

MDT College of Health Sciences

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MDT College of Health Sciences

Annual Security Report

Highland Heights and Chicago

2020

Last updated: 12/15/2020

Main Campus:

325 Alpha Park

Highland Heights, Ohio 44143

Phone: 440-573-0000 x3125

Fax: 440-449-1389

Non-Main Campus:

25 East Washington Street, Suite 200

Chicago, Illinois 60602

Phone: 312-214-2000 x3125

Fax: 312-419-7421

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MDT Geography

MDT College of Health Science maintains two separate campuses, one in Highland Heights, Ohio and one in Chicago, Illinois.

Main Campus:
325 Alpha Park Drive
Highland Heights, Ohio 44143
Phone 440-573-0000 x3125
Fax 440-449-1389

Non-Main Campus:
25 East Washington, Suite 200
Chicago, IL 60602
Phone 312-214-2000 x3125
Fax 312-419-7421

The college maintains one campus building at each location. The Highland Heights location consists of one building within an office park. This campus is defined as this building, and the surrounding public property is defined as the entirety of the office park. The Chicago location consists of one suite on the second floor of an office building. The campus is defined as the suite within the building, and the surrounding public property is defined as the remainder of the building, the alleyway adjacent to the school, and the street and sidewalk of East Washington immediately adjacent to the building. A list of emergency contacts, contacts with local law enforcement, and procedure is maintained by the respective nursing program administrators. Crimes occurring on campus in Highland Heights should be reported to the Highland Heights police by dialing 911 or (440) 442-8825. Crimes occurring on campus in Chicago should be reported to Chicago Police by dialing 911 or (312) 744-5000; building security can also be reached at (312) 863-6200. This information is available in the emergency preparedness plan that is kept online as well as a hard copy in each nursing program administrator's office. This information is reviewed annually and updated immediately whenever a change occurs.

Clery Act Notes on Geography

On-Campus — *means 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.*

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

Crime Statistics

Crime statistics are tracked and maintained by each respective nursing programs administrator. These statistics include Clery act crimes committed both on campus and on public property in the vicinity of campus. During monthly convocations, the respective nursing program administrators discuss and review the definitions of Clery act crimes and remind personnel of the reporting procedure. Information is updated yearly and is publicly available online for each campus.

- Crime statistics for the Highland Heights campus and surrounding public property: See Appendix A
- Crime statistics for the Chicago campus and surrounding public property: See Appendix B

Campus Security Authorities

Campus security is managed by the respective nursing program administrator at each campus. Campus security policy and roles are updated annually.

In Chicago:

Additional security is provided by the 25 East Washington Building who employs Allied Barton Security as on-site security. An officer is stationed at the security desk 24 hours a day 7 days a week to monitor and answer questions.

The 25 East Washington Security can be reached at (312) 863-6200. Students are encouraged to contact building security directly if needed. In a non-emergency situation, requests can be facilitated through the nursing program administrator.

Chicago Students, faculty, and staff are required to scan an ID badge to enter campus. These ID badges function from 8:00 AM through 10:00 PM Monday through Friday.

If an ID badge is lost or stolen, one may request a new ID from the administrative assistant, who will verify the person's identity. Students, faculty, and staff are required to wear their ID badge while on campus. Visitors must check in at the front desk and will receive a visitor's badge they may use while on campus.

In Cleveland:

During regular school hours, 8:30am – 5:00pm a security officer is stationed at the front desk when classes are held. All visitors must sign in at the front desk. For immediate security concerns, contact the security officer on duty and the Nursing Program Administrator.

Statistics from Local Law Enforcement Agencies

Administration requests statistics from local law enforcement agencies annually. Requests are made via email and all requests and responses are documented. Statistics involving crimes committed on campus or on public property in the vicinity is available to students, staff and the public on our website.

