

BUTLER UNIVERSITY
DEPARTMENT *of*
PUBLIC SAFETY



2023

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY

ANNUAL CAMPUS CRIME STATISTICS

and

ANNUAL FIRE SAFETY REPORT

Includes Crime Statistics for Calendar Years (CYs) 2020, 2021 & 2022.

Published September 26, 2023

BUTLER UNIVERSITY POLICE DEPARTMENT

525 W. Hampton Drive
Indianapolis, IN 46208

Tel: 317-940-BUPD (2873), option 1 (non-emergency)
Fax: 317-940-6578

Email: bupd@butler.edu Website: <https://www.butler.edu/public-safety/>

Social Media: @DawgAlert

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.

Dawg Ride is requested by Text to 317-940-9992 – send location pin from google maps or apple maps or provide a stop number with name and number of passengers and destination. Will received an ETA response.

TABLE OF CONTENTS

A Message from the President.....	5
A Message from the Chief of Public Safety.....	6
The Clery Act	7
University Department of Public Safety.....	8
Law Enforcement Authority.....	9
Reporting Criminal Actions and Other Emergencies.....	11
Voluntary Confidential Reporting.....	11
Additional Individuals to Whom a Crime can be Reported.....	12
Timely Warning Procedures.....	13
Emergency Notification.....	15
Emergency Response and Evacuation Procedures.....	17
Evacuation Procedures.....	18
Security of and Access to Campus Facilities.....	20
Access to Residence Halls.....	20
Maintenance of Campus Facilities.....	21
Safety on Campus: Everyone’s Responsibility.....	22
University Programming – Crime Prevention.....	22
Security Awareness.....	22
2021 Alcohol, Drug, and Sexual Violence Prevention Education Programming.....	24
Substance-Free Alternative Social Activities.....	27
Visual Media, Communications, Digital Tools, and Social Media Campaigns.....	27
Campus Support Services.....	27
Alcohol Policy Statement.....	28
Drug Policy Statement.....	31
Clery Crime Categories & Definitions	32
Indiana Criminal Code.....	37
Butler University Information about Consent.....	39
Clery Geography	41
Crime Statistics for 2021, 2020, 2019.....	44
Missing Students Notification Policy Statement.....	47
How to be an Active Bystander.....	48
Risk Reduction.....	48

Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault, and Stalking Occurs.....	51
Victims Options for Involvement of Law Enforcement and Campus Authorities.....	52
Reporting Incidents of Dating Violence, Domestic Violence, Sexual Assault, and Stalking.....	52
Procedures the University will Follow When a Crime of Dating Violence, Domestic Violence, Sexual Assault, or Stalking is Reported.....	53
Resources.....	56
Fire Safety Report.....	62
Fire Safety Policies.....	66
Reported Fire Statistics.....	68
Appendix A Alcohol Related Policies, Procedures, and Consequences for Students	75
Alcohol Policy for Students.....	76
Student Organization Social Event Procedures.....	77
Butler University Interfraternity Council and Panhellenic Association Alcohol Policy.....	84
Possible Consequences for Violations of the Butler Student Alcohol Policy.....	89
Appendix B Controlled Substances Policy.....	90
Appendix C Sexual Misconduct Policy.....	92

A MESSAGE FROM THE PRESIDENT

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.

While 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.

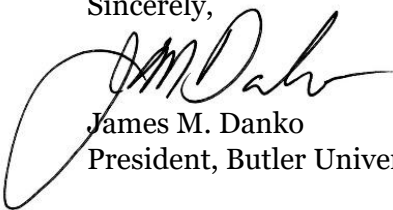
Get involved by knowing the many resources you can utilize for your safety and the safety of others.

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,

A handwritten signature in black ink, appearing to read 'JMDanko', with a large, sweeping flourish at the end.

James M. Danko
President, Butler University

A MESSAGE FROM THE CHIEF OF PUBLIC SAFETY

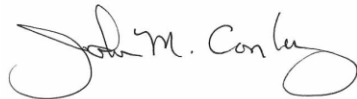
Greetings,

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,

A handwritten signature in black ink that reads "John M. Conley". The signature is written in a cursive style with a large, looping initial "J" and a long, sweeping underline.

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.
- This report is published as required by the Crime Awareness and Campus Security Act of 1990, amended in 1991, 1992, 1998, 2000, 2008, and 2013 (34 CFR Part 668).

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 5525 undergraduate and graduate students for the 2021-2022 academic year and 1,459 full-time and part-time faculty/staff on campus. The Department of Public Safety has a staff of 31 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 a *Captain of Administration who oversees Emergency Preparedness 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 21-17-5-4 and 21-17-5-5 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 employ 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 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](https://butler.qualtrics.com/jfe/form/SV_6L8maQCKf7q783A)" website at: https://butler.qualtrics.com/jfe/form/SV_6L8maQCKf7q783A

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 compromising 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 Team 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.

System to use	Primary Message Creator	Backup Message Creator	Authority for approving and sending messages	Primary Message Sender	Backup Message Sender
PRIMARY METHOD					
All-Campus Email	Chief of Public Safety	Assistant Chief of Police, Director of University Relations	Chief of Public Safety or Assistant Chief of Police	Marketing and Communications Staff	Marketing and Communications Staff
SECONDARY METHOD					
University Police Website	Chief of Public Safety	Assistant Chief of Police, Director of University Relations	Chief of Public Safety or Assistant Chief of Police	Chief of Public Safety or designees	Marketing and Communications Staff

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 Instagram Butlerpolice 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.

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.

System to use	Primary Message Creator	Backup Message Creator	Authority for approving and sending messages	Primary Message Sender	Backup Message Sender
PRIMARY METHOD					
All Campus Email	University Police Department or Marketing and Communications	University Police Department or Marketing and Communications	University Police Department or Marketing and Communications	University Police Department or Marketing and Communications	University Police Department or Marketing and Communications
Telephone Voicemail	University Police Department or Marketing and Communications	University Police Department or Marketing and Communications	University Police Department or Marketing and Communications	University Police Department or Marketing and Communications	University Police Department or Marketing and Communications
Text Message Via Rave	University Police Department or Marketing and Communications	University Police Department or Marketing and Communications	University Police Department or Marketing and Communications	University Police Department or Marketing and Communications	University Police Department or Marketing and Communications
Computer Via Alertus	University Police Department or Marketing and Communications	University Police Department or Marketing and Communications	University Police Department or Marketing and Communications	University Police Department or Marketing and Communications	University Police Department or Marketing and Communications

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/>

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/> 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, Fairview House, Irvington House, University Terrace, and the Apartment Village have front desk operations. Rooms in Residential College, 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 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.

2022 Alcohol, Drug, and Sexual Violence Prevention Educational Programming

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), BUBeWell Wellness Champions, the Student Advocacy Fellow, Sexy Can I? Consent Workshop Facilitators, and the Butler Survivor Alliance (BSA).

- **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 increase 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.

- **Butler Survivor Alliance (BSA)** is a new student organization designed to support the needs of student survivors and provide a sense of community.

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 2022 training consisted of a workshop about establishing boundaries in relationships and practiced techniques needed to intervene in a variety of situations.

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 2022 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 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 2022 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 2022, there was a virtual event offered examining the impact and implications of stalking in the media and how to recognize and stop stalking, as well as two podcast episodes about stalking awareness and prevention.

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 2022, there was a presentation about how sexual violence in the LGBTQ+ community, discussions debunking myths surrounding sexual misconduct, how to deal with sexual harassment in the workplace, and how to help a friend who has experienced sexual violence. There were also two podcast episodes regarding sexual violence awareness and prevention.

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 2022, 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:

<https://iga.in.gov/laws/2023/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 73).

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 89.

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
- **Arrests and Referrals for Disciplinary Action** for Weapons—Carrying, Possessing, Etc. Law Violations, Drug Abuse Violations and Liquor Law Violations.

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 aforementioned.

(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 commit any of the following

against another family or household member:

- (1) A homicide offense under IC 35-42-1.
- (2) A battery offense under IC 35-42-2.
- (3) Kidnapping or confinement under IC 35-42-3.
- (4) Human and sexual trafficking crimes under IC 35-42-3.5.
- (5) A sex offense under IC 35-42-4.
- (6) Robbery under IC 35-42-5.
- (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.
- (11) Voyeurism under IC 35-45-4.
- (12) Stalking under IC 35-45-10.
- (13) An offense against family under IC 35-46-1-2 through IC 35-46-1-8, IC 35-46-1-12, IC 35-46-1-15.1, or IC 35-46-1-15.3.
- (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

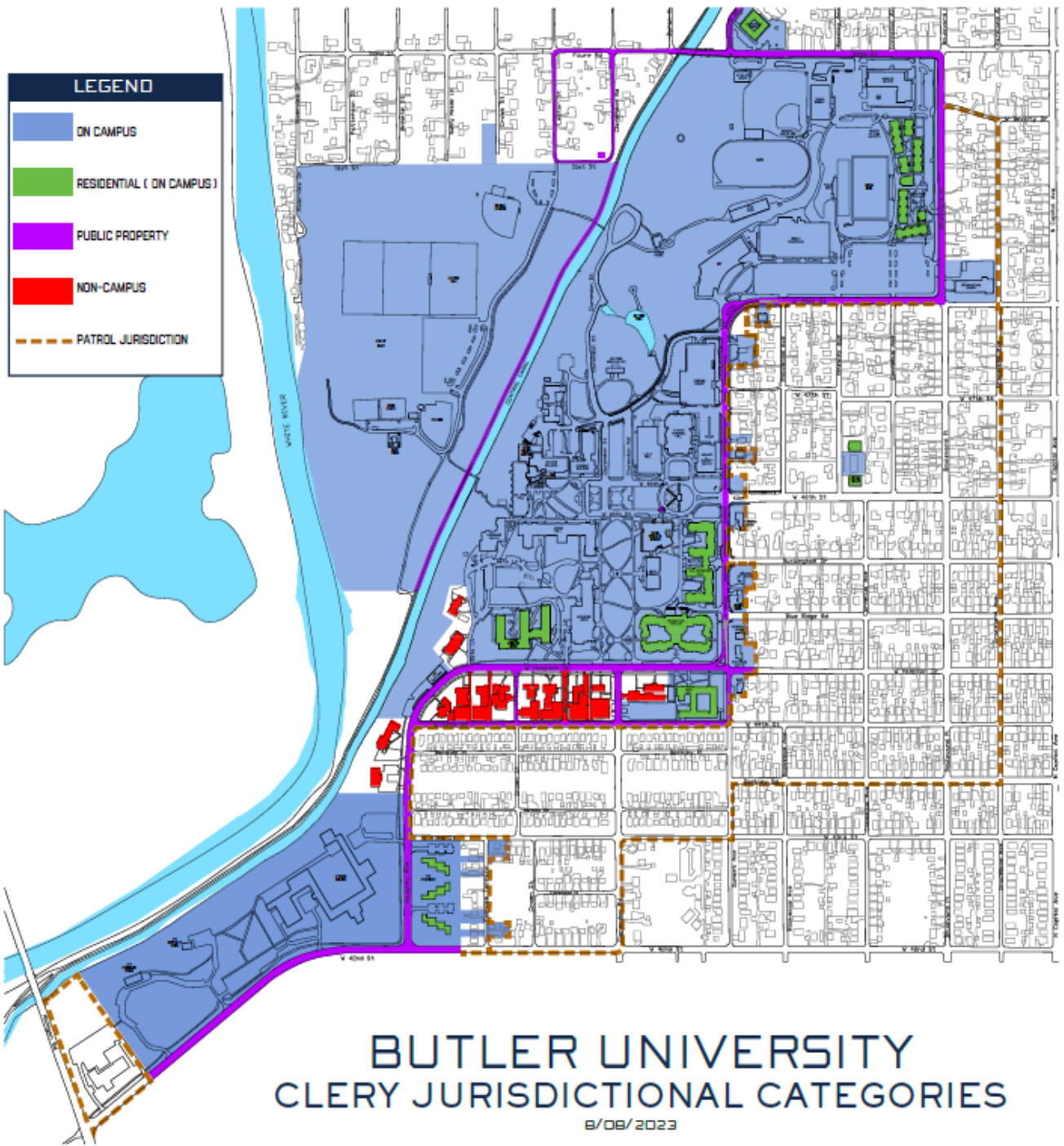
On-Campus Buildings or Property: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls (to include 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.



