanctions resulting from violations of the University’s Rules of Conduct will be individualized for each case. Individual(s) alleged to have violated this policy may face University student conduct as well as legal action. Similarly, a student organization may be held responsible for failures to follow University policies, rules and procedures.

ALCOHOL POLICY FOR STUDENTS AND STUDENT ORGANIZATIONS

Alcohol Policy for Students can be found in the Student Handbook here: https://www.butler.edu/student-handbook/alcohol-policy

ALCOHOL AT ON-CAMPUS EVENTS

(For information about off campus events, see p.5)

1. Approval
   
   (a) Student organizations seeking to provide alcoholic beverages on University-owned or controlled property must first obtain authorization from the Vice President for Student Affairs (VPSA). Depending on the location, secondary approval may needed from the department head responsible for the administration of that facility/area.

   (b) On a case-by-case basis, an organization may petition the VPSA to allow the serving and consuming of alcoholic beverages outside the physical structure of a building in prescribed areas.

   (c) In order to obtain approval, an electronic request detailing the time, location, number of participants and the exact nature of the event must be submitted to the VPSA at least six (6)
weeks in advance of the event. This process starts with Butler Engage, and the completion of the Approval Request Form: Social Events with Alcohol (https://butler.campuslabs.com/engage). The Executive Director of Student Involvement & Leadership or the Greek Life Director (for social fraternities/sororities) as appropriate will review as completed online requests. If approved, the request is forwarded to University Events to confirm the space reservation only. The VPSA, or designee, will be included in the approval review process.

(d) All contracts, including those for off campus locations, must be reviewed and signed by the VPSA or designee. All contracts must be submitted no less than six (6) weeks prior to the events. A certificate of insurance for the third-party vendor is also required; see 6(b).

2. Sponsoring Events at Which Alcohol May Be Furnished
   (a) A campus wide social event with alcohol is defined as an event that is held on campus with a third-party vendor, an enclosed alcohol area, security officers in attendance, and limited to current Butler University students and their guests.
   (b) All Butler students must show a current Butler ID to enter the event. Non-Butler guests, attending with a Butler student, must show a picture ID and sign in on the approved guest sheet. Alumni of the sponsoring organization(s) may gain admission by showing proof of affiliation, picture ID which lists their date of birth, and signing in on the guest sheet.
   (c) The registered University student organization advisor or approved University employee designee must be on-site the entire duration of the event.
   (d) No special mention, pictorial or otherwise, of the fact that alcohol will be present may be made when advertising such events. Advertising for an on campus social event may include the statement “Beverages Available, ID required.”

3. Requirements for sponsoring events
   (a) All organizations wishing to sponsor an event must be in good standing with the University and any of its governing organizations. A student organization is not in good standing if it is on conduct probation, has any pending sanctions, and/or has a zero or negative account balance with the Office of Student Activities.
   (b) A maximum of four organizations may co-sponsor any single social event.

4. Capacity of facility
   (a) The number of people who may attend a social event in a particular space will be established by the physical limitations of the space. A state fire marshal will examine the space and determine capacity for facility. Verification of that fire marshal’s inspection should be on file in the Department of Student Involvement & Leadership. Alcohol at outside events shall be contained to a clearly designated area.

5. Timing of event
   (a) No social events with alcohol may be held on days other than Friday or Saturday. No social events shall be scheduled during reading days or during breaks. (Reading days are listed on the University academic calendar.)
   (b) Social events held outdoors will end at 11 p.m. to comply with the city noise ordinance. Indoor social events may continue until 2 a.m., with security officers present and sound contained within the facility. Alcohol may be furnished until 1:30 a.m. or 30 minutes prior to the end of the event, whichever is earliest.
   (c) All events run the risk of being terminated for excessive noise or alcohol violations.
6. Furnishing alcohol at social events
   (a) Any social event involving the distribution and consumption of alcohol must employ a third-party social event vendor.
   (b) The vendor must carry General Liability insurance with a per occurrence limit of not less than $2,000,000 combined single limit for bodily injury and property damage. The limit of $2,000,000 can be achieved by the General Liability policy alone, or with a combination of General Liability and Umbrella coverage. If the vendor will be serving or supplying alcohol, the insurance coverage must also include Liquor Liability with a limit of no less than $1,000,000 per claim. The vendor shall also provide proof of Workers Compensation coverage which includes Employer’s Liability of not less than $100,000, each accident; $100,000, each employee by disease; and $500,000, per policy by disease. Proof of all coverages listed above shall be in the form of a certificate of insurance showing Butler University (and other entities to be determined) as an Additional Insured under General Liability. The certificate shall be submitted no less than seven (7) days prior to the event, with carriers satisfactory to Butler University, and with an AM Best rating of A, VII or better.
   • Butler Dining Services is a pre-approved vendor for on-campus events.
   (c) Alcoholic beverages may only be furnished in cans or plastic cups.
   (d) Available alcohol will consist of beer, wine and mixed drinks using only one type of liquor.
   (e) Dutiful monitoring of alcohol consumption and if necessary, subsequent denial of alcohol in cases of, but not limited to: unruly behavior, apparent alcohol abuse, severe intoxication, or any other situation, left to their discretion that would indicate the need to deny individuals alcohol.
   (f) All alcohol distribution shall be exchanged for a wristband ticket on a per drink basis. The ticket may be purchased through a cashier furnished by the third-party vendor.
   (g) The third-party vendor assumes responsibility for confirming legal drinking age (21 years of age) of the people to whom they provide wristbands and alcohol every time alcohol is distributed.
   (h) Individuals 21 and older with a wristband would be allowed the equivalent of one beer, glass of wine, mixed drink per hour, as determined by the number of tickets-tabs on the wristband. Individuals that gain entry into the event during the last hour of the furnishing of alcohol will be given a wristband with only one tab.
   (i) Third party vendors dispensing alcohol may not serve more than one standard serving of beer, wine, or mixed drink to an individual at a time.
   (j) The use of any alternate method of alcohol distribution (e.g., BYOB, etc.), other than third party vendor, is strictly prohibited.

7. Limited attendance
   (a) Only Butler students, alumni of the organization, or a guest of a Butler University student may attend a campus event at which alcoholic beverages are furnished.
   (b) At a limited attendance event, the guest list will be used at the door to verify the guests have been approved for attendance. Security personnel will be involved with checking the guest list and may assist the third-party vendor in checking IDs, confirming that those who receive wristbands are of legal age. Participants may only receive one wristband.
   (c) Intoxicated individuals shall not be admitted to the event. No one may bring alcohol into the event.
(d) In accordance with state law, no one under the age of 18 is admitted where alcohol is furnished.

8. Guest responsibility
   (a) By placing a guest’s name on a guest list for a social event and admitting them to the social event, the individual Butler host and the student organization(s) hosting the event assume responsibility for that guest’s behavior.
   (b) No guests shall be admitted after 1:30 a.m.

9. Overcrowding
   (a) When a social event becomes overcrowded, as specified by the fire code, organization members should not allow any more attendees into the facility. As attendees leave, new arrivals may be allowed into the event.

10. Monitoring an event
   (a) Food and non-alcoholic alternative beverages (excluding a water fountain and/or a soft drink machine) must be provided at all events at which alcoholic beverages are available.
   (b) The alcohol service area must be secured or defined in a manner that ensures only those persons who are 21 or over will be furnished alcoholic beverages.
   (c) The University police should be contacted immediately if assistance is needed during the event (317) 940-9999.
   (d) Under no circumstances may alcoholic beverages be sold on a per-drink basis or distributed unless a third-party vendor is employed.
   (e) It is recommended that alcohol only be furnished in a well-lit area.
   (f) There must be a minimum of four (4) sobriety monitors present at any social event involving alcohol distribution. Sobriety monitors, selected from the organization sponsoring the function, must not consume any alcohol for the duration of the event so that they may assist in the case of an emergency or any other situation necessitating their aid. Each sponsoring organization should provide at least one (1) sobriety monitor if more than one organization is participating. Sobriety monitors shall be visible and available throughout the social event to monitor access at doors, observe general behavior, and report concerns to security. Sobriety monitors and security should make periodic rounds through the social event area.

11. Security
   (a) Security officers must be hired to help monitor the event. There must be a minimum of two security officers from a company designated to provide services for these events. The University police will determine the number of security officers needed for the event; they typically use the ratio of one security officer per 100 expected attendees, although the type of event will also be considered. At the discretion of the University police or the security company, additional officers may be required for larger events. Security arrangements should be completed at least a minimum of six (6) weeks before the event.
   (b) One security officer must be stationed near the alcohol serving area.
   (c) The University police will meet and brief the hired security personnel on site no later than 15 minutes prior to the start of the function.
   (d) Security must remain at the social event until it is closed, and people are dispersed.
12. Closed social events – All aforementioned policies listed through number 11 also apply. In addition, student organizations are responsible for the follow:
   (a) These events are defined as an event that is held by any student organization and designated as such on the event registration form.
   (b) A guest list should be submitted in Butler Engage along with the completed event registration form for any closed event.
   (c) Each sponsoring organization must submit their guest list on paper that includes the organization’s name at the top. The guests’ names must be in alphabetical order by last name of the student/guest.
   (d) Registration of closed social events involving alcohol should be registered a minimum of six (6) weeks in advance of the event. The online event registration process starts at My.Butler.edu. Indicate in the appropriate field that the group is seeking permission for alcohol at the event. The executive director of Student Involvement & Leadership or the director of Greek Life (for social fraternities/sororities) as appropriate will review as appropriate completed online requests. If approved, the request is forwarded to University Events to confirm the space reservation. The VPSA, or designee, will be included in the approval review process.

ALCOHOL AT OFF-CAMPUS EVENTS

Alcohol may be served at a Butler student organization event that is held off campus with a third-party vendor, in a defined alcohol area, security officers in attendance, and limited to current Butler University students and their guests.

1. Approval
   (a) Approval of off campus social events involving alcohol should must be secured from the Vice President for Student Affairs at least six (6) weeks in advance of the event. The process starts with an electronic request Butler Engage, and the completion of the Approval Request Form: Social Events with Alcohol (https://butler.campuslabs.com/engage). Student organizations will provide the time, location, number of participants and the exact nature of the event.

2. Requirements
   (a) All organizations wishing to sponsor an event must be in good standing with the University and any governing organizations. An organization is not in good standing if it is on conduct probation, has any pending sanctions, and/or has a zero or negative account balance with the Office of Student Activities.
   (b) A maximum of four organizations may co-sponsor any one single social event.
   (c) All contracts must be reviewed and signed by the VPSA or designee. All contracts must be submitted no less than six (6) weeks prior to the events. A certificate of insurance for the third-party vendor as well as a certificate of insurance for the site must be secured; see 7(b).
   (d) The registered University student organization advisor or approved University employee designee must be on-site the entire duration of the event.
(e) No special mention, pictorial or otherwise, of the fact that alcohol will be present may be made when advertising such events. Advertising for an on campus social event may include the statement “Beverages Available, ID required.”