Timely Warnings

The college strongly encourages any student or staff involved in an incident to report any crime to local law enforcement in order to distribute timely warnings or emergency notification. The respective nursing program administrators determine if and when timely warnings will be sent in the event of a crime that does not immediately threaten the safety of students or staff. If an event threatens the safety of those on campus, emergency procedures will be followed. A timely warning will be issued once all of the relevant facts have been obtained should any of the following crimes occur on campus or on public property immediately adjacent to campus: criminal homicide, sex offenses, robbery, aggravated assault, burglaries, hate crimes, persons with weapons with intent to use, threats of violent crime, situations where suspect is unknown, and any physical or sexual assault. Timely warnings are delivered to students, staff, and faculty via text message to those who have registered their phone

number with our text messaging system and/or via email. The policy regarding timely warnings is located in the Faculty and Employee Handbook.

Emergency Response and Evacuation Procedures:

Emergency response procedures are maintained in the *Emergency Preparedness Plan* prepared by the respective nursing programs administrators each year. It includes proper responses for natural hazards, biological hazards, violence, hazards related to the building, and hazards related to the community. Emergency contact numbers for staff, security, and local law enforcement, and fire departments are listed within the *Emergency Preparedness Plan*. The *Emergency Preparedness Plan* is available online in Policy Tech for faculty and staff, and hard copies are available on each campus in the nursing program administrator's office. Evacuation instructions are posted in each classroom. In accordance with the annual review, the school performs an annual, unannounced test of the emergency response and evacuation procedures. In the event of an emergency on campus, alarms will sound alerting all faculty, students, and staff on campus. In addition, email notifications will go out to all members of the campus community and text messages will be delivered to those who have signed up for our text message alert system. On each campus, the nursing program administrator will confirm whether there is a significant emergency or dangerous situation. On the Chicago campus, the nursing program administrator may also be informed by the building and/or security manager for the 25 East Washington building. Alerts will be sent to all current members of the campus community including full time and part time students, staff, and faculty. Notifications will include the details of the emergency, particularly the nature of the emergency and the affected area. This notification will be sent as soon as possible, provided the notification will not compromise the efforts of first responders, law enforcement, the fire department, or other emergency personnel. In the event the nursing program administrator is not present or indisposed during an emergency situation, the notifications will be created and dispersed by the CEO of the respective college. In the event the emergency affects public property or the community at large, information will be given to law enforcement and emergency personnel who will alert the public. Chicago: MDT's Chicago campus is located within an office building in downtown Chicago. MDT will follow the building's response and evacuation procedures:

Aircraft Crash/Collision and Structural Collapse (Chicago)

- *Call 911*
- *Evacuate the building as for fire emergencies, following instructions given by emergency personnel.*

Security will proceed to the emergency response entrance to provide direction to first responding firefighting units. Security will also proceed to the area of incident.

Biological/Chemical Hazards

If you discover a potential biological or chemical hazard:

- *Call 911*

Identify in Chicago:

- *Nature of emergency*

- *Emergency address (25 East Washington in Chicago, 325 Alpha Park in Cleveland)*
- *Floor number (Chicago)*
- *Location on the floor, if possible*
- *NOTIFY BUILDING SECURITY AT (312) 863-6200 (Chicago)*

Identify in Cleveland:

- *Nature of emergency*
- *Emergency address (325 Alpha Park in Cleveland)*
- *Location within the building, if possible*
- *NOTIFY Front Desk (440) 568-0600*

Bomb Threat

If you receive a bomb threat:

- *Remain calm*
- *Try to obtain as much information as possible*
- *Call 911. (Chicago: Notify Security at (312) 863-6200. Security will proceed to the emergency response entrance of the building to provide direction to first responding rescue personnel. In Cleveland notify Administrative personnel who will also provide direction to first responding rescue personnel.)*
- *Inspect your own work area, but do not touch or move any suspicious objects*
- *Wait for instructions*
- *Do not use hand held radios*
- *Do not discuss the call with anyone else*

Bomb Threat Checklist:

- *Date*
- *Time of call (a.m. /p.m.)*
- *Caller I.D. number*
- *Exact location of the device*
- *Time set for explosion (a.m. /p.m.)*
- *Description of the device*
- *Reason the caller has placed the bomb*
- *Exact words used by the caller*
- *Call received by*
- *Immediate action after call*
- *Notify the Police Department. Call 911*
- *Chicago: Notify the Building's Management Office at (312) 863-6200*
- *Cleveland: Notify the Administrative Office*

Civil Disturbance

- *Call 911 (Chicago: or Security at (312) 863-6200) and follow instructions. Security will coordinate efforts with the local authorities. Do not evacuate the building unless instructed to do so.*

Crime

If you witness or are aware of a crime or criminal act:

- *Call 911 (Chicago: and Security at (312) 863-6200)*
- *Security will respond, as necessary, to the incident*

Security will proceed to the building emergency response entrance to provide direction to Police.

Elevator Malfunction (Chicago)

If you are in the elevator and it stops for no apparent reason, remember to remain calm. Pressing the emergency button within the cab will alert Building Management that the elevator is malfunctioning. Please identify the cab number, and so too, the specific floor on which it is stuck. The Guard will establish two-way communication with elevators occupants until help has arrived.

IN THE EVENT OF A FIRE IN CHICAGO, ELEVATORS MUST NOT BE USED FOR EVACUATION. USE THE STAIRWELLS.

Fire and Life Safety

Fire Prevention

- *Do not accumulate quantities of discarded files or other paper trash in your office or storage area. Pay special attention to housekeeping in those departments that produce quantities of debris, such as duplication machines, mailing and receiving rooms.*
- *Do not store large quantities of flammable solvents, duplicating fluids, or other combustible fluids.*
- *Keep electrical appliances in good repair. Report unsafe conditions to the building office.*
- *When furnishing an office, consider the fire potential of materials used in large amounts, like overstuffed chairs, settees, couches or anything that could become a combustible item. Such furnishings should be flame-proofed.*
- *Where potential for fire is especially high, such as supply rooms, tenants may wish to consider installing additional fire extinguishers.*

Stairwell Re-entry (Chicago)

For the safety of our Tenants, and in accordance with the City of Chicago Ordinance 13-196-084, we have implemented a failsafe electronic lock release system that can be activated both manually, by building management or firefighting personnel, and automatically either by smoke detectors or sprinkler devices and is connected to an annunciator panel.

This failsafe lock release system requires the stairwell doors to be locked at all times, and restricts re-entry from floors 2-21. If for some reason you or your clients enter the stairwell on any of these floors, you/they will not be able to re-enter until the 1st floor.

While stairwell signage will display clear re-entry instructions, it is important that you inform your clients of this fire, life, safety measure.

Power Failure

In the event of a power failure:

- *Remain at your workstation or present location. Emergency lighting will activate automatically following main power failure.*
 - *Follow instructions given by security or by emergency personnel.*
- Do not evacuate the building unless instructed to do so.*

Severe Weather

When severe weather conditions become apparent, the U.S. Weather Bureau describes conditions by two (2) classifications, a Watch or a Warning. This applies to the reporting of severe thunderstorms, the approach of weather conditions favoring the formation of tornadoes, a hurricane condition, a winter storm condition, etc. A Watch becomes effective when atmospheric conditions are present that can produce the particular weather phenomenon. A Warning means that the weather condition has been spotted and prompt action must be taken to enhance safety.

Except in very rare circumstances, the decision to evacuate the building based on the above weather reports will not be made by Building Management, but rather by each Tenant Company. However, in the event these conditions do exist, the following guidelines should be adhered to:

- *Move away from outside windows. If the windows in your offices are supplied with blinds, close the blinds (this will provide protection from broken glass).*
- *Do not panic.*
- *If evacuated, lock all desk drawers and take all items of value with you.*
- *If evacuated, use a route that is in the building interior and stay away from large expanses of glass and windows.*
- *Use the stairwells rather than the elevators. (Chicago)*
- *If evacuated, do not return to your office until advised to do so.*

Suspicious Mail

Report suspicious packages or mail to:

- *the Security group in Chicago*
- *the Nursing Program Administrator in Cleveland*

Do not attempt to move, open, handle, or smell the package. Suspicious packages or mail may include those with an illegible, unknown or no return address; an extraordinary amount of postage;

protruding wires; excessive tape or string; unbalanced contents, stains or discoloration; an unusual odor; or an unexpected package.