UPDATED 8/08/2023

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).

ON CAMPUS – Everything in blue shaded area except the following		
ON CAMPUS -- RESIDENTIAL	NONCAMPUS	PUBLIC PROPERTY
Butler Terrace Fairview House Irvington House Residence College Ross Residence Hall University Terrace Village Apartment CTS Apartments 4204 Fairview Terrace 4205 Fairview Terrace 4209 Fairview Terrace 4220 Fairview Terrace 4242 Fairview Terrace 4250 Fairview Terrace 4253 Fairview Terrace 4259 Fairview Terrace Within the Structure. Incidents outside of the Structure would be labeled as On Campus.	Alpha Chi Omega Alpha Phi Delta Delta Delta Delta Gamma Delta Tau Delta Kappa Alpha Theta Kappa Kappa Gamma Lambda Chi Alpha Phi Delta Theta Phi Kappa Psi Pi Beta Phi Sigma Chi Sigma Nu Structure & Property (outside of structure)	700 – 1000 W. 44 th Street 300 – 700 W. 49 th Street 300 – 700 W. 52 nd Street 4900 – 5200 N. Boulevard Place 500 – 1000 Hampton Drive 4200 – 4400 Haughey Avenue 4400 – 4900 Sunset Avenue 4200 – 4300 Fairview Terrace Elwood & Mary Black Park Indianapolis Water Co. Canal & foot path adjunct to the Canal IndyGo Bus Stops 49 & Sunset Ave Butler Way @ Clowes Hall Public Streets, Public Sidewalks adjacent to streets, & Parks

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 2020, 2021, and 2022. 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

Butler University Police Department: Captain of Police Administration/Detective Lieutenant

Indianapolis Metropolitan Police Department

Indiana State Police

Indiana State Excise Police, and numerous law enforcement agencies nationally.

2020 – 2022 Crime Statistics

Offense (Reported By Hierarchy)	Year	On- Campus	Non- Campus	Public Property	Total	On- Campus Residential Facilities	Unfounded Crimes
Murder/Non- Negligent Manslaughter	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Manslaughter by Negligence	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Rape	2022	9	1	0	10	8	0
	2021	5	1	0	6	5	0
	2020	5	0	0	5	4	0
Fondling	2022	4	2	0	6	3	0
	2021	9	0	0	9	6	0
	2020	0	0	0	0	0	0
Incest	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Statutory Rape	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Robbery	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	1	0	0	0	0	0
Aggravated Assault	2022	2	1	0	3	1	0
	2021	3	1	0	4	3	0
	2020	0	0	0	0	0	0
Burglary	2022	8	0	0	8	1	0
	2021	7	2	0	9	1	1
	2020	7	11	0	18	1	1
Motor Vehicle Theft	2022	0	0	0	0	0	0
	2021	1	1	0	2	0	0
	2020	0	0	0	0	0	0

Offense (Reported By Hierarchy)	Year	On-Campus	Non-Campus	Public Property	Total	On-Campus Residential Facilities	Unfounded Crimes
Liquor Law Arrests	2022	8	2	0	10	8	0
	2021	4	2	1	7	4	0
	2020	14	1	0	15	14	0
Drug Law Arrests	2022	0	0	0	0	0	0
	2021	0	0	1	1	0	0
	2020	0	1	0	1	0	0
Weapons Law Arrests	2022	0	0	0	0	0	0
	2021	0	2	0	2	0	0
	2020	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2022	220	5	0	225	220	0
	2021	172	0	0	172	172	0
	2020	232	1	0	233	226	0
Drug Law Violations Referred for Disciplinary Action	2022	13	0	0	13	13	0
	2021	15	0	5	20	15	0
	2020	16	0	0	16	16	0
Weapons Law Violations Referred for Disciplinary Action	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Arson	2022	0	0	0	0	0	0
	2021	2	0	0	2	0	0
	2020	1	0	0	1	0	0
Domestic Violence	2022	7	0	0	7	7	0
	2021	4	1	0	5	4	0
	2020	3	0	0	3	1	0
Dating Violence*	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Stalking	2022	12	0	0	12	7	3
	2021	15	2	0	17	6	0
	2020	4	1	0	5	0	0

*Dating Violence is included in the Domestic Violence line according to Indiana statute.

Hate Crime Reporting:

2022: There was zero (0) hate crime.

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

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](http://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 reduce 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 cash 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> 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>

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.

Incident Being Reported	Procedure Institution Will Follow:
Sexual Assault	<p>Depending on when reported (immediate vs. delayed report), institution will provide complainant with access to medical care.</p> <p>Institution will assess immediate safety needs of complainant.</p> <p>Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department.</p> <p>Institution will provide complainant with referrals to on- and off-campus mental health providers.</p> <p>Institution will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, "No Contact" directive between both parties.</p> <p>Institution will provide a "No trespass directive to accused party if deemed appropriate.</p> <p>Institution will provide written instructions on how to apply for a Protective Order.</p> <p>Institution will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation, and resolution.</p> <p>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.</p> <p>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.</p>
Incident Being Reported	Procedure Institution Will Follow:
Domestic Violence	<p>Institution will assess immediate safety needs of complainant.</p> <p>Institution will assist complainant with contacting local police if complainant requests.</p> <p>Institution will provide written information to complainant for Protective Order.</p> <p>Institution will provide written information to complainant on how to preserve evidence.</p> <p>Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.</p> <p>Institution will provide a "No trespass" directive to accused party if deemed appropriate.</p>

Stalking	<p>Institution will assess immediate safety needs of complainant.</p> <p>Institution will assist complainant with contacting local police if complainant requests.</p> <p>Institution will provide written information to complainant for Protective Order.</p> <p>Institution will provide written information to complainant on how to preserve evidence.</p> <p>Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.</p> <p>Institution will provide a "No trespass" directive to accused party if deemed appropriate.</p>
Dating Violence	<p>Institution will assess immediate safety needs of complainant.</p> <p>Institution will assist complainant with contacting local police if complainant requests.</p> <p>Institution will provide written information to complainant for Protective Order.</p> <p>Institution will provide written information to complainant on how to preserve evidence.</p> <p>Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate.</p> <p>Institution will provide a "No trespass" directive to accused party if deemed appropriate.</p>

RESOURCES

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

Ms. Azure Swinford
Deputy Title IX Coordinator
317-940-9854
titleix@butler.edu
www.butler.edu/sexual-misconduct

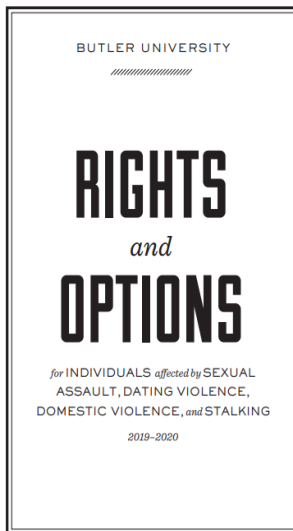
Specific information regarding the criminal justice process concerning Sexual Assault, Domestic Violence, Dating Violence or Stalking can be obtained from:

Detective Lieutenant 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

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

Detective Lorraine Oguz
Butler University Police Department
317-940-6863
loguz@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

https://www.butler.edu/public-safety/wp-content/uploads/sites/20/2022/01/2021_rights_options_booklet.pdf

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

<https://www.butler.edu/student-life/title-ix/university-policy/>

RESOURCE TABLE from Rights and Options booklet

IMMEDIATE HEALTH ASSISTANCE	
<p><i>Sexual Assault Nurse Examiner (SANE)</i></p> <p>Center of Hope at Methodist Hospital (<i>within E.R.</i>) 1701 North Senate Avenue, Indianapolis, IN 46206 317-963-3394 or 317-962-1172 (24/7)</p> <p>Center of Hope at St. Vincent Hospital (<i>within E.R.</i>) 2001 W. 86th Street, Indianapolis, IN 46260 317-338-1956</p>	<p>Specially trained nurses located at Center of Hope facilities (available 24 hours) within many hospitals around Indiana.</p> <p>This is a free, confidential resource available to students and employees.</p> <p>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.</p>

LAW ENFORCEMENT ASSISTANCE	
<i>Law Enforcement</i>	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.)
<p>Butler University Police Department 525 W. Hampton Drive, Indianapolis, IN 317-940-9396 (Emergency Assistance) 317-940-2873</p>	BUPD can also assist the victim with application to court for a Protection Order. This process can be done on campus.
<p>Indianapolis Metropolitan Police Department 911 317-327-3811 (Nonemergency Assistance)</p>	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	
<p><i>Butler University Title IX Coordinator</i></p> <p>Georgia Hensley/Azure Swinford Title IX Coordinator/Deputy Title IX 317-940-6509/317-940-9854 titleix@butler.edu</p> <p>Lisa Fishback Deputy Title IX Coordinator 317-940-6152</p> <p>Molly Sullivan Deputy Title IX Coordinator 317-940-9630</p>	<p>Identify resources.</p> <p>Conduct administrative investigation and process. Can assist in making accommodations for student, faculty, and staff.</p>
<p><i>Butler University Campus Security Authority (CSA)</i></p>	<p>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.</p> <p>Identify resources.</p> <p>Is required to minimally report criminal information to include: date, time, location, and general type of crime.</p>
<p><i>Butler University Responsible Employee</i></p>	<p>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</p>