3. Attendance
   (a) Only Butler University students or a guest of a Butler student may attend an off-campus event at which alcoholic beverages are furnished.
   (b) A guest list should be submitted along with the completed Engage form. This guest list will be used at the door to verify attendance of only expected participants. Anyone not listed on the approved guest list should not be allowed entrance into the event.
   (c) All current Butler students must show a current Butler ID to enter the event.
   (d) Butler alumni and non-Butler guests must show a picture ID and sign in on the guest sheet.
   (e) Each sponsoring organization must submit their guest list on paper that includes the organization’s name at the top. The guests’ names must be in alphabetical order by last name of the student/guest.
   (f) It is recommended that those who are of legal age and intending to consume alcohol show proof of age and are given a wristband at entrance. This identification does not relieve a third-party vendor from checking IDs; further proof of age may be required at the point of alcohol distribution.
   (g) Intoxicated individuals shall not be admitted to the event. No one may bring alcohol into the event. No guests shall be admitted after 1:30 a.m.
   (h) Off-campus events that are fundraisers may draw a wider audience and consequently may require some additional considerations and stipulations that will be determined during the approval process.

4. Guest responsibility
   (a) By placing a guest’s name on a guest list for a social event and admitting them to the social event, the individual Butler host and the student organization(s) hosting the event assume responsibility for that guest’s behavior.

5. Transportation
   (a) A transportation plan must be approved in advance of the event.
   (b) It is likely that the plan will require current Butler students to travel to an off-campus event site and return to campus on buses. Participants will be required to complete a liability waiver.

6. Timing of event
   (a) No social events with alcohol may be held on days other than Friday or Saturday. No social events shall be scheduled during reading days or during breaks. (Reading days are listed on the University calendar.
   (b) Indoor social events may continue until 2 a.m., with security officers present and sound contained within the facility.
   (c) Timing for outdoor events must follow applicable noise ordinances.

7. Furnishing alcohol
   (a) Any social event involving the distribution and consumption of alcohol must employ a third-party vendor.
   (b) The vendor must carry General Liability insurance with a per occurrence limit of not less than $2,000,000 combined single limit for bodily injury and property damage. The limit of $2,000,000 can be achieved by the General Liability policy alone, or with
a combination of General Liability and Umbrella coverage. If the vendor will be serving or supplying alcohol, the insurance coverage must also include Liquor Liability with a limit of no less than $1,000,000 per claim. The vendor shall also provide proof of Workers Compensation coverage which includes Employer's Liability of not less than $100,000, each accident; $100,000, each employee by disease; and $500,000, per policy by disease. Proof of all coverages listed above shall be in the form of a certificate of insurance showing Butler University (and other entities to be determined) as an Additional Insured under General Liability. The certificate shall be submitted no less than seven (7) days prior to the event, with carriers satisfactory to Butler University, and with an AM Best rating of A, VII or better.

(c) Dutiful monitoring of alcohol consumption and if necessary, subsequent denial of alcohol in cases of, but not limited to unruly behavior, apparent alcohol abuse, severe intoxication, or any other situation, left to their discretion that would indicate the need to deny individuals alcohol.

(d) The third-party vendor assumes responsibility for confirming legal drinking age (21 years of age).

(e) The alcohol service area must be secured or defined in a manner that ensures only those persons who are 21 or over will be furnished alcoholic beverages. In accordance with state law, no one under the age of 18 may be admitted to areas where alcohol is furnished.

(f) The use of any alternate method of alcohol distribution (e.g., BYOB, etc.), other than third party vendor, is strictly prohibited.

8. Monitoring an event

(a) Food and non-alcoholic alternative beverages (excluding a water fountain and/or a soft drink machine) must be provided at all events at which alcoholic beverages are consumed.

(b) The appropriate security personnel and/or city police department should be contacted immediately if assistance is needed while monitoring an event.

(c) There must be a minimum of four (4) sobriety monitors present at any social event involving alcohol distribution. Sobriety monitors, selected from the organization(s) sponsoring the function, must not consume any alcohol for the duration of the event so that they may assist in the case of an emergency or any other situation necessitating their aid. Each sponsoring organization should provide at least one (1) sobriety monitor if more than one organization is participating. Sobriety monitors shall be visible and available throughout the social event to monitor access at doors, observe general behavior, and report concerns to security. Sobriety monitors and security should make periodic rounds through the social event area.

9. Security

(a) Arrangements must be made to hire security officers to monitor the event according to the facility’s and/or the third-party vendor’s stipulations. Security personnel will be involved with monitoring the venue assisting with the guest list and may assist the third-party vendor in checking IDs of people admitted to the social event. Security must remain at the social event until it is closed, and people are dispersed.

The Student Organizations Social Event Guidelines are reviewed annually. Last updated: October 2018
Butler University Interfraternity Council and Panhellenic Association Alcohol Policy

Introduction

This document outlines the standards, regulations, and registration process for social events that involve alcohol within the Butler University Interfraternity Council (IFC) and Panhellenic Association (PHA). The goal of this policy is to create a safe, healthy, and vibrant social environment for all members. In planning and implementing social events, all members of the Interfraternity Council and Panhellenic Association within the Butler University community are required to follow the regulations and policies concerning alcohol and other risk-related issues contained in this policy in addition to all applicable University policies. In order to promote responsible citizenship, all initiated members and new members/associate members are expected to abide by all federal, state, and local ordinances, and their organization’s inter/national alcohol/risk management policy. This document will be reviewed for edits in May 2020.

Definitions

1. A social event is defined as:
   a. A gathering of 10 or more individuals with alcohol present (e.g. social mixers, tailgate events, pre-parties, watch party, etc.). Locations may include but are not limited to chapter houses, annex houses, residence halls, and apartment complexes; or
   b. Any activity that is planned, sponsored, hosted, promoted, or funded by a chapter where alcohol is present; or
   c. Any activity where the number of people in attendance from any given chapter would lead a reasonable person to believe it was a function of that chapter and there is alcohol present.

2. Event Monitors: An Event Monitor is an individual charged with monitoring social events in order to provide a safe social environment. Event Monitors should follow these guidelines:
   a. Event Monitors must not be under the influence of alcohol or any illegal substance while serving as an Event Monitor.
   b. Event Monitors must be in a common communication system like a group chat or GroupMe that is un-muted while serving as an Event Monitor.
   c. Event Monitors must be clearly identifiable while serving as an Event Monitor.
   d. Event Monitors should not be new members/associate members.

3. Guest: A person who is invited by the chapter(s) hosting or co-sponsoring a social event or by any of their members.

4. Member: Individuals who are considered active members/associate members in accordance with the chapter’s constitution or by-laws.

5. New Member: Individuals who have accepted an invitation to join an organization, extending from acceptance of a bid unto Initiation.

6. Open parties: event with unrestricted access to non-members of the organization, without specific invitation, where alcohol is present

Organization Use of Alcohol and Other Drugs

1. Possessing and consuming alcohol in the state of Indiana while under the legal drinking age of 21 is prohibited.

2. Serving (serving, distributing, furnishing) alcohol to any persons under the legal drinking age (21 years old) is prohibited.
3. Using chapter funds (social dues, Venmo, pass the hat, etc.) to purchase alcohol is prohibited.
4. Chapters shall require all those attending an event to present proof of legal drinking age in order to consume alcoholic beverages.
5. Open parties, meaning those with unrestricted access by non-members of the organization/chapter, without specific invitation, where alcohol is present, are prohibited.
6. Common sources of alcohol, including bulk quantities, which are not being served by a licensed and insured third party vendor, are prohibited (i.e., amounts of alcohol greater than what a reasonable person should consume over the duration of an event).
7. The chapter/organization, members, or guests must not permit, encourage, coerce, glorify or participate in any activities involving or using devices intended for the rapid consumption of alcohol, such as drinking games or funnels.
8. Unlawful possession, use, distribution, or facilitation of distribution of controlled drugs or substances, including unauthorized use of prescription drugs or drug paraphernalia at all chapter activities and events and within chapter facilities, is prohibited. The term distribution includes the “sharing” of any drug with others.
9. Chapters co-sponsoring an event with any establishment whose alcohol sales account for 50% or more of the total business transactions is prohibited. However, renting such an establishment for an event is permitted, subject to registration guidelines.
10. Any event or activity related to the new member joining process (e.g. rush, recruitment, etc.) must be substance-free. No alcohol or drugs may be present if the event or activity is related to new member activities, meetings, or initiation into an organization, including but not limited to “bid night,” “big/little” events or activities, “family” events or activities, and any ritual or ceremony.
11. The use of alcohol, drugs, or other substances as an award or trophy for any chapter event or program is prohibited.
12. The presence of alcohol or other drugs at philanthropic events, whether provided by the chapter hosting the philanthropy, or the members of participating chapters, is prohibited.
13. Bottled water must be freely provided.
14. Snacks must be freely provided.
15. The presence of alcohol products above 15% alcohol by volume (“ABV”) is prohibited on any chapter/organization premises or at any event, except when served by a licensed and insured third-party vendor.

**Distribution & BYO Policies**

1. All events with alcohol will be either “Bring Your Own” or served by a licensed and insured third-party vendor.
2. All alcohol is to be distributed from one location.
3. For all “Bring Your Own” (BYO) events:
   a. No individual Member or Guest should bring more than they intend to drink over the course of the event. No liquor or any other alcoholic beverage above 15% ABV shall be permitted.
   b. The sale of alcoholic beverages or any other drug by a member fraternity/sorority or individual fraternity/sorority member is strictly forbidden.
4. The bar wristband system and stamp must be used for all BYO events
   a. Upon arrival at the event, all alcohol must be checked at the bar with an organization
      member serving as bartender in exchange for a bar wristband and stamp, which the
      bartender will provide.
      i. A bartender is defined as a non-member of the party. That is, this person cannot at
         any point be a participant of the event before, after, or during a “shift”. This person
         is responsible for being bartender for the entire duration of the event.
      ii. Bartenders are to be held to the same standards and responsibilities as Event
          Monitors (sober, in-good-standing, etc.)
      iii. For insurance and liability purposes, it is highly recommended that this person be a
           member of the organization(s) hosting the event.
5. The third-party bartenders will operate at all times in accordance with their contractual
   obligations, company policies, and applicable laws and regulations, which includes declining to
   serve those who are already intoxicated.
6. If an individual has checked in alcohol at the bar, it can only be checked out for consumption
   prior to a 1:30 a.m. deadline.
7. Social Events may not extend for more than five hours and are not permitted to continue past
   2 am.
8. Glass containers are strictly prohibited.
9. Open containers of alcoholic beverages shall, in no case, be permitted to leave the event; they
   must be discarded in a trashcan before leaving the event.