If the package has been opened and identified as being a threat, call 911 (Chicago: and Security at (312) 863-6200.)

Suspicious Persons

Report any suspicious or disorderly individuals to

- *Chicago: Security at (312) 863-6200*
- *Cleveland: Nursing Program Administrator*

Suspicious persons should be reported to your supervisor or the list above. This may include persons wandering about your space that may not belong there or persons who stare or continually watch or follow others. Do not approach the individual; call your supervisor or Security.

Solicitation is not permitted in the building. Any individuals who enter your office for this purpose should be reported immediately to:

- *Chicago: Security at (312) 863-6200*
- *Cleveland: Nursing Program Administrator*

Toxic Hazards

If there is a toxic spill or exposure, proceed immediately to an area where you are no longer exposed. Call 911. Provide the building's address, your floor (Chicago) and phone number, and also what type of spill has occurred. Take appropriate action to contain the hazard; close doors behind you, and always follow all safety procedures when working with toxic materials.

Window Damage, Water Leaks, HVAC System Failure

- *Chicago: Security at (312) 863-6200. Engineering personnel will proceed to area for determination of further actions.*
- *Cleveland: Nursing Program Administrator x3103 or Asst. x3110*

Emergency Contacts

Primary Contact

- Yelena Bykov, 440-668-6585

Secondary Contact

- Annette Reisner-Cleveland Campus, 440-449-1700
- Misti Ludwig-Chicago Campus, 312-214-2000

Insurance Provider

- Lakeshore Insurance

Emergency Notification Systems

In the event that the school has an incident on site that requires immediate response, MDT/ATS will call 911. The call would result in both the fire department and the police responding to that call.

In the event of a life-threatening emergency, 911 will be called, followed by building management. In the event of a building wide event, an alarm will sound, alerting everyone in the vicinity that evacuation is necessary. Students not on campus will be notified that campus is closed via text and/or email.

Cleveland: The city of Highland Heights Ohio has implemented a Reverse 911 system referred to as Code Red. In the event that a situation occurs outside of the premises that will impact our institution, MDT will receive a telephone call via this system. MDT has listed the main telephone number for the main campus as 440-449-1700 that will ring at the front desk. The Nursing Program's Administrator's cell phone is also listed as a contact to receive the reverse 911 call.

Chicago: MDT's Chicago campus is located within an office building in downtown Chicago. MDT will follow the building's procedures which are listed at <http://25eastwashington.info/main.cfm?sid=e-procedures>.

Evacuation Plan Notices

As a result of a school emergency, the primary or secondary emergency contact, and facilities manager will make a decision about when, and what emergency response actions should be taken. The decision is weighed carefully against all presenting variables. The emergency contact will give the evacuation / relocation directive when the conditions outside the school are safer than inside. This could be a result of fire in the school building, chemical accident in the building, explosion, or threat of explosion, or any other incident that might place students or school staff in danger, or render the building unsafe.

- **We have marked all exits with lighted EXIT signs**
- **Developed building and site maps**
- **Marked those maps to indicate the nearest exit, and**
- **Posted them in all central locations**

EVACUATIONS

Evacuation

- Remain Calm
- Follow Directions
- Use Stairwells (Chicago)
- DO NOT Use Elevators (Chicago)

Remove high-heeled shoes when using the stairs, if necessary.

NOTIFY BUILDING SECURITY IN Chicago at (312) 863-6200 OR THE NURSING PROGRAM ADMINISTRATOR IN CLEVELAND OF ANY DISABLED PERSONS REQUIRING ASSISTANCE.

Chicago: Disabled individuals should be escorted to the elevator lobby or exit stair landing, where emergency personnel will assist them with evacuation.