	<p>Coordinator, or whom a student could reasonably believe has this authority or duty.</p> <p>Identify resources.</p> <p>Is required to minimally report criminal information to include date, time, location, and general type of crime</p>
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CAMPUS VICTIM ADVOCACY SERVICES FOR STUDENTS	
<p><i>Butler University Sexual Assault Response and Prevention Specialist (SARPS)</i></p> <p>Health and Recreation Complex 317-910-5572</p> <p>After Hours The Julian Center 317-920-9320 (available 24/7)</p>	<p>Offers support and identify resources on and off campus. Available Monday–Friday from 9:00AM–5:00PM.</p> <p>The SARPS is a confidential resource.</p> <p>The Julian Center is a confidential resource.</p>

CENTER FOR FAITH AND VOCATION	
<p><i>Butler University Center for Faith and Vocation</i> 4615 Sunset Avenue</p> <p>317-940-8252</p>	<p>Pastoral counseling services are provided by appointment to students or staff. Contact Rev. Daniel Meyers, M. Div. by telephone or dgmeyers@butler.edu.</p> <p>This is a confidential resource.</p>

CAMPUS HEALTH AND PSYCHOLOGICAL SERVICES FOR STUDENTS	
<p>Butler University Counseling and Consultation Services</p> <p>Butler University Health Services Health and Recreation Complex 317-940-9385</p> <p>After Hours <i>St. Vincent's Stress Center</i> 317-338-4800 (available 24/7)</p> <p><i>Community Health Network</i> 317-621-5700 (available 24/7) <i>Text Option 20121</i></p>	<p>Counseling Center Services and Health Services are provided to students. These are available Monday–Friday from 8:00 AM–4:00 PM.</p> <p>These are confidential resources</p>

OTHER CAMPUS RESOURCES FOR STUDENTS

Office of the Vice President for Student Affairs
Atherton Union, Room 200
317-940-9570

Student Disability Services
Jordan Hall, Room 136
317-940-9308

International Student Services
Atherton Union, Room 004
317-940-9888

Center for Global Education
Jordan Hall, Room 138
317-940-8473

Office of Financial Aid
Robertson Hall, lower level
317-940-8200

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

OTHER CAMPUS RESOURCES FOR EMPLOYEES

Employee Assistance Program Consultants
855-387-9727
TDD - 800-697-0353

Web: <https://www.guidanceresources.com>
Web ID - ONEAMERICA3

Confidential

**OFF-CAMPUS RESOURCES FOR
STUDENTS AND EMPLOYEES**

<p><i>Shelters</i> Julian Center Shelter 317-920-9320 Salvation Army Emergency Lodge 317-637-5551</p>	<p>These shelters are located in Indianapolis and provide assistance 24/7.</p>
<p><i>Protection Orders</i> 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</p>	<p>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.</p>
<p><i>Legal Assistance</i> Center for Victim and Human Rights Indianapolis, IN 317-610-3427</p> <p>Indiana Coalition Against Domestic Violence 1915 W. 18th Street, Indianapolis, IN 317-917-3685</p> <p>Julian Center 2011 N. Meridian Street, Indianapolis, IN 317-941-2200 317-920-9320 (available 24/7)</p> <p>Latino Coalition 300 E Fall Creek Pkwy N Dr # A, Indianapolis, IN 317-926-4673</p> <p>Legal Aid 615 N. Alabama Street, #122, Indianapolis, IN 317-635-9538</p> <p>Neighborhood Christian Legal Clinic 3333 N. Meridian Street, Suite 201, Indianapolis, IN 317-429-4131</p>	<p>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.</p>

ADDITIONAL RESOURCES

<p>Julian Center 2011 N. Meridian Street, Indianapolis, IN 317-941-2200 (24/7) 317-920-9320—Crisis Line</p> <p>Legacy House 2505 N. Arlington Avenue, Indianapolis, IN 317-554-5272</p> <p>Prevail (serving Hamilton County and surrounding counties) 1100 S. 9th Street, Suite 100, Noblesville, IN 317-776-3472 (24/7) 317-773-6942</p> <p>Indiana Coalition Against Domestic Violence 1915 W. 18th Street, Indianapolis, IN 317-917-3685</p> <p>RAINN—Rape, Abuse, and Incest National Network Crisis Support 800-656-Hope (24/7) online.rainn.org (24/7)</p>	<p>These organizations can provide a wide range of services for victims of domestic violence, dating violence, sexual assault, and stalking.</p>
<p>Indiana Youth Group 2943 E. 46th Street, Indianapolis, IN 317-541-8726</p>	<p>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.</p>
<p>Centers for Disease Control and Prevention Lesbian, Gay, Bisexual, and Transgender Health Injury Prevention and Control: Division of Violence Prevention</p>	<p>www.cdc.gov/lgbthealth/links.htm www.cdc.gov/violenceprevention/</p>
<p>Connect2Help 211 www.Connect2Help.org</p>	<p>This free service is available 24/7 and can provide assistance in locating health care, support groups, mental health services, and other needs</p>
<p>VINE (Victim Information and Notification Services within Marion Co.) 866-959-8463</p>	<p>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.</p>
<p>Marion County Prosecutor’s Office 251 E. Ohio Street, #160, Indianapolis, IN 317-327-3522</p>	<p>Assistance with matters concerning criminal charges within Marion County.</p>
<p>US Citizenship and Immigration Svcs Gateway Plaza Building, 950 N. Meridian Street, Room 400, Indianapolis, IN</p>	<p>Local U.S. Governmental office dealing with visa issues.</p>

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

Residential Facility	Fire Alarm Monitoring Done by BUPD	Sprinkler System (Full)	Sprinkler System (Partial)	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans/Placards	Number of Fire Evacuation Drills Each Academic Year
Ross Hall 629 W. Hampton Drive (Building closed)	x			x	x	x	0
Fairview House 4550 Sunset Avenue	x	x		x	x	x	4
ResCo 630 W. Hampton Drive	x	x		x	x	x	4
Irvington House 750 W. Hampton Drive	x	x		x	x	x	4
University Terrace 599 W. Westfield Boulevard	x			x	x	x	4

BUTLER UNIVERSITY FIRE SAFETY MATRIX (CONT.)

Residential Facility	Fire Alarm Monitoring Done by BUPD	Sprinkler System (Full)	Sprinkler System (Partial)	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans/ Placards	Number of Fire Evacuation Drills Each Academic Year
Apartment Village #A 5004 Boulevard PI	x	x		x	x	x	4
Apartment Village #B 5008 Boulevard PI	x	x		x	x	x	4
Apartment Village #C 5012 Boulevard PI	x	x		x	x	x	4
Apartment Village #D 5016 Boulevard PI	x	x		x	x	x	4
Apartment Village #E 5020 Boulevard PI	x	x		x	x	x	4
Apartment Village #G 5102 Boulevard PI	x	x		x	x	x	4
Apartment Village #H 5106 Boulevard PI	x	x		x	x	x	4
Apartment Village #J 5110 Boulevard PI	x	x		x	x	x	4
Apartment Village #K 5114 Boulevard Place	x	x		x	x	x	4
Apartment Village #L 5118 Boulevard Place	x	x		x	x	x	4
Apartment Village #M 5122 Boulevard Place	x	x		x	x	x	4
CTS Apartment Building #A 4251 Haughey	*			x	x	x	0
CTS Apartment Building #B 4251 Haughey	*			x	x	x	0
Residential Facility	Fire Alarm Monitoring Done by BUPD	Sprinkler System (Full)	Sprinkler System (Partial)	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans/ Placards	Number of Fire Evacuation Drills Each Academic Year
CTS Apartment Buildings #C	*			x			0

4251 Haughey							
Butler Terrace #A 4605 Hinesley				×	×		0
Butler Terrace #B 4627 Hinesley				×	×		0

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.)

Residential Facility	Fire Alarm Monitoring Done by BUPD	Sprinkler System (Full)	Sprinkler System (Partial)	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans/ Placards	Number of Fire Evacuation Drills Each Academic Year
4204 Fairview Terrace				×			0
4205 Fairview Terrace				×			0
4209 Fairview Terrace				×			0
4220 Fairview Terrace				×			0
4242 Fairview Terrace				×			0
4250 Fairview Terrace				×			0
4253 Fairview Terrace				x			0
4259 Fairview Terrace				X			0
815 W. 43 rd Street				×			0

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 2022.

Date	Building	# of Drills
2022	Apartment Village Building A	4
2022	Apartment Village Building B	4
2022	Apartment Village Building C	4
2022	Apartment Village Building D	4
2022	Apartment Village Building E	4
2022	Apartment Village Building F	4
2022	Apartment Village Building G	4
2022	Apartment Village Building H	4
2022	Apartment Village Building J	4
2022	Apartment Village Building K	4
2022	Apartment Village Building L	4
2022	Apartment Village Building M	4
2022	Fairview House	4
2022	Ross Hall	0
2022	Residential College (ResCo)	4
2022	Irvington House	4
2022	University Terrace	4

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:
 - Possession and burning of candles, incense, or spices such as sage in housing facilities is a fire hazard and is not permitted.
 - Electric potpourri pots and plug in air fresheners are prohibited.
 - Incense, lanterns, charcoal, lighter fluid, Bunsen type burners and propane are prohibited.
 - All extension cords must be of a surge-protector type with an ON/OFF switch, power on indicator light, and a breaker reset.
 - 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.
 - Halogen bulbs generates extreme heat, which increases the potential fire hazard and are not permitted.
 - Refrigerators must be plugged in directly to the wall outlet, and not using any kind of extension cord.
 - The use of cooking appliances in individual student rooms is prohibited.
 - Wall, door and room decorations are limited to 20% of any given surface.
 - Personal floor mats, or any other item which represent a trip hazard, are not permitted in hallways.
 - Do not attach anything to, or hang any item on, any sprinkler head.
 - Do not attach anything near a sprinkler head that may obstruct the spray pattern.
 - 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.
 - 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/student-life/housing-dining/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/>