Indiana Lifeline Law
1. The Indiana Lifeline Law reinforces the importance of calling for assistance when underage
   drinkers require medical assistance. At the discretion of the officer, immunity from arrest and
   prosecution is provided to those who are underage who call for help in medical emergencies and
   in other circumstances. Learn more at http://indianalifeline.org/

Interfraternity Council and Panhellenic Association Social Event Registration Guidelines
● Event Registration
   ○ Chapter events with alcohol must be registered through the appropriate registration
     procedure.
   ○ Attendance at events with alcohol is limited to a 3:1 maximum guest-to-member ratio and
     must not exceed local fire or building code capacity of the chapter/ organizational host
     premises or venue.
   ○ Event Registration and guest lists must be turned in 72 hours before an event
     ■ A copy should be provided to VP of Conduct for the Panhellenic Association and
       the Interfraternity Council
     ■ A copy should be provided to the hosting chapter’s Risk Manager
     ■ Guest List updates should be provided as they arise and may be accepted by the
       VPs of Conduct at their discretion.
● Event Monitor Ratio
   ■ 1 monitor per 20 attendees of the chapter
   ■ Minimum of 4 Event Monitors per participating organization
   ■ Event Monitors are to be representative of all participating organizations
Judicial Board
- Infractions or violations will be addressed by the Panhellenic or Interfraternity Council Judicial process. In situations where health and safety concerns rise to a substantial level, the University has the discretion to initiate an investigation and pursue conduct action, at which point, the IFC/PHA process will be suspended until University resolution.

**Recommendations**

**Before Social event**
- Every Sunday at or after Chapter, Event Monitors be chosen for the week’s events by the Risk Manager
- Event Monitors are to be sober for the entire day and night of the given event (includes alcohol and other drugs)
- Monitors will be assigned to a specific duty prior to the event at any event or third-party vendor i.e. Stairway, Check-in/out, Upstairs/bathroom floaters and General Floater
- Risk Managers will print out a roster prior to the event which they will provide to the Event Monitors designated for check-in/out duty as well as the PHA and IFC Vice Presidents of Conduct. This roster may be provided by the Director of Greek Life.
- All Event Monitors will meet at least 20 minutes prior to the event to review protocol
- A group message created to communicate clearly and constantly throughout the night. This text will be created every night with monitors from all chapters involved
- All members will discuss and be sent the steps to follow in case of an emergency. These steps are as follows:

  In an emergency, 911 will be called and all individuals will cooperate completely with the police and any other authorities. The member calling 911 will call these people in this order:

  - Call 911 under the Indiana Lifeline Law
  - Call Director of Fraternity and Sorority Life
  - Call Chapter President
  - Call IFC/Panhel VP of Conduct
  - A message in the group chat will be sent out about expectations regarding the situation

**During Social Event**
- Upon arrival, all Event Monitors from all participating organizations will meet and discuss monitoring stations.
- Event Monitors should work to ensure the safety of all persons present at a social event. In the event a person is observed to be intoxicated or need medical attention, they should work with the sober Executive Council member to ensure the individual receives appropriate care.
- Event Monitors should be in communication with the Event Monitor team to ensure that all individuals the event are safe.
After a Social event:

- After the event has ended and there are less than 10-chapter members remaining, all monitors will be permitted to leave.
  - There will be a message in the group chat that will indicate that the event has officially ended and that all monitors may leave.
  - All monitors will check in with one another once everyone is back at the house and then make rounds to check on all chapter members.

- Event Monitors will then stay awake, making rounds around the house, until all members are safe and no help or assistance is needed

Ratified September 10th, 2019- by a unanimous (5/5) vote of IFC chapters
Possible Consequences for Violations of the Butler Student Alcohol Policy

- The University's response starts with a conversation with a conduct officer. (A conversation with Excise Police or a University police officer may have preceded the conduct meeting. Anyone cited or arrested for a violation of the law will also participate in the criminal adjudication process and be responsible to meet the requirements established by the courts in addition to what the University requires.)
- A conduct file is created; it exists until one graduates... and longer in more serious cases where suspension or dismissal comes into play. Some graduate programs and prospective employers inquire if one has a conduct record and requests the University to verify it contents. Butler will release conduct records to employer's and/or graduate schools with the student's written permission.
- Parents may be notified for violations of the alcohol/drug policies. If circumstances warrant, this could be on a first offense.
- Students on conduct probation, for whatever reason, may not participate in Greek recruitment or serve in campus leadership positions like Student Orientation Guide, Community Assistant, etc.
- Students risk losing priority housing options like the ability to preference an apartment setting during the housing lottery.
- Students may be asked to reflect and write about their choices and how they support one's personal values and life goals.
- Students could be assigned an online educational module or other research project.
- Students might spend an early weekend morning participating in a structured campus or neighborhood clean-up.
- If a student seems to lack an understanding of how substances affect our bodies, they would be assigned to take an alcohol/drug class.
- If a student seems challenged with decision-making they could be assigned to "Take the Challenge," a three-hour workshop led by Butler challenge education staff.
- A referral for a mandated assessment with an alcohol/drug counselor might be required. A student would be held to the recommendations that result from an assessment.
- COPHS students, student-athletes, and student employees risk having their dean/coach/campus employer notified about behaviors that are not in line with program standards and expectations.
- Students may be dismissed from Butler temporarily, or if warranted, for good.

Retrieved from https://www.butler.edu/student-life/student-conduct/possible-consequences/
APPENDIX B - Controlled Substances Policy

Butler University Controlled Substances Policy

The illegal or abusive use of alcohol and other drugs by members of the campus community jeopardizes the safety of the individual and the community and is contrary to the academic learning process. Butler University is committed to having a campus that is free of the illegal or abusive use of alcohol and other drugs. In keeping with this commitment, it is the policy of the University that the illegal or abusive use of alcohol and other drugs is prohibited on University property or as part of University activities. In order to inform all University students of their responsibilities as set forth in the Drug-Free Schools and Communities Act Amendments of 1989, the following information is provided:

1. The Butler University Rules of Conduct prohibit the unauthorized use, possession, or distribution of any controlled substance or illegal drug.

2. Conduct sanctions the University may employ for violations of the University drug and alcohol policies include dismissal, suspension, probation, restitution, suspension from University housing and forfeiture of financial assistance, or such other sanctions as deemed appropriate by the University. Students may be accountable to both civil authorities and the University for acts that constitute violations of law and University policy. Student conduct action at the University will normally proceed during the pending of criminal proceedings and will not be subject to challenge on the ground that criminal charges involving the same incident have been dismissed or reduced.

3. Applicable legal sanctions under federal, state, and local law state that it is unlawful to possess a controlled substance, including marijuana, cocaine, LSD, PCP, heroin, designer drugs, etc. (Federal Law Title 21 USC, Sections 841, 844, 845). The penalty for simple possession of such substances is a fine and/or imprisonment. The penalties increase if the possession includes intent to manufacture, distribute, or dispense a controlled substance, especially if it is near a public or private elementary, vocational or secondary school, or a public or private college or University. Violators of this law may also be subject to civil penalties.

4. It is a violation of Indiana state law for anyone under the age of 21 to use or possess alcoholic beverages or to misrepresent their age for the purpose of purchasing alcoholic beverages. It is also unlawful for someone over the age of 21 to make alcoholic beverages available to someone under 21. Sanctions for the violation of this law may include a fine and/or imprisonment. Additionally, see Butler University’s Alcohol Policy for Students.

5. It is a violation of Indiana state law for anyone to use, possess, manufacture, distribute or dispense controlled substances (Ind. Code Sec. 35-48-4-1 et seq.). Penalties include fines and/or imprisonment. Again, penalties increase if such activities take place near public parks, housing projects, or schools.

6. Students who receive federal financial aid must understand that the 1998 amendments to the Higher Education Act of 1965, Section 484 (r) includes a student eligibility provision related to drug possession and selling. A student who is convicted of a state or federal offense involving the possession or sale of an illegal drug that occurs during a period of enrollment in which federal student aid was received is not eligible for federal funds. Federal aid is comprised of grants, student loans, and college work study. The
timeframe for ineligibility begins on the date of conviction and lasts until the end of a specified period as outlined below:

<table>
<thead>
<tr>
<th>Possession of illegal drugs</th>
<th>Sale of illegal drugs</th>
</tr>
</thead>
<tbody>
<tr>
<td>1st offense</td>
<td>1 year from date of conviction</td>
</tr>
<tr>
<td>2nd offense</td>
<td>2 years from date of conviction</td>
</tr>
<tr>
<td>3+ offenses</td>
<td>Indefinite period</td>
</tr>
</tbody>
</table>

Provisions do exist for regaining eligibility sooner.

7. Health risks associated with the use of illegal drugs and abuse of alcohol are staggering. The abuse of alcohol and other drugs is now recognized as the number one public health problem in the United States. Approximately 30 percent of all admissions to general hospitals and 50 percent to psychiatric hospitals have detectable substance abuse. Substance abuse accounts for approximately 150,000 deaths annually. This includes death from stroke, diseases of the heart, and liver and all drug and alcohol related suicides, homicides and accidents. The abuse of substances also increases risk of ulcers, birth defects, and a diminished immune system. Studies of college students have also found a correlation between the use of alcohol and other drugs and an increased risk of violent and irresponsible behavior and academic failure.

8. The University encourages students who are experiencing substance abuse problems to seek assistance from resources available to them on campus, as well as from agencies and self-help groups available in the community. A list of these resources is available from Health Services and Counseling and Consultation Services located in the HRC, (317) 940-9385.


(Reviewed and updated annually. Last reviewed July 2022)
APPENDIX C – Sexual Misconduct Policy

UNIVERSITY POLICY

Sexual Misconduct Policy

Number: 7.100
Organizational Part: Seven – Human Resources
Chapter: One – University Policies
Policy Type: Institution Wide
Responsible Office: Student Affairs
Effective Date: June 9, 2017
Revision Date: January 28, 2022

POLICY STATEMENT
Consistent with federal laws known as Title IX, the Clery Act, the Violence Against Women Reauthorization Act of 2013 (“VAWA”) and associated regulations and guidance, Butler University is committed to having an educational and working environment free from sex discrimination in any form, including sexual harassment, misconduct, and violence.