During an evacuation, you should also:

- Discontinue telephone conversations. Immediately proceed to evacuate, carrying your wallet or purse with only if there is immediate access to such items. Do not return for other personal possessions.
- Report to your designated post or assignment area if you are a part of the Emergency Response Team.
- Check doors for heat before opening. If a door is hot, seek an alternate route.
- Close all doors behind you.
- Proceed to your designated meeting area.
- Act calmly, quietly and courteously.

Fire

If you notice a fire:

- CALL 911

Identify:

- Nature of emergency
- Emergency Address (Chicago: 25 East Washington or Cleveland: 325 Alpha Park)
- Floor Number (Chicago)
- Location on the floor, if possible
- Chicago: Security at (312) 863-6200
- Cleveland: Nursing Program Administrator

If you smell smoke, call Security in Chicago or the Administration in Cleveland even if a fire is not evident. Inform others in the immediate area.

Evacuate the area if the fire cannot be extinguished with a fire extinguisher. Close doors if possible.

Chicago: USE STAIRWELLS- do not use elevators. Remain calm, listen and follow directions carefully.

Chicago: Disabled persons should be escorted to the elevator lobby or exit stair where emergency personnel will assist them with evacuation.

How to Use a Fire Extinguisher

Remember the word **P.A.S.S.**

- P - Pull the pin without squeezing the handles together.
- A - Aim at the base of the flames and stand approximately 10 feet away.
- S - Squeeze the handles together; do not release until fire is completely extinguished.
- S - Sweep from edge to edge of the area on fire. Always keep your back to an exit to avoid being trapped

Shut Down Plan

Code Blue

In the event that there is a need to shut down the facility due to violence or a weapon on site, every faculty member, staff member, and administrator will receive a “Code Blue” text message on his/her cellular phone and/or email address. “Code Blue” means lock the door, seal the room, and stay inside until notified.

SHELTER IN PLACE

Code Yellow

If we must take shelter due to a tornado or storm warning that we have received, every faculty member, staff member, and administrator will receive a “Code Yellow” text message on his/her cellular phone, pager, and email address. “Code Yellow” means take shelter inside this facility.

Weather emergencies such as a tornado require taking shelter inside the building. The places that have been identified as the most secure for such emergencies are those parts of the building with no windows or immediate access to the outside.

- Chicago: Lower Level Pedway
- Cleveland: Large Computer Room

Critical Operations and Records

Recovery Plan

Human Resources
Financial Transactions
Computer Systems
Paper Records
Academic Records

Policy Statements

Campus Access Policy

Chicago location - Faculty/Staff are on campus from 8:00 AM to 10:00 PM Monday thru Friday. Building security staff is available 24 hours a day, 7 days a week.

Students, faculty, and staff must scan in using an ID badge with a current photo to access the campus. Students ID badges function from 8:00am to 10:00pm Monday through Friday. Full-time faculty and staff ID badges grant access for 24 hours a day, 7 days a week.

Cleveland Location – Faculty/Staff are on campus from 8:00 AM to 5:00 PM Monday thru Friday.

Law Enforcement Policy

Campus Security's jurisdiction is the MDT campus at each location. In Chicago, any criminal activity falls within the jurisdiction of the Chicago Police Department, and all crimes on campus or in the immediate vicinity will be reported to the Chicago Police Department. In Highland Heights, any criminal activity falls within the jurisdiction of the Highland Heights Police department, and all crimes on campus or in the immediate vicinity will be reported to the Highland Heights police department.

MDT Campus security and building security will cooperate with local law enforcement in the investigation of criminal offenses involving members of our campus community or occurring on or near our campuses. Upon written request, the college will disclose to the victim of a violent crime or non-forcible sex offense our own disciplinary proceedings against a student alleged to have committed the crime.