**2022 FIRE STATISTICS & RELATED INFORMATION FOR ON-CAMPUS
RESIDENTIAL FACILITIES**

Housing Facility	Total Fires in	Date & Time	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by a Fire	Case Number
Ross Hall 629 W Hampton Dr	0	N/A	N/A	0	0	0	N/A
Fairview House 4550 Sunset Ave	0	N/A	N/A	0	0	0	N/A
ResCo 630 W. Hampton Dr.	0	N/A	N/A	0	0	0	N/A
Irvington House 750 W. Hampton Dr.	0	N/A	N/A	0	0	0	N/A
University Terrace 599 W. Westfield Blvd.	0	N/A	N/A	0	0	0	N/A
Apartment Village #A 5004 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #B 5008 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #C 5012 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #D 5016 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #E 5020 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #G 5102 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #H 5106 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #J 5110 Boulevard Place	0	N/A	N/A	0	0	0	N/A

**2022 FIRE STATISTICS & RELATED INFORMATION FOR ON-CAMPUS
RESIDENTIAL FACILITIES (CONT.)**

Housing Facility	Total Fires in	Date & Time	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by a Fire	Case Number
Apartment Village #K 5114 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #L 5118 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #M 5122 Boulevard Place	0	N/A	N/A	0	0	0	N/A
CTS Apartment Building A 4251 Haughey Ave	0	N/A	N/A	0	0	0	N/A
CTS Apartment Building B 4251 Haughey Ave	0	N/A	N/A	0	0	0	N/A
CTS Apartment Building C 4251 Haughey Ave	0	N/A	N/A	0	0	0	N/A
Butler Terrace #A 4605 Hinesley Ave	0	N/A	N/A	0	0	0	N/A
Butler Terrace #B 4627 Hinesley Ave	0	N/A	N/A	0	0	0	N/A
4204 Fairview Terrace	0	N/A	N/A	0	0	0	N/A
4205 Fairview Terrace	0	N/A	N/A	0	0	0	N/A
4209 Fairview Terrace	0	N/A	N/A	0	0	0	N/A
4220 Fairview Terrace	0	N/A	N/A	0	0	0	N/A
4242 Fairview Terrace	0	N/A	N/A	0	0	0	N/A
4250 Fairview Terrace	0	N/A	N/A	0	0	0	N/A
815 W. 43 rd Street	0	N/A	N/A	0	0	0	N/A

**2021 FIRE STATISTICS & RELATED INFORMATION FOR ON-CAMPUS
RESIDENTIAL FACILITIES**

Housing Facility	Total Fires in	Date & Time	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by a Fire	Case Number
Ross Hall 629 W Hampton Dr	0	N/A	N/A	0	0	0	N/A
Fairview House 4550 Sunset Ave	1	07012021 1719	HEATING EQUIPMENT	0	0	0	21-00298
ResCo 630 W. Hampton Dr.	0	N/A	N/A	0	0	0	N/A
Irvington House 750 W. Hampton Dr.	0	N/A	N/A	0	0	0	N/A
University Terrace 599 W. Westfield Blvd.	0	N/A	N/A	0	0	0	N/A
Apartment Village #A 5004 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #B 5008 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #C 5012 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #D 5016 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #E 5020 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #G 5102 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #H 5106 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #J 5110 Boulevard Place	0	N/A	N/A	0	0	0	N/A

**2021 FIRE STATISTICS & RELATED INFORMATION FOR ON-CAMPUS
RESIDENTIAL FACILITIES (CONT.)**

Housing Facility	Total Fires in	Date & Time	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by a Fire	Case Number
Apartment Village #K 5114 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #L 5118 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #M 5122 Boulevard Place	0	N/A	N/A	0	0	0	N/A
CTS Apartment Building A 4251 Haughey Ave	0	N/A	N/A	0	0	0	N/A
CTS Apartment Building B 4251 Haughey Ave	0	N/A	N/A	0	0	0	N/A
CTS Apartment Building C 4251 Haughey Ave	1	02022021 1709	COOKING	0	0	\$574	21-00051
Butler Terrace #A 4605 Hinesley Ave	0	N/A	N/A	0	0	0	N/A
Butler Terrace #B 4627 Hinesley Ave	1	11212021 1522	COOKING	0	0	0	21-00646
4204 Fairview Terrace	0	N/A	N/A	0	0	0	N/A
4205 Fairview Terrace	0	N/A	N/A	0	0	0	N/A
4209 Fairview Terrace	0	N/A	N/A	0	0	0	N/A
4220 Fairview Terrace	0	N/A	N/A	0	0	0	N/A
4242 Fairview Terrace	0	N/A	N/A	0	0	0	N/A
4250 Fairview Terrace	0	N/A	N/A	0	0	0	N/A
815 W. 43 rd Street	0	N/A	N/A	0	0	0	N/A

**2020 FIRE STATISTICS & RELATED INFORMATION FOR ON-CAMPUS
RESIDENTIAL FACILITIES**

Housing Facility	Total Fires in	Date & Time	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by a Fire	Case Number
Ross Hall 629 W Hampton Dr	0	N/A	N/A	0	0	0	N/A
Fairview House 4550 Sunset Ave	0	N/A	N/A	0	0	0	N/A
ResCo 630 W. Hampton Dr.	0	N/A	N/A	0	0	0	N/A
Irvington House 750 W. Hampton Dr.	1	10/4/2020 11:00	Open Flame	0	0	\$60	20-00576
University Terrace 599 W. Westfield Blvd.	0	N/A	N/A	0	0	0	N/A
Apartment Village #A 5004 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #B 5008 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #C 5012 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #D 5016 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #E 5020 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #G 5102 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #H 5106 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #J 5110 Boulevard Place	0	N/A	N/A	0	0	0	N/A

**2020 FIRE STATISTICS & RELATED INFORMATION FOR ON-CAMPUS
RESIDENTIAL FACILITIES (CONT.)**

Housing Facility	Total Fires in	Date & Time	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by a Fire	Case Number
Apartment Village #K 5114 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #L 5118 Boulevard Place	0	N/A	N/A	0	0	0	N/A
Apartment Village #M 5122 Boulevard Place	0	N/A	N/A	0	0	0	N/A
CTS Apartment Building A 4251 Haughey Ave	0	N/A	N/A	0	0	0	N/A
CTS Apartment Building B 4251 Haughey Ave	0	N/A	N/A	0	0	0	N/A
CTS Apartment Building C 4251 Haughey Ave	0	N/A	N/A	0	0	0	N/A
Butler Terrace #A 4605 Hinesley Ave	0	N/A	N/A	0	0	0	N/A
Butler Terrace #B 4627 Hinesley Ave	0	N/A	N/A	0	0	0	N/A
4204 Fairview Terrace	0	N/A	N/A	0	0	0	N/A
4205 Fairview Terrace	0	N/A	N/A	0	0	0	N/A
4209 Fairview Terrace	0	N/A	N/A	0	0	0	N/A
4220 Fairview Terrace	0	N/A	N/A	0	0	0	N/A
4242 Fairview Terrace	0	N/A	N/A	0	0	0	N/A
4250 Fairview Terrace	0	N/A	N/A	0	0	0	N/A
815 W. 43 rd Street	0	N/A	N/A	0	0	0	N/A

APPENDIX A - Alcohol Related Policies, Procedures, and Consequences for Students



OFFICE *of the* DEAN *of* STUDENTS

Atherton Union, Room 311 | 317-940-9470 | Fax: 317-940-6443

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 (<http://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:
 - 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. (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 Dean of Students 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 brought against the student.
- 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: <https://iga.in.gov/laws/2021/ic/titles/7.1>)

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 obtaining 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 in accordance with guidelines set by the Office of Student Activities.
4. University-recognized fraternities and sororities may provide alcoholic beverages at registered events in accordance with guidelines set by the Interfraternity Council and Panhellenic Association.

Reviewed annually by the Vice President for Student Affairs: August 2023

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-life/student-handbook/campus-life/alcohol/>

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 be 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 its 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:

	Possession of illegal drugs	Sale of illegal drugs
1st offense	1 year from date of conviction	2 years from date of conviction
2nd offense	2 years from date of conviction	Indefinite period
3+ offenses	Indefinite period	

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.
9. Review highlights of our education and policy enforcement efforts: Drug Free Schools and Campuses Act Biennial Review: Academic Years 2018-2019 and 2019-2020 located at <https://www.butler.edu/student-life/student-handbook/campus-life/drug-free-compliance/>

(Reviewed and updated annually. Last reviewed September 2023)

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:	Diversity, Equity, and Inclusion
Effective Date:	June 9, 2017
Revision Date:	June 15, 2023

Overview

Butler University (“the University”) is committed to maintaining a safe and inclusive environment in which no member of the University community is, on the basis of sex, sex stereotypes, sex characteristics, pregnancy or related conditions, parental status, sexual orientation, or gender identity, excluded from participation in, denied the benefits of, or subjected to discrimination in any University program or activity. Gender-based and sexual harassment, including sexual violence, are forms of sex discrimination in that they deny or limit an individual’s ability to participate in or benefit from University programs or activities.

In compliance with Title IX of the Education Amendments of 1972, related provisions of the Clery Act (as amended by the Violence Against Women Reauthorization Act (“VAWA”)), Title VII of the Civil Rights Act of 1964, the VAWA of 2013, and applicable Indiana law, Butler University’s Sexual Misconduct Policy (“the Policy”) prohibits discrimination on the basis of sex, sexual orientation, and gender identity. It does not preclude application or enforcement of other University policies.

No Division, Department and/or College is permitted to develop and/or adopt procedures that contradict, modify or supplement this Policy. All decisions made utilizing this Policy are final and not subject to additional review, appeals, using this or another grievance procedure of the University.

Nothing in this Policy shall be construed to abridge academic freedom and inquiry, principles of free speech, or the University’s educational mission.

1. Scope of the Policy

The Title IX Coordinator coordinates the University’s compliance with Title IX and related provisions of the Clery Act. The Title IX Coordinator oversees the University’s centralized and efficient response to all reports of Prohibited Conduct to ensure consistent implementation of this policy and compliance with federal and state law. Below is the Title IX Coordinator’s contact information:

Georgia Hensley
[Director of Institutional Equity and Title IX Coordinator](#)
Atherton Union 200
Indianapolis, IN 46208
titleix@butler.edu

Concerns about the University's application of Title IX and the Clery Act may be addressed to the Title IX Coordinator.

A. To Whose Conduct does this Policy apply?

To the extent permitted by applicable law, this policy governs the conduct of Butler University students, faculty; staff; and third parties (i.e., non-members of the University community, such as affiliates, volunteers, vendors, and visitors).

A third party may report potential policy violations committed by a member of the University community, and the University will take appropriate steps to investigate and respond to the conduct consistent with the authority granted by the University's jurisdiction, if any, over the respondent. Third parties may be subject to investigation and/or other actions for alleged violations of this policy; a third party who is accused of violating University policy may be barred from areas and/or activities controlled by the University or be subject to other restrictions. The University may take such action against third parties without providing the full rights and processes afforded to Butler community members through the provisions in this policy.