REASON FOR POLICY
This policy, in compliance with legal obligations, defines prohibited conduct and outlines procedures for reviewing, investigating, and resolving complaints of sex discrimination, sexual harassment, sexual assault, sexual exploitation, dating violence, domestic violence and stalking involving students, faculty and staff (collectively “Employees”), and visitors, contractors, and vendors (collectively “Third Parties”).

No Division, Department, and/or College is permitted to develop and/or adopt procedures that contradict, modify, or supplement this policy. Because this policy is meant to satisfy compliance obligations, all decisions made under this policy are final and are not subject to additional review, appeals, or governance under any other policy or procedure, including the faculty grievance process.

While this policy is meant to satisfy Title IX compliance obligations, it also addresses alleged sexual misconduct that falls outside of the strict scope of Title IX. Therefore, a formal complaint may be “dismissed” as a Title IX matter, but may still move forward under this policy.

The person responsible for implementing this policy is the Title IX Coordinator. If circumstances require, this official may designate another person to implement the policy.

Maria Kang
Title IX Coordinator
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Indianapolis, IN 46208
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POLICY APPROVAL
Board of Trustees

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SCOPE OF POLICY

A. To Whose Conduct Does the Policy Apply?
   1. Students
      a. Those enrolled in any courses in any format at the University, or
      b. Those having a continuing relationship with the University such as those eligible and/or
         applying for reenrollment and/or readmission, or those involved in an appeal or grievance
         process
   2. Employees
      a. All persons legally defined as employees of the University
   3. Third Parties
      a. Affiliates, visitors, contractors, vendors

B. Where and When Does This Policy Apply?
   1. This policy applies to prohibited conduct where:
      a. The conduct occurs on campus or other property owned or controlled by the University;
      b. The conduct occurs in the context of a University employment or education program or
         activity, including but not limited to University-sponsored study abroad, research, or
         online programs; or
      c. The conduct occurs outside the context of a University employment or education program or
         activity but
         i. Has continuing adverse effects that create a hostile environment for students or
            employees while on campus or other property owned or controlled by the University
            or in any University employment or education program or activity, or
         ii. Presents an ongoing risk to the safety of the University community.
   2. Time for making an initial report
      a. There is no time limit on making an initial report to the University.
         i. The University does encourage all individuals to report violations of this policy
            immediately.
         ii. Individuals should note that the University’s ability to effectively investigate alleged
             violations of this policy may be limited as time passes.
         iii. Individuals should also note that the University does not have jurisdiction over those
             no longer affiliated with the University, even if they were affiliated at the time of the
             alleged incident.
      b. Making an initial report to the University does not automatically result in an
         Administrative Investigation and Adjudication Process.
         i. Individuals who have experienced sexual misconduct may make an initial report to
            the University and communicate that they do not wish to move forward with the
            Administrative Investigation and Adjudication Process outlined in this policy. Please
            see REQUESTS FOR NO UNIVERSITY ACTION for additional information.
   3. Title IX Matters
      a. When prohibited conduct satisfies both (i) and (ii) below, it falls under Title IX and all
         applicable regulations and guidance. Prohibited conduct that does not meet these
         requirements may still fall under the jurisdiction of this policy, but will not be considered a
         Title IX matter.
         i. The conduct occurs in one of the following contexts:
            1. On campus or other property owned or controlled by the University;
2. A University education program or activity; or
   A. “Education program or activity” includes locations, events, or circumstances in which the University exercises substantial control over both the Respondent and the context in which the alleged conduct occurs.
   3. Any building owned or controlled by a student organization that is officially recognized by the University.
      i. The conduct is toward a person in the United States.
      b. In order for an individual to submit a formal complaint for a Title IX matter, triggering the Administrative Investigation and Adjudication Process, that individual must be participating or attempting to participate in a University education program or activity at the time of submission.

PROHIBITED CONDUCT AND RELATED DEFINITIONS
Butler University prohibits all forms of sexual misconduct. Sexual misconduct includes sex- or gender-based discrimination and harassment, sexual harassment, sexual assault, sexual exploitation, dating violence, domestic violence, and stalking. Retaliation is also prohibited under this policy.

A. SEX- OR GENDER-BASED DISCRIMINATION AND HARASSMENT
   Sex- or gender-based discrimination and harassment is unwelcome conduct based on sex, gender, sexual orientation, gender identity, or gender expression, including verbal, nonverbal, or graphic acts of aggression, intimidation, or hostility, when such conduct is sufficiently severe, persistent, or pervasive that it interferes with, limits, or prevents an individual from participating in or benefitting from the University’s education or employment programs and/or activities.

   Conduct must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective. The University will consider the totality of known circumstances, including but not limited to:
      1. The frequency, nature, severity, location, duration, and context of the conduct, and
      2. Whether the conduct implicates concerns related to academic freedom or protected speech.

   This Policy distinguishes sex- and gender-based discrimination and harassment from unwelcome conduct of a sexual nature. Unwelcome conduct of a sexual nature is addressed under the definition of SEXUAL HARASSMENT, below.

B. SEXUAL HARASSMENT
   Sexual Harassment is unwelcome conduct on the basis of sex that satisfies the conditions outlined in (1), (2), and/or (3), below. “Unwelcome conduct” may include any unwelcome sexual advance, request for sexual favors, or other unwelcome conduct of a sexual nature, whether verbal, nonverbal, graphic, physical, electronic or otherwise.

   1. Quid Pro Quo: An employee conditioning the provision of an aid, benefit, or service of the University on an individual’s participation in unwelcome sexual conduct; or
   2. Denial of Equal Access: Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University’s education program or activity
   3. Hostile Environment: Unwelcome conduct that is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or
benefitting from the University's education or employment programs and/or activities.
   a. Conduct must be deemed severe, persistent, or pervasive from both a subjective and objective perspective.
   b. The totality of known circumstances, including frequency, nature, severity, location, duration, and context of the conduct will be taken into account.
   c. A hostile environment can be created by a single or isolated incident, if sufficiently severe.
      i. The more severe the conduct, the less need there is to show a repetitive series of incidents to establish a hostile environment, particularly if the conduct is physical.
      ii. The perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

C. SEXUAL ASSAULT
   Sexual Assault is engaging in any of the following knowing or intentional acts without consent:
   1. Touching of the buttocks, breasts, groin or genitals of another, whether clothed or unclothed for the purpose of sexual gratification,
   2. Touching another with any of these body parts for the purpose of sexual gratification,
   3. Making another person touch you or themselves with or on any of these body parts for the purpose of sexual gratification,
   4. Penetration, no matter how slight, of the vagina or anus with any body part or object,
   5. Any contact between the mouth of one person and the genitalia of another person, and/or
   6. Sexual intercourse between persons related to each other within the degrees wherein marriage is prohibited by law.

D. CONSENT
   Consent is voluntary words or actions mutually understood by each party to be agreement or permission to engage in a specific sexual act at a specific time.
   1. Consent cannot be inferred from any of the following:
      a. Silence,
      b. Passivity,
      c. The absence of resistance,
      d. The existence of a current or prior relationship, and/or
      e. Consent given previously.
   2. The party who initiates sexual activity is responsible for obtaining consent for that activity.
   3. Consent may be withdrawn at any time by any party.
      f. Consent is withdrawn by words or actions a reasonable person would understand to mean that a party no longer agrees or gives permission to engage in a specific sexual act at a specific time.
      g. Once consent is withdrawn, sexual activity must cease immediately.
   4. There is no consent if any of the following are present:
      h. Force: The use of physical force that would reasonably overcome an individual's freedom to choose whether to participate in sexual activity.
      a. Intimidation or Threat: Express or implied threat of immediate or future physical, emotional, reputational, financial, or other harm to an individual or others that would reasonably place an individual in fear and that is employed to compel someone to engage in sexual activity.
      b. Coercion: Pressure to engage in sexual activity that would reasonably overcome an
individual’s freedom to choose whether to participate in sexual activity.

c. **Incapacitation**: An individual is incapacitated when they are unable to understand the who, what, when, where, why, and how of the situation due to the use of alcohol and/or other drugs, mental or physical disability, being asleep or unconscious, and/or age (as defined by Indiana state law).
   
   i. There is no consent when:
      1. The individual who initiated the sexual activity knew of the other party’s incapacity, or
      2. A reasonable person in the same situation would have known of the other party’s incapacitation.

E. **SEXUAL EXPLOITATION**

Sexual Exploitation is any of the following knowing or intentional acts:

1. Causing the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person’s ability to give consent to sexual activity;
2. Allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., livestreaming of images) without the consent of all subjects or participants;
3. Observing private sexual activity or viewing another person’s intimate parts (including genitalia, breasts, and/or buttocks) without the consent of all individuals in a place where a person would have a reasonable expectation of privacy;
4. Recording or photographing private sexual activity and/or a person’s intimate parts without the consent of all subjects or participants;
5. Disseminating or posting images or recordings of private sexual activity and/or a person’s intimate parts without the consent of all subjects or participants;
6. Assuming the identity of another person, without consent, for the purpose of seeking sexual activity and/or sexual favors through electronic or other means;
7. Prostituting another person; or
8. Exposing another person to a sexually transmitted infection or virus without the other’s knowledge.

F. **DATING VIOLENCE**

Dating violence is violence or the threat of violence committed by an individual toward another with whom they have a current or previous relationship of a romantic or intimate nature.

The existence of a romantic or intimate relationship will be determined based on the Complainant’s description of the relationship and the following factors:

1. Length of the relationship,
2. Type of relationship, and
3. Frequency of interaction between the people involved in the relationship.

G. **DOMESTIC VIOLENCE**

Domestic violence is violence or the threat of violence committed by an individual toward another who:

1. Is a current or former spouse,
2. Is or has cohabitated with the individual as an intimate partner,
3. Has a child in common with the individual,
4. Is similarly situated to a spouse of the individual under Indiana domestic or family violence laws, or
5. Is an adult or youth who is protected from that individual’s acts under the domestic or family violence laws of Indiana.

H. STALKING
Stalking occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear for the person’s safety or the safety of others or to experience substantial emotional distress.
1. “Course of conduct” means two or more acts, including but not limited to acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person’s property.
2. Substantial emotional distress means significant mental suffering or anguish.

I. RETALIATION
1. Retaliation is intimidation, threats, coercion, or discrimination:
   i. Toward any individual because that individual has made a report or formal complaint of prohibited conduct, participated in a process outlined by this policy, or chosen not to participate in a process.
   j. For the purpose of interfering with any right or privilege secured by federal law or University policy.
2. Retaliation does not include:
   k. Vague criticisms, stray remarks, and petty slights that do not rise to the level of intimidation, threats, coercion, or discrimination;
   l. A good faith pursuit of civil, criminal, or other legal action, even in response to an initial report under this Policy; and/or
   m. The exercise of rights protected under the First Amendment.
3. Reports of retaliation may be consolidated into an ongoing Administrative Investigation and Adjudication Process at the discretion of the Title IX Coordinator.