Counseling

Students needing help in their personal or professional lives may seek counseling. Assistance in finding appropriate resources may be provided by members of the faculty, Student Services, or the Programs Administrator by requesting a conference to discuss the problem. For academic difficulty conferences are to be held with the faculty/teaching assistant and student as soon as the student's grade falls below 80% in any subject. These conferences are to help the student explore various study strategies to improve grades. Treatment-Centers.net is a public benefit addiction treatment resource organization dedicated to helping addicts and alcoholics recover from the devastating effects of drug addiction, alcoholism, dual diagnosis, eating disorders and co-occurring disorders. They offer a comprehensive directory of drug treatment centers, alcohol rehab programs, and drug rehabilitation centers, dual diagnosis treatment programs, and recovery centers for eating disorders and other substance abuse related disorders. Please call 1-877-335-HOPE (4673) for assistance in finding treatment centers.

Campus security procedures

Information regarding campus security procedures is delivered during new student orientation. Students are given information about what to do if and when a crime occurs on or off campus. They are also instructed on best practices for campus security, such as not allowing a person without ID to follow them through the Chicago campus doors.

Faculty and staff receive the "Campus Security Obligations Under Federal Law Training" Webinar provided by EAP and developed by the Labor, Employment, and Employee Benefits Law Group of the law firm of Sheehan, Phinney, Bass, & Green PA. (<http://www.eniweb.com/http://www.eniweb.com/>)

Drug and Alcohol Abuse

Students may be selected for random drug testing at any time. No students under the influence of alcohol or other drugs will be allowed to attend class, remain at the College facility, or attend clinical. Drug or alcohol use in class, clinical or lab is subject to blood or urine testing at that time.

Reasons to suspect chemical substance abuse include, but are not limited to:

- 1) Noticeable change in behavior
- 2) Slurred speech
- 3) Smell of ethanol on breath

The Nursing Programs have a zero-tolerance policy for drug and alcohol abuse. Any student testing positive for drugs or alcohol will be dismissed from the program immediately. Students taking controlled medications that are prescribed for a legitimate reason must provide documentation for it from the health care provider within five days. Failure to comply with this will indicate a positive finding for the drug screening with subsequent dismissal from the program. Any unlawful possession, use, or distribution of illicit drugs or alcohol, whether by students or employees, will be reported to the local police department. The student is responsible for any legal penalties resulting from the possession or distribution of illicit drugs including confiscation of personal possessions, fines, and incarceration.

All students are required to complete a background check prior to enrollment. The student handbook describes the types of crimes that will likely preclude students from earning licensure and thus precludes them from study at the college. It also mentions that students are required to inform the college of any and all crimes with which they are charged while enrolled at the college and describes the consequences for failing to do so.

Background Checks and Convictions

The College will terminate a student if he/she meets any one or more of the following criteria:

- 1) The individual has been convicted of or pleaded guilty to any crime identified as an automatic bar to licensure by the Ohio Board of Nursing or the individual has been convicted of or pleaded guilty to any crime identified as a considering factor in determining a Refusal to Issue a Nurse License Based on Criminal History Record of the Nurse Practice Act in the Illinois Administrative Code for Chicago students.
- 2) The individual is a "Repeat Offender," defined as "a person who has been convicted of or pleaded guilty to offenses including, but not limited to, those listed below in Section III in two or more separate criminal actions. Please note that repeat offenses in any capacity will be reviewed on a case-by-case basis and may prevent admission into the nursing program.
- 3) The individual has been convicted of or pleaded guilty to any of the following ten years ago or sooner:
 - a. Any sexually oriented offense
 - b. Failing to provide for a functionally impaired person
 - c. Child endangerment
 - d. Patient abuse or neglect

- e. Domestic abuse
- f. Assault
- g. Carrying concealed weapon
- h. Improperly discharging firearm
- i. Possession of or trafficking of drugs
- j. Illegal manufacture of drugs or cultivation of marijuana
- k. Placing harmful objects in food or confection
- l. Any theft related offense, including receiving stolen property

Please note that the State Board of Nursing does not have the authority to make a determination or adjudication until an application has been filed. Further, the State Board of Nursing is unable to advise, speculate, or give informal answers regarding licensure prior to the time that the application is filed. Admission or graduation from the nursing program does not guarantee obtaining a license to practice nursing. Licensure requirements and the subsequent procedures are the exclusive right and responsibility of State Board of Nursing. (See also: Legal Limitations for Nurse Licensure). In the event of known noncompliance to this request, students may be immediately dismissed from the program.