Various procedures provided in this policy may be used to address Prohibited Conduct that occurs:

- on campus or University property;
- in the context of any University-related or sponsored education program or activity, regardless of the location;
- by a Butler student, regardless of location, under the Code of Student Conduct;
- by a Butler employee, regardless of location;
- on property belonging to, or affiliated with, any officially recognized University student organization;
- through the use of University-owned or provided technology resources; or
- when the conduct has a nexus to the University, such as continuing adverse effects or the creation or continuation of a hostile environment on campus.

For every report, the Title IX Coordinator will review the circumstances of the reported conduct to determine whether the University has jurisdiction or disciplinary authority over the respondent or the conduct.

In instances where the University does not have disciplinary authority over the respondent, the University will still take reasonably-available steps to support a complainant through supportive measures and will assist a complainant in identifying external reporting mechanisms.

2. Policy Terms

This Policy uses the following defined terms throughout:

- **Complainant** refers to an individual who is reported to have experienced conduct that could constitute Prohibited Conduct, even if they do not participate in any related process.

- **Respondent** refers to an individual who has been reported to have engaged in conduct that could constitute Prohibited Conduct.
- **Party** or **parties** may also be used to refer to a complainant or respondent.
- **Third party** refers to an individual who is not a University student, faculty member, or staff member (e.g., vendors, alumni/ae, volunteers or visitors).
- **Witness** refers to an individual who may have information relevant to a report of Prohibited Conduct.
- **Days** refers to calendar days, inclusive of weekends, federally recognized holidays and all other days whether the University is open or closed.
- **Reasonable person** refers to a rational person under similar circumstances.
- **Conflict of interest** refers to a situation in which personal or private interests may compromise one's judgment, decisions, or actions. Conflicts of interest may arise from family, friendships, faculty member relationships, financial investments, or other social factors which creates a competing personal interest or obligation.
- **Bias** refers to a tendency, inclination, or prejudice toward/against someone, rather than actual knowledge of an individual or a particular circumstance.

3. Prohibited Conduct

Pursuant to this Policy, Butler University prohibits all forms of sexual misconduct. Sexual misconduct is any conduct which falls into the following categories:

A. 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. Conduct by which an employee of the University conditions the provision of an aid, benefit, or service of the University on a student's or employee's participation in unwelcome sexual conduct.
2. 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. Conduct must be severe, persistent, or pervasive from a subjective and objective perspective. As in other scenarios, the University will evaluate allegations of sexual harassment by examining the totality of known circumstances, including the frequency, nature, severity, location, duration, and context of the conduct. The University recognizes that, in some circumstances, a hostile environment can be created by a single or isolated incident, if sufficiently severe.
3. Denial of Equal Access. Unwelcome conduct that a reasonable person would believe is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to a University education program, activity, or event.

B. Domestic Violence

Domestic Violence is any violent or abusive act committed against one's: current/former spouse, romantic partner with whom they have lived, or the parent of one's child.

C. Dating Violence

Dating violence is conduct that constitutes violence or abuse committed by a person who is or has been in an intimate relationship with the complainant. The existence of such a relationship shall be determined based on the parties' statements 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.

D. Stalking

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

A course of conduct is two or more acts, including, but not limited to, acts in which the respondent 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.

E. Sexual and Gender-Based Discrimination

Sex- or gender-based discrimination is unwelcome conduct based on the person's 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 benefiting from the University's education or employment programs and/or activities.

When deciding whether the conduct is severe, persistent, or pervasive, the University will consider the totality of the circumstances.

Please note that this Policy distinguishes sex- and gender-based discrimination and harassment from unwelcome conduct of a sexual nature. (See Sexual Harassment Information above).

F. Sexual Exploitation

Any act where one person violates the sexual privacy of another or takes unjust or abusive sexual advantage of another, including but not limited to:

- surreptitiously observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved;
- recording, photographing, transmitting, showing, viewing, streaming, or distributing intimate or sexual images, audio recordings, or sexual information without the knowledge and consent of all parties involved;
- providing alcohol or drugs to a complainant with the intent to perpetrate Prohibited Conduct;
- exposing one's genitals or inducing another to expose their own genitals in nonconsensual circumstances; or
- knowingly exposing someone to or transmitting an STI or HIV.

G. Sexual Assault

Sexual Assault is any sexual contact that occurs without consent. This includes touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching another with any of these body parts, and/or making another person touch you or themselves with or on any of these body parts. Sexual assault includes nonconsensual (a) vaginal penetration by a penis, object, tongue, or finger, however

slight; (b) anal penetration by a penis, object, tongue, or finger, however slight; and (c) any contact between the mouth of one person and the genitalia of another person.

1. What is Consent?

Consent is the voluntary, informed, and freely given agreement, through words and/or actions, to participate in mutually agreed-upon acts. Consensual activity happens when each partner willingly and affirmatively chooses to participate.

In evaluating whether consent has been freely given, the University will consider the totality of the circumstances and with reference to a reasonable person in the same or similar circumstances. The University will consider the presence of any force, threat of force, threats, or coercion; whether the complainant was incapacitated; and, whether the communication between the parties would be interpreted by a reasonable person as a willingness to engage in a particular act.

Consent cannot be coerced. Coercion is the use of pressure to compel another individual to initiate or continue sexual activity against an individual's will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether to engage in sexual activity. Examples of coercion include threatening to "out" someone based on sexual orientation, gender identity, or gender expression and threatening to harm oneself if the other party does not engage in the sexual activity.

Important points regarding consent include:

- Consent to one act does not constitute consent to another act.
- Consent on a prior occasion does not constitute consent on a subsequent occasion.
- Consent to an act with one person does not constitute consent to an act with any other person.
- The existence of a prior or current relationship does not, in itself, constitute consent; even in the context of a relationship, there must be mutual consent.
- Consent can be clearly withdrawn or modified at any time, and the act must cease immediately once consent is withdrawn. Consent has been clearly withdrawn when a reasonable person would understand, from either their words or actions, that the party no longer wishes to proceed with the sexual act.
- Consent cannot be inferred from silence, passivity, or lack of resistance.

2. What is Incapacitation?

Incapacitation is the inability to give consent because the individual is mentally and/or physically helpless, unconscious, asleep, or otherwise unaware that the activity is occurring. This state can be voluntary or involuntary.

The use of substances, such as alcohol or drugs, can lower inhibitions and create an atmosphere of confusion about whether consent is effectively sought and freely given. Incapacitation is a state beyond drunkenness or intoxication. Substance use can impact each individual differently and determining whether an individual is incapacitated requires an individualized assessment.

The University does not expect community members to be medical experts in assessing incapacitation. Individuals should look for the common and obvious warning signs that show that a person may be incapacitated or approaching incapacitation. A person's level of intoxication is not always demonstrated by

objective signs; however, some signs of intoxication may include clumsiness, difficulty walking, poor judgment, difficulty concentrating, slurred speech, vomiting, combativeness, or emotional volatility. A person who is incapacitated may not be able to understand some or all of the following questions: "Do you know where you are?" "Do you know how you got here?" "Do you know what is happening?" "Do you know who you are with?" An individual's level of intoxication may change over a period of time based on a variety of subjective factors, including the amount of substance intake, speed of intake, body mass, and metabolism. Because the impact of alcohol and other drugs varies from person to person, the amount of alcohol and/or drugs a person consumes may not be sufficient, without other evidence, to prove that they were incapacitated under this Policy.

Another effect of alcohol consumption can be memory impairment or forgetting entire or partial events (sometimes referred to as "black-out" or "brown-out"). A person may experience this symptom while appearing to be functioning "normally," including communicating through actions or words that seem to express an interest in engaging in sexual conduct. Whether sexual conduct with a person who is "blacked-out" constitutes Prohibited Conduct depends on the presence or absence of the observable factors indicating that a person is also incapacitated, as described above. Total or partial loss of memory alone, may not be sufficient, without other evidence, to prove that a person was incapacitated under this policy.

In evaluating consent in cases of reported incapacitation, where the information is sufficient to raise the possibility that the complainant was incapacitated, the University asks two questions: (1) Did the respondent know that the complainant was incapacitated? and if not, (2) Should a sober, reasonable person in a similar set of circumstances as the respondent have known that the complainant was incapacitated? If the answer to either of these questions is "yes," the complainant could not consent, and the conduct is likely a violation of this policy.

A respondent's voluntary intoxication is never an excuse for or a defense to Prohibited Conduct, and it does not diminish the responsibility to determine that the other person has given consent and has the capacity to do so.

H. Retaliation

Retaliation is intimidation, threats, coercion, or discrimination toward any individual covered under this Policy because that individual has made a report or complaint of prohibited conduct, participated or chosen not to participate in a process outlined in this Policy. Retaliation does not include vague criticisms, stray remarks, and petty slights that do not rise to the level of intimidation, threats, coercion, or discrimination; Likewise, the good faith pursuit of civil, criminal, or other legal action, even in response to an initial report under this Policy do not constitute retaliation.

Reports of retaliation may be consolidated into an ongoing Administrative Investigation and Adjudication Process at the discretion of the Title IX Coordinator.

4. Reporting Responsibilities

It is important to understand the different responsibilities of Butler employees under applicable laws, and University Policy. It is the University's expectation that all employees, other than Confidential Resources, report allegations of sexual misconduct to the Title IX Coordinator. (See below for Confidential Resource Information). Failure to do so could result in disciplinary action. **Please note that a party's desire to keep the allegations confidential does not relieve employees of their reporting obligations.** Employees should not investigate matters about the information they receive in order to determine whether the reported

information meets the definitions of misconduct. Employees should simply report all information to the Title IX Coordinator

A. Confidential Resources

There are some University employees with whom students may speak *confidentially* concerning Prohibited Conduct. Those individuals are employees who are a licensed medical, clinical, or mental-health professional, or licensed clergy, acting in that professional role in the provision of services to the student.

The following are Confidential Resources:

1. [Counseling and Consultation Services](#)
Location: Health and Recreation Complex room 120 (HRC 120).
Hours: M .8:00am-5:00pm, Tue. 8:00am-6:00pm, W. 8:00am-6:00pm,
Th. 8:00am-5:00pm, Fri. 8:00am-4:00pm
Phone: 317-940-9385
2. [Student Health Services](#)
Location: Health and Recreation Center 110
Hours: 8am-4pm
Phone: 317-940-9385
3. [Sexual Assault Response and Prevention \(SARP\) Office](#), Jules Grable
Location: Health and Recreation Center 119/Irvington House 133C (Thursdays only)
Hours: 9am-5pm, or as needed
Office Phone: 317-940-2047/ Emergency Cell: 317-910-5572

Unless given permission to disclose more information by the complainant, Confidential Resources will only disclose the type of incident and not personally identifiable information such as the individual's name or other identifying details to the Title IX Coordinator.