REPORTING SEXUAL MISCONDUCT

A. REPORTING SEXUAL MISCONDUCT TO THE UNIVERSITY
Any person may report sexual misconduct to the University. The person making the initial report does not have to be the person alleged to have experienced the misconduct, nor are they required to be affiliated with the University.

Under this policy, an individual reported to have experienced sexual misconduct is referred to as the Complainant. An individual alleged to have engaged in sexual misconduct is referred to as the Respondent. Collectively, Complainant and Respondent are referred to as the parties to a matter.

1. Submitting an Initial Report of Sexual Misconduct
   a. Reports may be made to the Title IX Coordinator in person, or via online report, phone call, email, or postal mail.
   b. Reports may be made at any time. After business hours, reports can be submitted online, or through voicemail, email, or postal mail to the Title IX Coordinator.
   c. The online report form and contact information for the Title IX Coordinator can be found at www.butler.edu/sexual-misconduct.
   d. Reports may be submitted anonymously. Please note that the University’s ability to respond to anonymous reports may be limited.
e. Most University employees are expected to report when they are made aware of an incident of sexual misconduct. See below for more information.

Making an initial report of sexual misconduct to the University does not automatically result in an Administrative Investigation and Adjudication Process. A formal complaint is required to initiate the Administrative Investigation and Adjudication Process. Please see FORMAL RESOLUTION: THE UNIVERSITY ADMINISTRATIVE INVESTIGATION AND ADJUDICATION PROCESS, below.

B. EMPLOYEE REPORTING EXPECTATIONS
The University is committed to protecting the safety of Complainants and the campus community, and to making Complainants aware of their rights, options, and resources. Therefore, it is the University’s expectation that all employees, except those designated as confidential employees (defined below), report to the Title IX Coordinator when they become aware of sexual misconduct.

1. Confidential Employees
   a. Confidential employees at Butler University are:
      i. Counselors at Counseling and Consultation Services,
      ii. Health Services staff members,
      iii. Ordained clergy providing pastoral care in the Center for Faith and Vocation, and
      iv. The Sexual Assault Response and Prevention Specialist.

C. REPORTING TO LAW ENFORCEMENT
A Complainant also has the option of making a criminal report to the appropriate law enforcement agency.

1. Where to Report
   a. Incidents alleged to have occurred on campus should be reported to the Butler University Police Department (BUPD).
   b. Incidents alleged to have occurred off campus should be reported to the appropriate local law enforcement agency.

2. The Relationship between the Criminal Process and the University Process
   a. Complainant has the right to pursue both the University’s Administrative Investigation and Adjudication Process and the criminal process simultaneously. Complainant may also choose to pursue either the Administrative Investigation and Adjudication Process or the criminal process exclusively.
      i. Complainant’s decision regarding pursuit of the criminal process does not impact the Administrative Investigation and Adjudication Process.
   b. The Administrative Investigation and Adjudication Process is distinct from the criminal process.
      i. Any investigation conducted by the University will be conducted independently and separately from any investigation conducted by law enforcement.
      ii. The University may undertake a short delay to allow evidence collection when criminal charges on the basis of the same behaviors that invoke this process are being investigated.
      iii. Actions that take place in the criminal process, including placing, reducing, or dismissing charges, and/or plea agreements, will not determine the resolution of the University process. This information may be considered in the course of the Administrative Investigation and Adjudication Process.
D. IMMUNITY
The University seeks to remove any barriers to participating in the Administrative Investigation and
Adjudication Process, and therefore provides limited immunity with regard to certain policy violations.
1. Any student, whether a party or a witness, who makes a report or participates in the
investigation and adjudication process under this Policy will generally be offered immunity from
being disciplined for policy violations related to the personal ingestion of alcohol or other drugs,
provided that any such violations did not and do not place the health and safety of any person at
risk. The University may encourage educational or therapeutic remedies for those individuals.

2. This limited immunity does not protect any student organization from discipline if information is
learned through the course of an investigation under this Policy pertaining to unregistered
parties or other violations.

UNIVERSITY RESPONSE TO REPORTS OF SEXUAL MISCONDUCT

A. INITIAL RESPONSE
1. Outreach to the Complainant
   a. Upon receipt of an initial report, the Title IX Coordinator will reach out promptly to
      Complainant, sharing information about Complainant’s rights, options, and resources,
      and extending an invitation to meet.
   b. Both on- and off-campus resources are available to Complainant, regardless of whether
      the conduct alleged falls under the jurisdiction of this policy or whether they choose to
      move forward with a formal complaint, as defined below.
   c. If this Policy applies to the alleged conduct, Complainant will be provided the
      opportunity to share their wishes regarding resolution of the initial report.
      i. Complainant may choose to submit a formal complaint, initiating the
         Administrative Investigation and Adjudication Process, or request that the
         University take no action.
      ii. Once a formal complaint is filed, there is also the option to resolve the matter
          informally, with the consent of all parties, provided the matter does not involve a
          student Complainant and employee Respondent. Processes related to each option
          are outlined below.
      iii. Complainant’s choice not to respond to or meet with the Title IX Coordinator will
           be evaluated in the same way as a request for no University action. The
           University’s response to such requests is outlined below.

2. Outreach to the Respondent
   a. If the process moves forward with a formal complaint, each party will receive a Notice of
      Allegations.
   b. The Title IX Coordinator will also request a meeting with Respondent. In this meeting,
      the Title IX Coordinator will explain the process and make Respondent aware of their
      rights and the resources available to them.
   c. The Title IX Coordinator also retains the discretion to reach out to a Respondent for an
      educational conversation as needed, in the absence of a formal complaint.
B. SUPPORTIVE MEASURES
Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate and reasonably available, without fee or charge to the Complainant or the Respondent, before or after the filing of a formal complaint or where no formal complaint has been filed.

1. Types of Supportive Measures
   a. Academic adjustments
      i. May include:
         1. Requesting flexibility regarding deadlines or class attendance
         2. Changing course schedules
   b. Campus escorts
   c. On-campus housing adjustments
   d. On-campus work adjustments
      i. May include:
         1. Altering work schedule(s)
         2. Arranging for a different workspace
   e. University Building Ban
      i. A directive prohibiting a party from being present in a particular building on University property.
   f. University Administrative No Contact Orders
      i. Unless otherwise stated in writing, a person who is issued an Administrative No Contact Order by the University may not have contact with specific individuals for a period of time, either directly, indirectly, or through third parties.
         1. “Third parties” include friends, family, attorneys, and other individuals acting on behalf of a person who has been issued a No Contact Order.
         2. “Contact” includes but is not limited to email, social media, direct messaging, text messaging, phone calls, voicemail, or face-to-face contact.
            a. Unintentional contact is not considered a violation of the Administrative No Contact Order
      3. Individuals are encouraged to report violations of Administrative No Contact Orders promptly to the Title IX Coordinator. Alleged violations of the Administrative No Contact Order may result in disciplinary action.
      4. Administrative No Contact Orders are separate and distinct from court actions, such as Protective Orders and Restraining Orders. Questions about these should be directed to local law enforcement. The Sexual Assault Response and Prevention Specialist can also assist with exploring options regarding these court actions.
   g. Other supportive measures as needed
      i. Including adjustments to dining arrangements, co-curricular involvement, etc.

C. EMERGENCY REMOVAL
The University may institute the emergency removal of Respondent when, after conducting an individualized safety and risk analysis, it determines that there is an immediate threat to the physical health or safety of any other individual arising from allegations of sexual misconduct.

If the University institutes an emergency removal, the Respondent’s ability to be present on University property and participate in University-related activities will be limited. When information indicates that emergency removal may be warranted, the Title IX Coordinator will refer that information to the appropriate decisional authority for consideration. The appropriate decisional authority is determined
by the status of Respondent, as described below.

1. **Emergency Removal of Students**
   a. The Dean of Students or designee has the sole discretion to institute emergency removal of a student and to determine the terms of such removal.
   b. Notice of emergency removal will be provided to the student in writing. Upon receipt of notice, the student will be expected to comply with the terms of the removal immediately.
   c. The student may petition the Dean of Students or designee for reinstatement immediately. This petition must be made in writing and must articulate why the student does not pose an immediate threat to the physical health or safety of any other individual. The Dean or designee may choose to uphold the emergency removal, modify its terms, or lift it entirely.
   d. Failure to comply with the terms of an emergency removal may result in additional disciplinary action.

2. **Emergency Removal of Staff**
   a. A member of Human Resources senior leadership ("HR senior leader") or designee has the sole discretion to institute emergency removal of a staff member and to determine the terms of such removal.
   b. Notice of emergency removal will be provided to the staff member in writing. Upon receipt of such notice, the staff member will be expected to comply with the terms of the removal immediately.
   c. The staff member may petition the HR senior leader or designee for reinstatement immediately. This petition must be made in writing and must articulate why the staff member does not pose an immediate threat to the physical health or safety of any other individual. The HR senior leader or designee may choose to uphold the emergency removal, modify its terms, or lift it entirely.
   d. Failure to comply with the terms of an emergency removal may result in additional disciplinary action.

3. **Emergency Removal of Faculty**
   a. The Dean of the faculty member’s academic unit or designee has the sole discretion to institute emergency removal of a faculty member and to determine the terms of such removal.
   b. Notice of emergency removal will be provided to the faculty member in writing. Upon receipt of such notice, the faculty member will be expected to comply with the terms of the removal immediately.
   c. The faculty member may petition the Dean or designee for reinstatement immediately. This petition must be made in writing and must articulate why the faculty member does not pose an immediate threat to the physical health or safety of any other individual. The Dean or designee may choose to uphold the emergency removal, modify its terms, or lift it entirely.
   d. Failure to comply with the terms of an emergency removal may result in additional disciplinary action.
D. REQUESTS FOR NO UNIVERSITY ACTION
A Complainant may request that the University take no action in response to a report of sexual misconduct.

1. Evaluating a Request for No University Action
   a. The University will generally work to honor Complainant’s wishes but will evaluate such requests on a case-by-case basis.
   b. In some cases, the University may not be able to honor Complainant’s request due to its efforts to provide a safe, non-discriminatory environment for all in the University community.
   c. The University will decide whether to honor Complainant’s wishes based on the following factors:
      i. The seriousness of the alleged conduct,
      ii. Complainant’s age,
      iii. Information indicating a pattern of behavior by Respondent,
      iv. Aggravating circumstances such as the use of a weapon, force, threats, intimidation, etc., and/or
      v. Other risks to the University community.
   d. Complainant will be notified of the University’s decision.
      i. Should the University determine that it is necessary to move forward with an Administrative Investigation and Adjudication Process, Complainant may participate in the process. Complainant will be provided with all notifications, information, and updates throughout the process.