Students receive information to promote awareness and prevention of drug and alcohol abuse, including underage drinking, in the LMS System. These student handouts are also located in PDF format within Policy Tech. All students are required to read the introductory documents in their first semester at the college. Faculty and staff are able to take “Promoting a Substance-free Workplace” online Webinar training through ENI developed by the Labor & Employment Law Group of the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC.
(<http://www.eniweb.com/http://www.eniweb.com/>)

Dating Violence, Domestic Violence, Sexual Assault and Stalking

MDT is devoted to creating a safe, productive learning environment for its students, faculty, and staff. The college works toward this goal by facilitating programs to promote the awareness and prevention, including risk reduction, of dating violence, domestic violence, sexual assault and stalking. As part of these awareness and prevention programs, techniques for safe, effective bystander intervention are discussed and encouraged.

Educational programs, prevention and awareness programs

Students receive information that promotes the awareness and prevention of dating violence, domestic violence, sexual assault, and stalking in the Orientation for Cleveland Students and in the LMS System. These student handouts are also located in Policy Tech in PDF format. All students are required to read the introductory documents in their first semester at the college. Faculty and staff receive the same information through mandatory on-line training. “Sexual Harassment Prevention for Employees” and “Title IX for Higher Education” Webinar through ENI developed by the Labor & Employment Law Group of the law firm of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC.
(<http://www.eniweb.com/http://www.eniweb.com/>)

The Violence Against Women Act of March 2013 (VAWA) defines **domestic violence** as “crimes of violence committed by a current/former spouse of the victim; person with whom the victim shares a child in common; person who is cohabitating with or has cohabitated with the victim as a spouse; or a person similarly situated to a spouse of the victim. VAWA defines **dating violence** as “violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.” The Clery Act defines **sexual assault** as “Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.” VAWA defines **stalking** as, “Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her safety or the safety of others; or suffer substantial emotional distress.”

SOURCE: Chapter 3 of The Handbook for Campus Safety and Security Reporting (the “Clery Handbook”) published by the U.S. Department of Education, Office of Postsecondary Education, Washington, D.C., 2011, <https://www2.ed.gov/admins/lead/safety/handbook.pdf>. The definitions of dating violence, domestic violence, and stalking are based on the definitions cited in the Violence Against Women Act of March 2013 which were also retrieved from the “Clery Handbook”.

Ohio does not specifically define “consent.” However, submission to sexual conduct as a result of fear may be sufficient in proving lack of consent as physical force or threat of physical force need not be shown to prove rape, merely the overcoming of the victim's will by fear or duress. In re Adams (Ohio Ct.Cl. 1990) 61 Ohio Misc.2d 571, 575, 580 N.E.2d 861, 863.

No person shall engage in sexual conduct with another if for the purpose of preventing resistance, the offender substantially impairs the other person's judgment or control by administering any drug, intoxicant, or controlled substance to the other person surreptitiously or by force, threat of force, or deception. Ohio Rev. Code Ann. § 2907.02.

“**Consent**” means a freely given agreement to the act of sexual penetration or sexual conduct in question. Lack of verbal or physical resistance or submission by the victim resulting from the use of force or threat of force by the accused shall not constitute consent. The manner of dress of the victim at the time of the offense shall not constitute consent. A person who initially consents to sexual penetration or sexual conduct is not deemed to have consented to any sexual penetration or sexual conduct that occurs after he or she withdraws consent during the course of that sexual penetration or sexual conduct. 720 ILCS 5/11-1.70.

A person commits a sex crime if that person knows that the victim is unable to understand the nature of the act or is unable to give knowing consent. 720 ILCS 5/11-1.20; 720 ILCS 5/11-1.50. In addition, the crime and punishment are more severe if the accused delivers (by injection, inhalation, ingestion, transfer of possession, or any other means) any controlled substance to the victim without the victim's consent or by threat or deception for other than medical purposes. 720 ILCS 5/11-1.30; 720 ILCS 5/11-1.60.