5. Clergy Act Reporting

Pursuant to the Clery Act, the University includes statistics about certain offenses in its annual security report and provides those statistics to the United States Department of Education in a manner that does not include any personally-identifying information about individuals involved in an incident. The Clery Act also requires the University to issue timely warnings to the University community about certain crimes that have been timely reported and may continue to pose a serious or continuing threat to campus safety.

6. Emergency Resources and Law Enforcement

Emergency medical assistance and law enforcement assistance are available both on and off campus. Individuals are encouraged to contact law enforcement and seek medical treatment as soon as possible following an incident that may pose a threat to safety or physical well-being or following a potential criminal offense.

To contact law enforcement:

Butler University Police Department (on campus)
(317)-940-9385
525 W. Hampton Dr.

Indianapolis Police Department (off campus)

(317)-327-3811
50 Alabama St.
Downtown Indianapolis

To access medical treatment (including Sexual Assault Forensic Exams) at local hospitals, contact:

IU Health Methodist Hospital (off campus)
317-962-2000
1701 N Senate Ave
Indianapolis, IN 46202

Ascension St. Vincent Hospital (off campus)
(317)-338-2345
2001 W 86th St.
Indianapolis, IN 46260

To access crisis counseling and other community resources, contact:

The Julian Center (off campus)
(317)-920-9320
2011 N Meridian St.
Indianapolis, IN 46202

Any individual may also access resources located in the local community. These organizations can provide crisis intervention services, counseling, medical attention, and assistance in dealing with the criminal justice system. For a comprehensive list of on- and off-campus resources and support services, see the [Resource Guide](#).

7. Reports to Law Enforcement and the University

An individual may make a report to the University, to law enforcement, or to both. University investigations under this Policy and any law enforcement investigations operate independently of one another. However, under some circumstances the University may cooperate with law enforcement to fully investigate a matter. There are several reporting options:

- Make a report to the Title IX Office by filling out the [Online Form](#), in person, by telephone at (317)-940-6509 or by emailing titleix@butler.edu.
- If on campus, contact the Butler University Police Department for assistance in filing a criminal complaint and preserving physical evidence.
- If off campus, contact local, Indianapolis law enforcement to file a criminal complaint by calling 911.

A complainant always has the right to report, or decline to report, potential criminal conduct to law enforcement.

8. University Reporting

In order to facilitate a safe campus environment, the University offers several options to encourage the reporting of all Prohibited Conduct:

A. Anonymous Reporting

Anyone, including third parties, can make an anonymous report to the University by submitting information on the Butler website: [Anonymous Reporting](#). Depending on the nature of the information submitted, the University's ability to respond to an anonymous report will likely be limited.

B. Requests for Anonymity or No Action

A complainant may always request that they remain anonymous, that no investigation occur, **or** that no disciplinary action be taken. The University endeavors to honor the complainant's wishes. However, there are some limited circumstances in which the University must proceed with an investigation, regardless of the complainant's wishes, in order to facilitate a safe, non-discriminatory environment, and protect the campus community. In those limited and rare cases, the Title IX Coordinator may decide to proceed with an investigation of Prohibited Conduct. To learn more about these rare cases, see [Formal Complaint Signed by Title IX Coordinator](#).

C. Amnesty

The University will not pursue disciplinary action against a student enrolled at the University who makes a good faith report to the University as a complainant or a witness to an incident of Prohibited Conduct for a violation by the student of the University's Student Conduct Code. This means that the University will not pursue disciplinary action against a complainant or respondent for disclosure of a violation of University policies concerning the consumption of alcohol or other drugs, where the disclosure is made in connection with a good faith report under this Policy.

D. Timeframe for Reporting

There is no time limit for reporting. Reports under this policy may be made at any time without regard to how much time has elapsed since the incident(s) in question. However, the University encourages complainants to report any violation of this Policy as soon as possible. Doing so maximizes the University's ability to respond effectively. For example, if the respondent is no longer a student or employee at the time of a report, the University may not be able to take disciplinary action against the respondent.

9. Student Support

Upon receipt of a report of Prohibited Conduct, the University will consult with the parties and provide reasonable and appropriate supportive measures designed to preserve the party's educational experiences and protect both parties during an investigation. Such measures cannot unreasonably burden the other party or negatively impact either party's ability to participate in a University event, course, or activity. Supportive measures may be provided at any time after a report is received, regardless of whether an investigation and resolution process has been initiated or completed.

Supportive measures may include:

- counseling;
- academic accommodations, such as extensions of deadlines or other course related adjustments, course schedule changes, late drops, and the ability to transfer course sections (this would include the University's allowing either party to drop a course in which both are enrolled in the same class section without academic penalty);
- modifications of work schedules, change in work locations, changing working arrangements, or providing other employment accommodations, as appropriate;
- mutual restrictions on contact between the parties (i.e., "no contact directives");
- residential accommodations, including but not limited to arranging for new housing, or providing temporary housing options, as appropriate;
- leaves of absence;

- assistance in accessing off campus support services;
- escort and other safety planning steps;
- referral to resources that can assist in obtaining a protective order under Indiana law; and/or
- any other measure that can be used to achieve the goals of this policy.

Requests for supportive measures may be made by either party to the Title IX Coordinator, who has the discretion to impose and/or modify any supportive measure, as needed.

A. Accessibility and Disability Support

It is the University's goal to facilitate an accessible process under this Policy. In compliance with the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, the University will make appropriate adjustments to the Title IX process, and/or reasonable accommodations for qualified individuals with properly documented disabilities. If parties anticipate any issues related to the format, materials, or requirements of the process outlined in this Policy, please contact the Title IX Coordinator or [Disability Services](#).

10. Resolution of a Report

After the University receives a report, the Title IX Coordinator will promptly reach out to the complainant to discuss the availability of supportive measures, to explain the process for filing a formal complaint which initiates the University's investigation into the allegations. A formal complaint may be signed by a complainant or, in limited circumstances, by the Title IX Coordinator when the complainant requests [no-action](#).

If the allegations in the report are outside the scope of this policy, the Title IX Coordinator may refer the matter to another appropriate office or department for resolution under the relevant policy.

A. Formal Complaint signed by Complainant

If the complainant chooses to file a formal complaint, one of the following methods for resolution may be applied:

- Formal Resolution, which involves an investigation and adjudication; and
- Informal Resolution, which includes informal or restorative options for resolving reports.

In either case, the University is committed to providing a prompt, thorough, equitable and impartial resolution of all reported violations of this Policy.

The Title IX Coordinator has the discretion to consolidate formal complaints, for the purpose of resolution, where the allegations arise out of the same facts or circumstances.

B. Formal Complaint signed by Title IX Coordinator

If a complainant does not wish to file a formal complaint regarding Prohibited Conduct under this Policy, the Title IX Coordinator may, in rare cases, exercise discretion to sign a Formal Complaint on behalf of the University and initiate an investigation and an Informal or Formal Resolution process.

In determining whether to exercise the discretion, the Title IX Coordinator will consider the seriousness of the alleged incident; whether the University has received other reports of Prohibited Conduct allegedly committed by the respondent(s); whether the alleged incident poses a risk of harm to others; and any other relevant factors. If, after analyzing these factors, the Title IX Coordinator believes it is necessary, the University will proceed with a formal investigation. In these rare instances, the Title IX Coordinator will

notify the complainant of the University's decision to investigate the matter. The complainant is welcome but not required to participate in the investigation.

11. Dismissal of a Formal Complaint

When a complainant signs and files a formal complaint, the Title IX Coordinator will first promptly determine whether the alleged conduct alleged would, if proved, constitute Prohibited Conduct under this policy, and if the conduct allegedly occurred in the University's education program or activity, and if the complainant is participating in or attempting to participate in the University's education program or activity at the time the complaint is filed. If it appears based upon initial review or upon information gathered during an investigation that a formal complaint does not satisfy and/or no longer satisfies all these criteria, the University may dismiss the formal complaint.

Even if the allegations of a formal complaint fall within the definitions of Prohibited Conduct, the Title IX Coordinator may, but is not required to, dismiss a formal complaint or any allegations therein if at any time during the investigation or resolution process:

- A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- The respondent is no longer enrolled or employed by the University;
- Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein; or
- Upon investigation, the Title IX Coordinator no longer finds that the alleged conduct, if proved, would constitute a violation of this Policy.

If a formal complaint is dismissed by the University under the circumstances described above, the University will simultaneously provide to the parties written notice of the dismissal and the reasons for the dismissal, and notice of the parties' opportunity to appeal such dismissal through the appeal procedures outlined below.

12. Risk Assessment and Emergency Removal

During intake, the Title IX Coordinator will perform a risk assessment to evaluate and resolve any potential safety concerns for either party or the campus community. Where there is an immediate threat to the physical health or safety of any student, the University can remove the respondent from its education program or activity, employment or any activity at the University and issue any necessary no-trespass and no-contact orders.

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.

A. Emergency Removal of Students

In combination with the Title IX Coordinator, the Dean of Students or designee has the discretion to institute emergency removal of a student and to determine the terms of such removal.

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. The student may petition the Dean of Students for reinstatement. This petition must be made in writing and must articulate why the student does not pose a threat to the physical health or safety of any other individual. The Dean of Students or designee may choose to uphold the emergency removal, modify its terms, or lift it entirely. Failure to comply with the terms of an emergency removal may result in additional disciplinary action.

B. Emergency Removal of Staff

The leader of Human Resources has the sole discretion to institute emergency removal of a staff member and to determine the terms of such removal. 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. The staff member may petition the leader of Human Resources for reinstatement. This petition must be made in writing and must articulate why the staff member does not pose a threat to the physical health or safety of any other individual. The leader of Human Resources may choose to uphold the emergency removal, modify its terms, or lift it entirely. Failure to comply with the terms of an emergency removal may result in additional disciplinary action.

The University always maintains the discretion to place employee respondents on paid or unpaid administrative leave during the pendency of an investigation and resolution process.

C. Emergency Removal of Faculty

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. 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. The faculty member may petition the Dean or designee for reinstatement. This petition must be made in writing and must articulate why the faculty member does not pose a 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. Emergency Removal of Third Parties

The Title IX Coordinator has the sole discretion to institute emergency removal of a third party, including affiliates and guests other than those covered in the previous three sections, and to determine the terms of such removal. Notice of emergency removal will be provided to the third party in writing. The individual will be expected to comply with the terms of the removal immediately or risk becoming permanently prohibited from entering University property.