E. FORMAL RESOLUTION: THE ADMINISTRATIVE INVESTIGATION AND ADJUDICATION PROCESS
1. Initiation of the Administrative Investigation and Adjudication Process
   a. An Administrative Investigation and Adjudication Process is initiated by a formal complaint.
      i. A formal complaint is a document filed by Complainant or signed by the Title IX Coordinator alleging that Respondent engaged in sexual misconduct and requesting an investigation into the allegation(s).
   b. Formal complaints filed by Complainant
      i. Complainant may file a formal complaint with the Title IX Coordinator in person, by postal mail or email, or through the online reporting system.
      ii. The complaint must be physically or electronically signed by Complainant or otherwise indicate that Complainant is the person filing the formal complaint.
   c. Formal complaints signed by the Title IX Coordinator
      i. Should Complainant decide not to file a formal complaint, the Title IX Coordinator may choose to sign a formal complaint.
      ii. The Title IX Coordinator may sign a formal complaint when it is determined that moving forward with an Administrative Investigation and Adjudication Process is necessary to fulfill the University’s efforts to provide a safe, non-discriminatory environment for all in the University community. Please see Evaluating a Request for No University Action, above, for a list of factors considered in making this determination.
      iii. In signing a formal complaint, the Title IX Coordinator is acting on behalf of the University, not Complainant. The Title IX Coordinator does not become a party to a matter as a result of signing a formal complaint.
      iv. Signing a formal complaint is not a determination of responsibility or judgment of the facts alleged; rather, it is a determination that a report of sexual misconduct
warrants resolution through the Administrative Investigation and Adjudication Process.

v. Complainant will be notified that the Title IX Coordinator has signed a formal complaint.
   1. Complainant may participate in the process. Should Complainant choose not to participate, statements made by Complainant will not be considered in the determination of responsibility.
   2. Complainant will be provided with all notifications, information, and updates throughout the process.

d. Notice of Allegations
   i. After a formal complaint is filed by Complainant or signed by the Title IX Coordinator, the Title IX Coordinator will provide a written notice of allegations to each party.

2. Dismissal of a Formal Complaint
   a. A formal complaint may be dismissed at any time prior to the determination of outcome, based on the grounds outlined below.
   b. The Department of Education’s Title IX regulations require that a formal complaint be dismissed as a Title IX matter under certain circumstances:
      i. The conduct alleged, even if proven to have taken place, would not meet the regulations’ definition of sexual harassment under 34 CFR § 106.30,
      ii. The conduct occurred outside the institution’s education program or activity,
      iii. The alleged conduct was not committed against a person in the United States, and/or
      iv. The Complainant was not participating or attempting to participate in the institution’s program or activity at the time of filing the formal complaint.
   c. While this policy is meant to satisfy Title IX compliance obligations, it also addresses alleged sexual misconduct that falls outside of the strict scope of Title IX.
      i. Therefore, a formal complaint may be “dismissed” as a Title IX matter, but may still move forward under this policy.
      ii. If the University determines that the formal complaint does not meet the requirements of the Title IX regulations but does fall under the jurisdiction of this policy, the Administrative Investigation and Adjudication Process will continue as outlined below. This decision will be documented in the case file.
   d. A formal complaint may also be dismissed under the following circumstances:
      i. The Complainant notifies the Title IX Coordinator in writing that they would like to withdraw the formal complaint as a whole or any of the allegations contained therein,
      ii. The Respondent is no longer enrolled or employed by the University, and/or
      iii. Circumstances prevent the University from gathering information sufficient to reach a determination of outcome regarding the formal complaint or the allegations therein.
   e. If a formal complaint is dismissed completely (i.e., it is determined that the Administrative Investigation and Adjudication Process will not continue), each party will be notified in writing of this decision.
      i. Each party has the right to appeal this decision. The appellate process is outlined below.
3. Fair and Equitable Process
   a. The University aims to treat all parties and participants in this process fairly, equitably, and with respect.
   b. Respondent will be presumed not responsible. This means that the University will not treat Respondent as though they are responsible for violating this Policy prior to a finding of responsibility.
   c. No party or participant will be viewed as credible or not credible simply based on their status as Complainant, Respondent, or witness.

4. Consolidation of Investigation
   a. The Title IX Coordinator has the discretion to consolidate multiple reports into one investigation if the reports arise out of the same facts or circumstances.

5. Appointment of Investigator
   a. The Title IX Coordinator will appoint an investigator to conduct a thorough, impartial, and equitable investigation of the report. The investigator may be internal or external to the University.
   b. Once an investigator has been appointed, the Title IX Coordinator will notify each party in writing.
   c. Complainant and Respondent each have the opportunity to challenge the appointment of the investigator for a lack of impartiality or a conflict of interest.
      i. This challenge must be submitted to the Title IX Coordinator in writing within three (3) business days of notice of the appointment and must include a justification.
      ii. The Title IX Coordinator will evaluate the challenge and determine whether it would be appropriate to appoint an alternate investigator within five (5) business days.
      iii. Each party will be notified when a challenge is submitted and of the outcome of the challenge.

6. Advisors
   a. Complainant and Respondent may each select an advisor of their choice. This advisor may be internal or external to the University. The advisor may, but is not required to be, an attorney.
   b. Advisors are permitted to be present in all phases of the Administrative Investigation and Adjudication Process.
      i. During the investigation phase of the process, the advisor may not participate in the process directly.
         1. The advisor may whisper or write notes to their advisee, but they may not interrupt, speak on behalf of their advisee, or otherwise interfere with the process.
         2. If an advisor violates these parameters, the University may further limit the advisor’s participation in the process.
      ii. During the adjudication phase of this process, the advisor will question the other party (or parties), witnesses, and investigator on behalf of their advisee. No party may directly question another party, witnesses, or the investigator.
         1. Outside of this questioning, advisors may not otherwise participate in a hearing on behalf of their advisee.
         2. The advisor will be expected to abide by the rules of decorum for the hearing, including the parameters for questioning, which will be provided to all advisors and parties prior to the hearing.
3. If an advisor violates these directives, they may be asked to leave the hearing. If a party’s advisor is removed from a hearing, the University will provide the party with an advisor for the purpose of conducting questioning on behalf of that party.

4. If any party does not have an advisor for the adjudication phase of this process, the University will provide them with an advisor for the purpose of conducting questioning on behalf of that party.

c. The advisor will be provided with all materials that are provided to the parties, including all evidence directly related to the allegations and the Preliminary and Final Investigation Reports.
   i. A party may request that some or all of these materials not be provided to their advisor. Such requests must be made specifically at each stage in the investigation and will be honored. It will then be left to the discretion of the party to share materials with their advisor.

7. Investigation Timeline
   a. The University aims to complete all investigations in a reasonably prompt manner. Specific timelines for each phase of the investigation are outlined below.
   b. These timelines may be modified as necessary by the investigator, in consultation with the Title IX Coordinator.
      i. Delays may occur when the University is closed, during academic breaks or for other good reason. The parties will be notified of any delay in or modification to the timeline.

8. Investigation
   a. The burden of gathering information sufficient to make a determination of responsibility rests with the University.
   
   b. Complainant and Respondent will each be provided the opportunity to meet with and provide information to the investigator separately.
      i. Should a party choose not to provide information to the investigator, the investigation will proceed without the benefit of their participation.
      ii. A party who does not participate in the investigation may not participate in the hearing, nor may statements made by that party be considered in the determination of responsibility.

   c. Each party will also be afforded the opportunity to:
      i. Identify witnesses who have information directly related to the allegation(s), and
         1. The investigator will make a good faith effort to contact and interview each witness.
         2. The University cannot compel a witness’ participation in this process.
         3. Should a witness choose not to respond to outreach or provide the investigator with information, the investigation will proceed without the benefit of their participation.
      ii. Provide documentation directly related to the allegation(s)

   d. The investigator has discretion to meet with any additional witnesses and review any additional documentation they determine to be necessary to gather information sufficient to make a determination of responsibility.
      i. This includes, but is not limited to:
         1. Consultation with experts,
         2. Site visits,
         3. Interviews of law enforcement officers, and
4. Review of police reports and related documentation.
   e. All witnesses and parties are expected to provide true and accurate information. Should a witness or party willfully provide false information, they may be subject to disciplinary action.
   f. Information about the Complainant’s sexual predisposition and/or prior sexual behavior is not relevant, except in the limited circumstances described below.
      i. “Prior sexual behavior” encompasses all sexual behavior by Complainant prior to the conclusion of this process.
      ii. This information is only considered relevant in the limited circumstances where it is offered to prove:
          1. Consent, based on the prior sexual history between the parties, or
             a. In that circumstance, sexual history between the parties may be considered only with regard to patterns of communicating and obtaining consent. Consent will not be assumed based solely on evidence of any prior or subsequent sexual history.
          2. Someone other than the Respondent engaged in the conduct alleged by the Complainant.
   g. The information-gathering phase of the investigation will be completed within sixty (60) business days.

9. Investigation Reports
   a. Upon completion of the information-gathering phase of the investigation, the investigator will prepare a Preliminary Investigation Report, summarizing the relevant information that has been gathered. The report will be shared with the parties and their advisors. The report may include the following:
      i. Summaries of the investigator’s meetings with Complainant, Respondent, and witnesses,
      ii. Descriptions of the documentation submitted by the parties and/or obtained by the investigator,
      iii. Definitions of prohibited conduct and related terms under this Policy that the investigator has determined to be relevant to the case,
      iv. Identification of material facts in dispute and material facts not in dispute,
      v. Analysis of submitted information, and
      vi. An appendix containing raw materials gathered in the investigation (e.g., incident reports, documentation submitted by the parties, etc.).
   b. The report will also include any information directly related to the allegation(s) that the investigator has determined not to be relevant and a log of information submitted that the investigator has determined not to be directly related to the allegations.
   c. Preliminary Report Review
      i. Each party will have the opportunity to submit a response to the Report within ten (10) business days. Advisors may not submit a response.
   d. After the time frame for the responses has ended, the investigator will prepare a Final Investigation Report. The report may include the following:
      i. Summaries of the investigator’s meetings with Complainant, Respondent, and witnesses,
      ii. Descriptions of the documentation submitted by the parties and/or obtained by the investigator,
      iii. Parties’ responses to the Preliminary Report,
iv. Definitions of prohibited conduct and related terms under this Policy that the investigator has determined to be relevant to the case.

v. Identification of material facts in dispute and material facts not in dispute.

vi. Analysis of submitted information, and

vii. An appendix containing raw materials gathered in the investigation (e.g., incident reports, documentation submitted by the parties, etc.).

viii. The report will also include any information directly related to the allegation(s) that the investigator has determined not to be relevant and a log of information submitted that the investigator has determined not to be directly related to the allegations.

e. The investigator will submit the Final Investigation Report to the Title IX Coordinator after the conclusion of the 10-day review and response period.

f. Final Report Review

i. Complainant, Respondent, and their respective advisors will each be provided with the Final Investigation Report at least ten (10) business days prior to the hearing.

ii. Each party will have the opportunity to submit a response to the Report within this time period. Advisors may not submit a response.