Source: Rape, Abuse & Incest National Network (RAINN.org)

In the case a student is the victim of dating violence, domestic violence, sexual assault, or stalking, the student is encouraged to request medical-legal evidence be collected. In these cases, collection also means interaction with the police and the filing of a police report. Collecting evidence in a timely manner is essential should the victim decide to pursue criminal prosecution or civil action against the assailant. Local law enforcement should be contacted immediately in these situations. If the incident occurs on campus, the following people should also be alerted immediately:

- Chicago: Security at (312) 863-6200
- Cleveland: Nursing Program Administrator

Chicago campus security is available to help victims in notifying law enforcement should the victim choose to do so; however, campus authorities will also honor a victim's decision to not contact law enforcement. If any member of the campus community has an order of protection, "no contact" order, restraining order, or similar, such an order should be delivered to campus security/administration so that the person against which the order protects will be prohibited from entering campus and will be removed if seen.

Consistent with the obligations of FERPA and the Clery Act, the college may disclose the result of disciplinary actions as follows:

Victims of an Alleged Sex-Based Offense:

The accuser and the accused will each be informed of the result of each stage of the investigation and institutional proceedings accompanying the investigation. Both parties will also be informed of any appeal proceedings.

Victims of an Alleged Perpetrator of a Crime of Violence:

Should the victim of an alleged perpetrator of an alleged violent crime request information, the victim will be informed of the final results of any institutional disciplinary proceeding.

All Others:

If a student is accused of being the perpetrator of a violent crime or non-forcible sex offense and has been found in violation of the student handbook, the college may release the student's name, the violation, and the final results of any disciplinary action.

All public records regarding crime statistics will not include personal identifying information about the victim.

Any and all accommodations and/or protective measures provided to the victim of a crime will be confidential, so long as such confidentiality will not impair the ability to provide such accommodations and/or protective measures.

The college will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available for victims, both within the institution and in the community. The college will also provide victims with written notifications about options for, available assistance in,

and how to request changes to academic, living, transportation, and working situations or protective measures. The college will make such accommodations and provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim reports the crime to local law enforcement.

In the event of alleged dating violence, domestic violence, sexual assault or stalking, a student would be in clear violation of the college's code of required conduct, and the student would be subject to the consequences of said violation. According to the college's student handbook – "A student may be immediately dismissed from school for the following:

- 1) Being under the influence of alcohol and/or illegal drugs while on the school premises or in clinical
- 2) Engaging in sexual harassment or sexual assault
- 3) Falsification of documentation
- 4) Bullying and Harassment.

A student will be immediately dismissed from school for the following:

- 1) Using, selling, possessing or distributing drugs or other illegal substance.
- 2) Using physical or verbal abuse or violence in any form.
- 3) Possessing a weapon of any kind on school property.

If the state determines there is enough evidence to charge the student, the college will honor that standard of evidence and the student will be terminated from the program.

In the event that no formal charges are brought against the accused, the college will conduct its own investigation. This investigation will take into account statements from the victim, the accused, and any relevant witnesses should any of the preceding choose to give statements. The determination of guilt will be made by representatives from the college who has received training on issues related to dating violence, domestic violence, sexual assault and stalking, as well as how to protect the safety and anonymity of the victim and alleged perpetrator. The results of any investigation and/or disciplinary proceeding will be delivered in writing simultaneously to both the victim and the alleged perpetrator.

Initial decisions can be appealed by contacting the committee for appeals and student grievances. Should one party appeal the college's initial decision, the other party will be notified immediately. Each party will be notified simultaneously of the appeal committee's decision, whether the initial decision is upheld or changed.

Appendix

A. Cleveland Main Campus Safety and Security Survey (Crime Statistics)

B. Chicago Non-Main Campus Safety and Security Survey (Crime Statistics)