13. Informal Resolution

Informal Resolution is a voluntary and remedies-based resolution option. Informal Resolution may be pursued instead of Formal Resolution at the request and agreement of both parties and as deemed appropriate by the University. The Title IX Coordinator will assess the request for Informal Resolution in light of factors such as, but not limited to, the stated goals of the requesting party, the severity of the alleged violation, and the potential risks to campus community members posed by the reported misconduct. Parties engaged in Formal Resolution may also request to end Formal Resolution and begin Informal Resolution at any time prior to the Decision-maker's written determination regarding responsibility being shared with the parties.

Participation in Informal Resolution is voluntary and either (or any) party can request to end Informal Resolution at any time prior to signing a written Informal Resolution Agreement. Additionally, the Title IX Coordinator can end Informal Resolution if the Coordinator determines it is no longer an appropriate avenue for resolution of a given report. If Informal Resolution is stopped prior to completion, information that is shared with or documented by the facilitator of the Informal Resolution will not be shared with the investigator, in the event that Formal Resolution is initiated or resumed. A party's willingness to participate in Informal Resolution will not be considered as evidence in Formal Resolution.

Informal Resolution may involve the party's agreement to appropriate and reasonable remedies in a mediation in which the parties are separated throughout or in a facilitated, direct conversation setting.

The Title IX Office will maintain records of all reports and conduct referred for Informal Resolution. While the University will seek to honor confidentiality of the parties' communications with the facilitator during the Informal Resolution process to the extent necessary to facilitate the resolution, the University may share information discussed or created during this process, for example, in response to a judicial subpoena or a FERPA educational record request. However, if the respondent is found responsible for any violations of this policy in the future, information regarding the prior report processed through Informal Resolution may be used in the sanctioning phase for the subsequent report, provided that the respondent is granted the opportunity to address the prior report. If Informal Resolution is stopped prior to a resolution being reached, statements made by a party in Informal Resolution may not be used in a Formal Resolution process related to that matter.

If a party requests the initiation of an Informal Resolution process and the Title IX Coordinator agrees that the matter is appropriate for Informal Resolution, the Title IX Office will provide to each party a written notice that discloses the allegations, the requirements of the Informal Resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, the parties' right to withdraw from Informal Resolution and resume or initiate Formal Resolution with respect to the formal complaint, and information about maintenance of records or how records could be shared.

The matter will be deemed resolved if and when the parties expressly agree in writing to an outcome that is acceptable to them, and which is approved by the Title IX Coordinator (in consultation with other appropriate University administrators as necessary). Upon signing a resolution agreement, neither party may initiate a Formal Resolution process regarding the same factual allegations, and the parties agree to comply with the terms of the resolution agreement. Failure to comply with a resolution agreement, once signed and approved, may result in disciplinary consequences, which may include the University placing an appropriate hold on the student's account until the terms of the agreement are met, or employment discipline up to and including termination.

The University will not offer or facilitate an Informal Resolution process to resolve allegations that an employee engaged in Prohibited Conduct against a student.

14. Formal Resolution

The formal resolution process involves an investigation and hearing prior to the issuance of a finding of responsibility under the policy and imposition of any sanctions. During this process, parties have equal rights, including the opportunity to receive a written notice of investigation; to participate in the investigation; to review and present information and evidence; to be accompanied by an advisor of their choice to any meeting; to timely and equally access information; to timely notice of meetings at which

their presence will be requested or required; to simultaneous written notice of the determination, rationale, and, as appropriate, any sanction; and to an appeal of the finding.

Determinations regarding responsibility by decision-makers will be made by a preponderance of the evidence. A preponderance of the evidence means that based on all relevant evidence and reasonable inferences from the evidence, the greater weight of information indicates that it was more likely than not the alleged policy violation occurred. Evidence is relevant if it has a tendency to make a fact more or less likely than it would be without the evidence, and the fact is of consequence in the decision-maker's determination.

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. No party or participant will be viewed as credible or not credible simply based on their status as complainant, respondent, or witness.

The burden of proof and the burden of gathering evidence rests on the University. Parties will have an equal opportunity to present witnesses, including fact and expert witnesses, and other evidence. Parties are not restricted in their ability to gather and present relevant evidence.

A. Notice of Complaint and Formal Resolution

The Title IX Coordinator will provide the parties with written notice of the details then known of the Prohibited Conduct, the use of advisors, the gathering and preservation of evidence and information about the University's resolution process.

If, in the course of an investigation, the University decides to investigate allegations about any party that are not included in the notice described above, it will provide notice of the additional allegations to the parties whose identities are known.

When a Notice of Investigation is issued, appropriate campus departments such as Athletics and/or Human Resources may be notified, and respondents may be subject to applicable policies under those offices, which are not under the purview of the Title IX Coordinator.

B. The Investigation

In cases that will be investigated, the Title IX Coordinator will appoint one or more investigators (referred to in this policy as "the investigator") to conduct a prompt, thorough, fair, and impartial investigation. The investigator may be a University employee and/or an experienced external investigator depending on the circumstances and availability. Any investigator used by the University will receive annual training on the issues related to Prohibited Conduct, and on how to conduct an unbiased investigation.

After the Title IX Coordinator identifies an investigator, the parties may, within three days of such notice, object to the service of the investigator by providing a written statement (which may be transmitted electronically) as to why the party believes that the investigator has a conflict of interest or bias. The Title IX Coordinator will inform the parties of the decision regarding an objection to the appointment of an alternate investigator, with reasonable promptness.

During the investigation, the Investigator will meet with both parties and may meet with witnesses and collect any and all relevant evidence provided by the parties and witnesses. The investigator will review all

information identified or provided by the parties, and witnesses, to determine the relevance, and probative value of the information. In general, the investigator will not gather personal opinion or statements as to any party's general reputation for any character trait. Witnesses may not participate solely to speak about an individual's character. The investigator has discretion to determine which witnesses to interview and will consider requests or recommendations for witnesses made by the complainant and respondent. In situations in which multiple people were all eyewitnesses to the same event, the investigator may interview a sampling of the witnesses rather than every person.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

The investigator will provide periodic updates to the parties about the status of the investigation.

C. The Investigative Report

1. The Preliminary Investigation Report

The Investigator will prepare a report of all findings during the investigation process and provide each party with an equal opportunity to review any evidence obtained as part of the investigation that is directly related to the allegations raised, including the evidence upon which the University may not rely in reaching a determination regarding responsibility and/or which the investigator does not deem relevant.

The complainant and the respondent will have an opportunity to concurrently review such information and may, within five (5) days, submit a written response to the investigator. The parties' written responses will be considered by the investigator prior to completion of the investigative report, and some or all of the responses may be attached or otherwise incorporated into the final investigative report. In the event that new, relevant information is provided or identified at this stage, the information will be incorporated into the investigative report as deemed appropriate by the investigator.

2. The Final Investigative Report

The investigator will thoroughly address the responses of each party and promptly prepare a final investigative report, which will summarize and include relevant evidence. The parties may provide a written response to the investigative report within five (5) days of the issuance of the final investigative report.

The investigative report and the parties' written responses, if any, will be provided to the decision-maker in advance of the hearing.

D. The Formal Hearing

1. Hearing Notice(s)

The Title IX Coordinator will provide the parties with at least ten (10) days notice of a hearing, in most cases. However, these timelines may be modified when necessary, with notice to the parties. For example, hearings may occur sooner when an academic term is ending. Conversely, delays may occur when the University is closed, during academic breaks or for other reasons necessitating a delay. The proceedings may be delayed or paused when there are concurrent criminal proceedings and the prosecutor or defense

counsel for respondent request such a pause. The parties will be promptly notified of any modification to the intended timeline.

Please note that students will receive excused absences from classes to participate in a Title IX hearing.

Witnesses are restricted to individuals already interviewed in the investigation. The University cannot compel a witness to participate in a hearing but will provide witnesses notice of the hearing date and information on how to attend.

Hearings will be presided over by a "decision-maker", who will make the decision by a preponderance of the evidence as to whether the respondent violated the policy provisions at issue. The decision-maker has broad authority to determine what information and evidence will be heard, what information and questions are relevant to the determination of the matter, and what cross-examination questions will be permitted during the hearing.

Decision-makers will be appointed by the Title IX Coordinator. The Title IX Coordinator will identify the decision-maker in advance of the hearing, and parties may, within three (3) days of such notice, object to the service of the decision-maker by providing a written statement as to why the party believes that the decision-maker has a conflict of interest or bias. The Title IX Coordinator will make decisions regarding such objections and the appointment of an alternate decision-maker. Parties and their advisors are prohibited from contacting the decision-maker for any reason prior to the full conclusion of the resolution process. In addition, parties and their advisors are prohibited from contacting the decision-maker about the resolution process after its completion.

2. Hearing Advisor(s)

Each party may have an advisor of their choice present at a hearing for the limited purpose of conducting cross-examination on behalf of that party. Advisors may be, but are not required to be, attorneys. If a party does not have an advisor of their choice present at a hearing, the University will, without fee or charge to the party, provide an advisor of the University's choice. **All advisors will receive a mandatory training on Butler's Policy, and proper hearing conduct prior to participation in any Title IX matter. All advisors must sign an acknowledgment of the training contents prior to assignment or participation.**

Parties may prepare questions for assigned advisors to relay to the other parties and/or witnesses; the assigned advisor's role is limited to relaying questions drafted by their party. At a time and manner deemed appropriate by the decision-maker, the advisor for each party will be permitted to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Except for that limited role, advisors may not participate actively in the hearing and may not speak or otherwise communicate on the part of their advisee. However, the advisor may consult privately in a non-disruptive manner during the hearing, or with their advisee during a recess in the hearing. Scheduling accommodations generally will not be made for advisors. The University reserves the right to take appropriate action regarding any advisor who disrupts the process, or who does not abide by the restrictions on their participation as determined in the sole discretion of the decision-maker, which may include exclusion of the advisor from the hearing and the appointment of an alternate University-provided advisor.

3. Hearing Procedure(s)

Before the hearing, the decision-maker will receive a copy of the investigative report, any attachments thereto, and copies of the parties' written responses to the investigative report, if any. That information will be part of the information to be considered by the decision-maker.

Formal rules of evidence do not apply to hearings conducted by the University. Therefore, decision-makers have great latitude in conducting hearings.

Before a complainant, respondent, or witness answers a cross-examination question, the decision-maker will first determine whether to permit the question. Neither advisors, nor parties are permitted to object to decision-maker's determination of relevance during a hearing.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. Information protected under a legally recognized privilege (such as, for example, privileged communications between a party and their physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in a treatment capacity, or privileged communications between a party and their attorney), will not be admitted unless the person holding the privilege has waived the privilege.