10. Referral to Hearing

a. Upon receipt of the Final Investigation Report, the Title IX Coordinator will refer the matter to a live hearing before a decision-maker for a determination of responsibility.

i. The decision-maker may be internal or external to the University and may be one person or a panel of people.

ii. If the matter is referred to a panel of people, one panel member will be designated as the hearing panel chair.

1. The chair will guide the hearing and make determinations regarding relevance of questions posed by advisors.

2. The chair’s vote regarding determination of responsibility carries no greater weight than the other panel members’ votes.

b. The Title IX Coordinator will send notice of the date, time, and location of the hearing, as well as the name(s) of the decision-maker(s) to the parties at least fourteen (14) business days prior to the hearing date.

c. Hearings will take place in person, to the extent practicable. When circumstances require that the hearing take place remotely, the Title IX Coordinator will make the necessary arrangements.

d. Each party will have the opportunity to challenge the appointment of the decision-maker(s) for a lack of impartiality or a conflict of interest.

i. This challenge must be submitted to the Title IX Coordinator in writing within three (3) business days of notice of the appointment and must include a justification.

ii. The Title IX Coordinator will evaluate the challenge and determine whether it would be appropriate to appoint an alternate decision-maker(s) within two (2) business days. Each party will be notified when a challenge is submitted and will be advised of the outcome of the challenge.

e. Any party may request not to be present in the same room as the other party during the hearing.

f. The parties may each select one advisor of their choice to be present at the hearing, under the parameters listed above in E(4).

i. In scheduling the hearing, the Title IX Coordinator will accommodate the parties’ and advisors’ schedules to the extent reasonable. Should the availability of an
adviser cause an unreasonable delay in this process, a party may need to select a
different adviser.

ii. If a party does not select an adviser to be present at the hearing, the University will
provide an adviser for the purpose of conducting questioning on behalf of that
party.

g. Should a party challenge the investigator’s decision that information gathered in the
course of the investigation is not relevant, the decision-maker will make a determination
regarding relevance prior to the hearing. If the matter has been referred to a panel of
people, the panel chair will make this decision.

h. The decision-maker will be provided a copy of the Final Investigation Report.

i. The Title IX Coordinator will invite all witnesses who were identified in the course of the
investigation and met with the investigator to participate in the hearing.

   i. The University does not have the power to compel any person, other than the
investigator, to participate.

   ii. Should a witness choose not to participate in the hearing, the hearing panel cannot
consider any statements made by the witness when making a determination of
responsibility.

j. The investigator will be made available to answer questions of the panel and the parties
through their advisers.

11. Hearing Procedure

a. The hearing is closed to the public.

b. The hearing will be recorded. The decision-maker’s deliberations following the hearing
will not be recorded.

   i. Only the University is permitted to record the hearing. Recording of the hearing by
parties or participants is prohibited.

   ii. The recording of the hearing will become part of the file on the case and will be
available for review by the parties.

c. If any individual (party or witness) chooses not to attend the hearing, the hearing will
proceed without the benefit of their participation. The decision-maker may not consider
any statement made by that individual when making a determination of responsibility.

d. Opening Statements

   i. Complainant and Respondent each will have the opportunity to share information
with the decision-maker.

e. Questioning of Parties, Witnesses, and the Investigator

   i. All participants are expected to provide true and accurate information. Should a
witness, party, or investigator willfully provide false information, they may be
subject to disciplinary action.

   ii. The decision-maker may question the parties, witnesses, and investigator directly.

   iii. Each party’s advisor may question the other party, witnesses, and investigator on
behalf of their advisee.

      1. If a party does not have an advisor for the adjudication phase of this
process, the University will provide that party with an advisor for the
purpose of questioning the other party, witnesses, and investigator on the
party’s behalf.

   iv. After an advisor poses a question to a party, witness, or investigator, the decision-
maker (in cases involving a panel, the hearing panel chair) will determine whether
the question is relevant.

      1. The party, witness, or investigator will not answer a question unless and
until the chair determines it to be relevant.

2. If the decision-maker excludes a question as not relevant, they will provide an explanation for that decision.

3. Information about the Complainant’s sexual predisposition and/or prior sexual behavior is not relevant, except in the limited circumstances described below.
   a. “Prior sexual behavior” encompasses all sexual behavior by Complainant prior to the conclusion of this process.
   b. This information is only considered relevant in the limited circumstances where it is offered to prove:
      i. Consent, based on the prior sexual history between the parties, or
         1. In that circumstance, sexual history between the parties may be considered only with regard to patterns of communicating and obtaining consent. Consent will not be assumed based solely on evidence of any prior or subsequent sexual history.
      ii. Someone other than the Respondent engaged in the conduct alleged by the Complainant.

4. Questions that are duplicative (i.e., have been asked and answered) may be deemed irrelevant and excluded.

5. The decision of the decision-maker is final. No objections to the determination of relevance will be permitted during the hearing.

6. Parties may raise objections to the decision-maker’s determination(s) of relevance on appeal.

v. Should a party or witness choose not to submit themself to questioning by a party, the decision-maker may not consider any statement made by that witness or party when determining responsibility.
   1. “Submission to questioning” means that the party or witness must answer all questions deemed to be relevant by the decision-maker.
      a. If a party or witness chooses to answer some, but not all, of the relevant questions posed by a party, then the decision-maker may not consider any statement made by that witness or party when determining responsibility.
   2. “Any statement made by that witness or party” includes:
      a. Statements made to the investigator,
      b. Statements contained in submitted documents, and
      c. Statements made to another party or witness.
   3. “Any statement made by that witness or party” does not include alleged statements made by Respondent that constitute the Policy violation(s) at issue.

4. Any action intended to dissuade an individual from participating in these proceedings could result in disciplinary action.

5. If a party chooses not to attend the hearing, an advisor may still conduct questioning on their behalf, so that the decision-maker may consider statements by parties and witnesses who choose to attend and submit themselves to questioning.
vi. Advisors will be expected to abide by the rules of decorum for the hearing, including parameters for questioning, which will be provided to all advisors and parties prior to the hearing.
   1. If an advisor violates these directives, they may be asked to leave the hearing. If a party’s advisor is removed from a hearing, the University will provide the party with an advisor for the purpose of questioning the other party and witnesses.

f. Closing Statements
   i. Once all parties and witnesses have been questioned, Complainant and Respondent each will have the opportunity to make closing remarks to the decision-maker.

g. Deliberations
   i. After the hearing concludes, the process will move into the determination of outcome phase. The parties, their advisors, witnesses, and the investigator are not permitted to be present during this phase.

12. Determination of Outcome
   a. Determination of Responsibility
      i. In closed deliberations, the decision-maker will make a determination of responsibility using the **preponderance of the information (more likely than not) standard**.
      ii. If the matter is heard by a hearing panel, the determination of responsibility need not be unanimous. It will be determined by a majority vote of the panel.

   b. Assignment of Sanctions and/or Remedies
      i. If Respondent is found responsible, the decision-maker will assign appropriate sanctions.
      ii. Factors considered when assigning sanctions include but are not limited to:
         1. Aggravating and mitigating circumstances,
         2. Respondent’s conduct history, and
         3. The need for the sanctions to:
            a. Bring an end to the misconduct,
            b. Prevent the future recurrence of the misconduct, and/or
            c. Ensure the safety of the campus community.
      iii. If Respondent is found responsible, the decision-maker will also assign remedies for the Complainant as needed to restore or preserve the Complainant’s equal access to the University’s education programs and activities. These remedies may include continuation of supportive measures previously provided.
      iv. Respondent’s failure to complete sanctions (including educational outcomes) by the date specified may result in further disciplinary action.

   c. Notice of Outcome
      i. Following deliberation, the decision-maker will draft a written notice of outcome.
         1. This written notice will include:
            a. Identification of the allegation(s),
            b. A description of the procedural steps taken from the receipt of the formal complaint through the determination of responsibility,
            c. Findings of fact supporting the determination,
            d. Conclusions regarding the application of those facts to the relevant portions of this Policy,
e. The decision-maker’s determination of responsibility regarding each allegation,
f. Sanctions assigned to Respondent, if applicable,
g. The rationale for this determination(s),
h. A statement that remedies were provided to Complainant, if applicable, and
i. Instructions for submitting an appeal.

ii. Each party will be provided with simultaneous written notice of outcome.

13. Sanctions: Students
   a. Standing Sanctions
      i. The following sanctions impact a student’s standing with the University. When a student is found responsible for violating this Policy, one of these standing sanctions must be assigned:
         1. Warning Letter: A formal statement that the behavior was unacceptable and a warning that further infractions of any University policy, procedure, or directive will result in more severe sanctions or remedial actions.
         2. Probation: A written reprimand providing for more severe conduct sanctions in the event that the student or organization is found in violation of any University policy, procedure, or directive within a specified period of time. Probation may also impact a student’s ability to participate in certain co-curricular activities, including fraternity and sorority recruitment, leadership opportunities, or other University programs.
         3. Suspension: Termination of student status for a definite period of time, and/or until specific criteria are met. In order to return after a suspension, students must complete the stipulations outlined in their outcome letter. Students who return from suspension are automatically placed on probation through the remainder of their time at the University. This sanction will not be noted on the student’s official transcript.
         4. Dismissal: Permanent termination of student status, revocation of rights to be on campus for any reason or to attend University-sponsored events. This sanction will be noted on the student’s official transcript permanently.
         5. Withholding Diploma: The University may withhold a student’s diploma for a specified period of time and/or deny a student participation in commencement activities.

      ii. Standing sanctions are assigned progressively. If a student has been assigned a standing sanction in another sexual misconduct matter, the standing sanction for any subsequent violation(s) of this Policy must be greater, absent mitigating circumstances.
   b. Additional Outcomes
      i. For every standing sanction except dismissal, additional outcomes, e.g., restitution and educational opportunities, may be assigned.