The decision-maker may at their discretion consider statements of a party or witness made before or at a hearing and/or other information, regardless of whether the party or witness appears at or answers some or all cross-examination questions at a hearing. The decision-maker will determine the appropriate weight for such information based on the totality of available relevant evidence. The decision-maker will not draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

At the discretion of the decision-maker, parties will be given an opportunity to make a closing statement at the conclusion of the hearing.

The University will create a transcript or recording of any live hearing and make it available to the parties for review upon request. No other individuals may record the hearings—this includes parties themselves, and their respective advisors. Moreover, copies of the live hearing will not be made available to third-parties, including legal representatives, unless compelled by court order.

E. Determination(s) of Responsibility and Findings

After the hearing, the decision-maker will promptly prepare and issue a written determination regarding responsibility and any sanctions, if applicable. In determining responsibility, the decision-maker will apply the preponderance of the evidence standard. The written determination will include:

- Identification of the Prohibited Conduct section(s) of this policy, and of any other University policy sections considered in the investigation, alleged to have been violated;
- A description of the procedural steps taken from the receipt of the complaint through the determination, including but not limited to, as applicable, any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the University's definitions of Prohibited Conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility; and

- Identification of the University's procedures and permissible bases for the complainant and respondent to appeal (as outlined below).

The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which the appeal would no longer be considered timely. If the decision-maker finds the respondent responsible for behavior that violates this Policy, sanctions shall be assigned by the decision-maker as outlined below.

F. Sanctions

Sanctions may include any of the sanctions that are listed below or as set forth in the University's Code of Student Conduct.

The decision-maker has latitude to recommend sanctions tailored to the facts and circumstances of each case. The imposition of sanctions is designed to eliminate Prohibited Conduct, prevent its recurrence, remedy its effects, and restore or preserve the complainant's equal access to University education programs or activities, while supporting the University's educational mission. Sanctions may include educational, restorative, rehabilitative, and punitive components. Some conduct, however, is so egregious in nature, harmful to the individuals involved, and/or so deleterious to the educational process that it requires severe sanctions, including suspension or expulsion. The decision-maker will review the facts and recommend sanctions to the Title IX Coordinator. The Title IX Coordinator will defer the decision-maker's recommendation, except where a panel of decision-makers renders recommendations are inconsistent with one another. In that case, the Title IX Coordinator will impose only those consistent sanctions.

In determining the appropriate sanction, the decision-maker may consider factors including but not limited to the following:

- the nature and violence of the conduct at issue;
- the impact of the conduct on the complainant;
- the impact or implications of the conduct on the community or the University;
- prior misconduct by the respondent, including the respondent's relevant prior disciplinary or criminal history (if available);
- maintenance of a safe and respectful environment conducive to learning;
- protection of the University community; and
- any other mitigating, aggravating, or compelling circumstances in order to reach a just and appropriate resolution in each case.

1. Student Sanctions.

Sanctions may be imposed individually or in combination. For violations of this policy, the following sanctions, listed in ascending order of severity, may be imposed:

- **Warning Letter:** An official letter sent to a student who has violated a University rule or policy or to whom a letter should be sent to warn a student regarding failure to comply with University rules or regulations in the future. A copy of this letter shall be placed in the student's conduct file.
- **Disciplinary Probation:** A period of observation and review during which a student must demonstrate a willingness and ability to comply with all University regulations. The terms of the

probation shall be for a specified period and may include restriction on participation in leadership roles and co-curricular activities, among other stipulations.

- **Residential or Other Facilities Restrictions or Removal:** Restriction or removal from residence halls or other campus facilities as designated in the written notification. No refunds will be given to a student who is removed from the residence halls or who is otherwise limited in their ability to utilize campus facilities or amenities.
- **Withholding of Degree:** In cases involving seniors or graduate students in their final semester, the University may withhold a student's academic degree for a specified period of time. This penalty is imposed instead of suspension at the end of senior year or final year of graduate study when all other degree requirements have been met. The sanction of withholding a degree may also occur if an expulsion-level offense occurs after all other degree requirements have been met but before the degree is conferred.
- **Suspension:** The student is suspended from continuing at the University for a specified period. While a suspension is in effect, a student may not, without the expressed permission of the Dean of Students: (a) Attend classes, or participate in any University-sponsored event or activity; or (b) Be present on University-owned or affiliated property, including University approved housing units. To be considered for return, a suspended student 1) must meet all stipulations outlined in their sanction letter and 2) must receive approval from the Dean of Students and the Title IX Coordinator.
- **Dismissal:** The student is dismissed permanently from the University. This sanction is noted on the student's transcript (See Student Conduct Records). Dismissed students are permanently trespassing from University property.

2. Additional Remedies

The decision-maker may recommend additional remedies such as training or volunteer activities. Extended supportive or other measures may be included in the sanctions. The Title IX Coordinator will review the remedies recommended by the decision-maker and will consider the appropriateness of continuing supportive measures on an ongoing basis. The decision maker may suggest additional remedies in combination with the preceding sanctions. Additional Remedies include but are not limited to:

- **Community Service:** Community service up to ten (10) hours per week may be added to disciplinary probation for a portion or duration of the probationary period or following a warning.
- **Restriction of Access to Space, Resources, and Activities:** When appropriate, restrictions may be placed on access to space and/or resources or on participation in activities so as to limit opportunities for contact between the parties.
- **Educational Programs:** In addition to any of the sanctions listed above, a student may be required to participate in educational programs.

3. Employee Sanctions

In cases where the respondent is a University employee, in accordance with the University policies and procedures, the sanctions will be determined by the leader of Human Resources.

The University may issue interim or administrative measures such as restriction of access to space, resources and activities, and/or no contact directives at its discretion even where no policy violation has been investigated or charged, and/or where no policy violation has been found.

4. Other Information about Sanctions

In most cases, sanctions will be suspended during the period of any appeal. However, the University reserves the right to remove an dismissed or suspended student immediately following receipt of the decision from the decision-maker in cases where student safety requires the same. In order to determine whether this is necessary, on a case-by-case basis, the Title IX Coordinator will perform a risk analysis akin to the Emergency Removal Analysis.

In cases adjudicated prior to the last day of classes, if the final sanction is dismissal from the University, the granting of credit for the semester and/or the awarding of a degree will be at the discretion of the decision-maker.

A student who is dismissed from the University for a violation of this policy will have the notation "Ineligible to Reenroll" placed on his or her academic transcript. On request by the student, the University may remove the notation from the academic transcript if (1) the student becomes eligible to reenroll, or (2) the University determines that good cause exists to remove the notation. Such requests should be directed to the Title IX Coordinator in writing. The removal of the notation from the academic transcript shall not require the University to make any modification to the student's disciplinary records at the University.

G. Other considerations in the Formal Resolution Process

1. Expectation of Good-Faith

All University community members are expected to provide truthful information in any report or proceeding under this policy, and to cooperate fully with the investigation and resolution procedures. It is understood that there may be circumstances in which a complainant or respondent wishes to limit their participation, and the University will respect the choice of the complainant or respondent as to how to engage in proceedings under this policy.

If a complainant or respondent chooses not to answer any or all questions, or otherwise participate in an investigation for any reason, the University will evaluate whether to continue the disciplinary process. The University will not draw any adverse inference from a complainant's or respondent's decision not to participate in the investigation or any form of resolution under this policy; however, the complainant or respondent should be aware that declining to participate in the investigation may impact the timing and outcome of the case.

Appeals

Either party to a matter covered by this Policy may file an appeal from: 1) a determination regarding responsibility; and/or 2) the Title IX Coordinator's dismissal of a formal complaint or any allegations therein from the Formal Resolution process, on the following grounds:

- a. Procedural irregularity that affected the outcome of the matter;
- b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;

An appeal must be submitted in writing to the appellate officer within seven (7) days of a Finding of Responsibility. The appellate officer will be appointed by the Title IX Coordinator, and identified at the time the Finding of Responsibility is rendered. Parties may, within three days of such notice, object to the appellate officer by providing a written statement as to why the party believes that the appellate officer has a conflict of interest or bias. Prior awareness of the matter by the appellate officer will not form a basis for disqualification of the appellate officer. The Title IX Coordinator will make the final decision regarding

such objections and the appointment of an alternate appellate officer. The appellate officer will not be the same person as the decision-maker, the investigator, or the Title IX Coordinator. Parties and their advisors are prohibited from contacting the appellate officer for any reason prior to the full conclusion of the resolution process.

Upon receipt, the appellate officer will make an initial determination as to whether any allegations contained in the appeal, if true, would constitute grounds for an appeal under this Policy. If a valid grounds for an appeal have been asserted, the Title IX Coordinator will notify the other party in writing that an appeal has been filed. The other party has five (5) days to submit a statement in support of the written determination and/or in opposition to the appeal. Any such statement will be shared with the party who filed the appeal, and their advisor. If no valid ground is found, the appellate officer will notify the party seeking the appeal of its denial.

After all information is received, the appellate officer will issue a written decision describing the result of the appeal and the rationale for the result, and the University will provide the written decision simultaneously to both parties. The appellate officer's decision on any appeal is the final step in the adjudication process, except as provided in such decision. The appellate officer may deny the appeal, or if one or more of the appeal grounds is meritorious may:

- (1) return the case to the original decision-maker for reconsideration; or
- (2) appoint an alternate decision maker to review the case; or
- (3) change or modify the decision.

It is the responsibility of the appellate officer to determine which if any aspects of the case merit a new review, and to direct the Title IX Coordinator accordingly. The Title IX Coordinator will provide the written decision to the Parties simultaneously.

The decision made by the appellate officer to grant or deny the appeal is final.

15. Record Retention

In accordance with the record retention policy of both the Title IX Coordinator and Student Affairs Office, the Title IX Coordinator will maintain records of all cases. Findings of responsibility will also be included in a student's disciplinary record maintained by the Dean of Students Office and/or an employee's personnel records in Human Resources.

16. Violations of Law

Conduct that violates this policy also may violate the laws of the local jurisdiction in which the incident occurred and subject a respondent to criminal prosecution by the presiding authority, or under applicable Indiana law. Where the University has jurisdiction to investigate and address reported conduct that would constitute conduct prohibited by this policy, the definitions and standards in this policy will apply for purposes of University discipline, regardless of the definitions of various crimes used in the laws of the locality where the conduct allegedly occurred.

17. Annual Review

This policy is maintained by the Office of the Title IX Coordinator. Butler University will review this policy on an annual basis, or otherwise as needed.

This report was prepared by the Butler University Department of Public Safety with additional information from various University offices. Questions or comments can be directed to Lt. Jeffrey Wager at 317-940-6584 or jlwager@butler.edu