14. Sanctions: Employees
   a. When an employee is found responsible for violating this Policy, one of the following sanctions must be assigned:
      i. Warning Letter: A warning is a formal method of informing an employee of a violation of University rules, guidelines, and/or policies. Additional violations will initiate the progressive disciplinary process.
ii. **Demotion**: A reduction in rank or status.

iii. **Suspension with pay**: Temporary removal of an employee from performing their work duties.

iv. **Suspension without pay**: Temporary removal of an employee from performing their work duties and from receiving pay.

v. **Termination**: If the nature of the violation is so problematic and/or harmful to the campus community that a warning or a suspension is not appropriate, the decision-maker’s recommendation will be to terminate employment.

vi. Other sanctions, corrective actions, or educational outcomes that the decision maker may deem appropriate.

15. ** Appeals**
   
a. Any party may appeal the dismissal of a formal complaint or the decision-maker’s decision regarding responsibility to the appropriate appellate official.

b. **Appellate Officials**
   
i. The appropriate appellate official is determined by the status of Respondent.
      1. If Respondent is a student, the appellate official will be the Vice President for Student Affairs or designee.
      2. If Respondent is a staff member, the appellate official will be a member of Human Resources senior leadership or designee.
      3. If Respondent is a faculty member, the appellate official will be the Provost and Vice President for Academic Affairs or designee.

ii. Should the appellate official be unable or unwilling to act, they may appoint a designee. Should the appellate official be the Respondent or for any reason be disqualified to act, the President or designee will appoint another individual to assume the appellate official’s role for that case.

c. **Appeal Submission**
   
i. All appeals must be submitted in writing to the appropriate appellate official within five (5) business days of the delivery of written notice of outcome.

ii. The appeal must include an explanation of the grounds for appeal.

   1. Grounds for appeal are limited to the following
      a. Procedural error that significantly impacted the outcome of the case,
      b. Availability of new information that could significantly impact the outcome of the case, and/or
         i. This information must not have been available at any point during the process prior to the time of appeal.
      c. Conflict of interest or bias on the part of the Title IX Coordinator, investigator, or hearing panel.
         i. This includes bias for or against Complainants or Respondents generally, or for or against a specific Complainant or Respondent in the matter.
      2. Disagreement with the decision to dismiss, determination of responsibility, and/or sanction(s) assigned do not constitute permissible grounds for appeal.

d. **Notice of Appeal**
   
i. The appellate official will notify each party of receipt of an appeal.

e. **Determination of Appellate Outcome**
   
i. The appellate official will first review the appeal to determine whether it meets the criteria above (see 15(c)(ii)(1)). If the appeal does not meet the criteria, the appellate official will dismiss the appeal. If any portion of the appeal meets the
criteria, that portion will move forward. The appellate official will inform the parties
of this outcome within ten (10) business days of the official’s receipt of the appeal.
ii. If any portion of the appeal moves forward, the appellate official will make a
decision on appellate outcome based on the merits of the appeal.
1. Prior to the determination of appellate outcome, the other party will be
provided the opportunity to review the appeal and submit a written
response.
   a. A response must be submitted to the appellate official within five (5)
business days of the delivery of notice of the initial appellate
determination.
   b. If a party chooses not to submit a response, the appeal will move
forward without the benefit of their participation.
2. At the conclusion of the five business day response period, the appellate
official will make a determination of the appellate outcome.
   a. The appellate official will confine their analysis to review of the
written documentation related to the case, recording of the hearing
(if applicable), and information contained in the appeal and any
response(s) to the appeal.
   b. Appeals are not intended to be a full rehearing of the case.
      i. The appellate official will not substitute their own evaluation
      of the facts of the case for that of the decision-maker(s).
      ii. The determination of appellate outcome will be based solely
      on one or more of the grounds listed above.
   c. The appellate official may select one of the following outcomes:
      i. Uphold the dismissal of the formal complaint,
      ii. Set aside the dismissal of the formal complaint,
         1. In such circumstances, the Administrative
           Investigation and Adjudication Process will resume
           at the point it left off at the time of the dismissal.
      iii. Uphold the original finding of responsibility and/or original
           assignment of sanction(s), or
      iv. Set aside the original finding and send the case back to an
          investigator or decision-maker(s) for further review.
          1. The appellate official may choose to send the case
          back to the same investigator or decision-maker(s),
          or may direct the Title IX Coordinator to appoint a
          new investigator or convene a new hearing before a
          new decision-maker(s).
3. The appellate official will provide notice of appellate outcome to each party
in writing within ten (10) business days after the conclusion of the five-day
response period.

16. Withdrawal or Resignation while a Case is Pending
   a. Students
      i. Should a student Respondent choose to withdraw from the University while a case
         is pending, the University has the discretion to select one of the following options:
         1. The case may continue
a. Respondent may continue to participate in the case. If they choose not to participate, the case will proceed without the benefit of their participation.
   i. All requirements regarding submission to questioning by the other party and consideration of Respondent’s statements will apply.

b. Respondent’s ability to return to the University will depend on the outcome of the case.
   i. In cases where there is a responsible finding and the standing sanction assigned is dismissal, Respondent will not be permitted to return.
   ii. In cases where there is a responsible finding and the standing sanction is anything less than dismissal, Respondent will not be permitted to return unless all sanctions have been satisfied.
   iii. In cases where there is a not responsible finding, Respondent may return whenever they wish, provided they meet the requirements of all other University policies and procedures, including reapplying for admission, as applicable.

2. The case may be dismissed, following the procedures listed above under **Dismissal of Formal Complaints**.

ii. Should a student Complainant withdraw from the University while a case is pending, the University has discretion to select one of the following options:
   1. The case may continue
      a. Complainant may continue to participate in the case. If they choose not to participate, the case will proceed without the benefit of their participation.
      i. All requirements regarding submission to questioning by the other party and consideration of Complainant’s statements will apply.
   2. The case may be dismissed, following the procedures listed above under **Dismissal of Formal Complaints**.

b. Employees
   i. Should an employee Complainant or Respondent choose to resign from the University while a case is pending, the University has the discretion to select one of the following options:
      1. The case may continue
         a. The party may continue to participate in the case. If they choose not to participate, the case will proceed without the benefit of their participation.
         i. All requirements regarding submission to questioning by the other party and consideration of the party’s statements will apply.
         b. The party’s ability to reapply for employment may depend on the outcome of the case.
      2. The case may be dismissed, following the procedures listed above under **Dismissal of Formal Complaints**.
F. INFORMAL RESOLUTION

1. Informal resolution is available at any point prior to a determination of responsibility through the Administrative Investigation and Adjudication Process.

2. Requirements for an informal resolution:
   a. A formal complaint must be filed, and
   b. Each party must give their written, voluntary consent to informal resolution.
      i. No party is required to consent to an informal resolution. If any party chooses not to consent to an informal resolution, the Administrative Investigation and Adjudication Process will continue.

3. Informal resolution is not available in cases involving an employee Respondent and a student Complainant.

4. Several options for informal resolution are available:
   a. Mediation
      i. Mediation is a voluntary process. The Title IX Coordinator will determine if mediation is appropriate based on the conduct at issue and the agreement of Complainant and Respondent.
      ii. The Title IX Coordinator will appoint a mediator to speak with each party separately about possible resolution and remedies.
      iii. Mediation does not require the parties to be in the same room at the same time working to resolve the report. Rather, the mediator may work with each party separately toward a mutually agreeable resolution.
      iv. The Title IX Coordinator will maintain the record of any mediation resolution agreement in the file on the case.
      v. Failure to abide by a mediation resolution agreement may result in disciplinary action.
   
   b. Agreement to Outcome
      i. Where the facts are not in dispute, the parties may choose to agree to an outcome in the matter—i.e., a responsible or not responsible finding for Respondent and any applicable sanctions.
         a. This is not the same as a finding of responsibility by the decision-maker at the conclusion of the Administrative Investigation and Adjudication Process.
         b. Applicable sanctions may include any of the sanctions listed under Determination of Outcome, above.
      ii. The Title IX Coordinator will facilitate this agreement, but it is the parties who determine the outcome.
      iii. The Title IX Coordinator will maintain the record of any resolution agreement in the file on the case.
         a. Outcome agreements that involve a responsible finding for a Respondent will be maintained in that Respondent’s student conduct file. This means that this information could be shared with other institutions of higher education, employers, or others conducting prior misconduct checks with the University.
i. Such information would be shared in compliance with all federal and state laws and applicable University policies.

iv. Failure to abide by an outcome resolution agreement may result in disciplinary action.

c. Other forms of informal resolution
   i. Any party may consult with the Title IX Coordinator regarding other options for informal resolution.

5. The Title IX Coordinator retains discretion to determine whether an informal resolution option is appropriate for a given case.

6. Each party has the right to end an informal resolution process and request that the Administrative Investigation and Adjudication Process resume at any time prior to the conclusion of the informal resolution process.
   a. Should the informal process end and an Administrative Investigation and Adjudication Process resume, the mediator or facilitator of an informal process may not serve as a witness in the process, nor may information shared in the informal resolution process be used by any party in the Administrative Investigation and Adjudication Process.
   b. Should a party request a resumption of the Administrative Investigation and Adjudication Process, the process will resume at the point at which it left off prior to the beginning of the informal resolution process.

G. RESOLUTION OF REPORTS INVOLVING CONTRACTORS OR VISITORS

1. Contractors
   a. When the Title IX Coordinator is made aware of a report of sexual misconduct on the part of a contractor’s employee toward a University student or employee while on campus, they will inform the contractor of this report, to be handled under that organization’s policies.
   b. Should a contractor fail to address the allegation in a satisfactory manner, the University may terminate the contractor agreement.
   c. The University police department may trespass an individual or group from University property.

2. Visitors
   a. When the Title IX Coordinator is made aware of a report of sexual misconduct on the part of a visitor, they may choose to do one of the following:
      i. Issue a warning letter to that individual or group, or
      ii. Work with the University police department to trespass that individual or group from University property.

H. RECORDS

In implementing this Policy, records of all reports of sexual misconduct will be maintained by the Title IX Coordinator. Decisions finding a student responsible for violations of this Policy will also be noted in their student conduct file. Decisions findings an employee responsible for violations of this Policy will also be noted in their personnel file. All records will be kept for at least seven (7) years.
HISTORY/REVISION DATES
Board of Trustees Approval
June 9, 2017
Revision
January 28, 2022
This report was prepared by the Butler University Office of Public Safety with additional information from various offices. Questions or comments can be directed to Sgt. Jeffrey Wager at 317-940-6584 or jlwager@butler.edu