



Annual Security and Fire Safety Report 2023

For the Calendar Year 2022

GRACE
COLLEGE &
SEMINARY

TABLE OF CONTENTS

INTRODUCTION	1
OVERVIEW OF FEDERAL LAW	1
CAMPUS SAFETY DEPARTMENT	2
PURPOSE	2
STAFF	2
AUTHORITY AND JURISDICTION	2
RELATIONSHIP WITH LAW ENFORCEMENT	3
STAFF TRAINING	4
EMERGENCY CONTACTS AND COMMUNITY RESOURCES.....	5
EMERGENCY CONTACTS	5
NON-EMERGENCY CONTACTS	5
Grace College Assistance	5 Local
Assistance – Law Enforcement	5 Local
Assistance – Medical Treatment	6 Local
Assistance – Mental Health Counseling	6 Area
Assistance – Victim Services	6 Hotlines
and Resources - National	6
SAFETY OF THE CAMPUS.....	8
ACCESS TO CAMPUS BUILDINGS.....	8
BUILDING IDENTIFICATION	8
CROSSWALK SAFETY	8 ID
CARDS	8
SECURITY OF RESIDENCE HALLS	9
Staff Entering Student Rooms	10
Guests in the Residence Halls	10
SAFETY OF CAMPUS FACILITIES	10
Security Cameras	10
Building Security	10
Facility and Equipment Maintenance	10
EMERGENCY PROCEDURES	11 NO
CONTACT ORDERS	12
PERSONAL SAFETY AND CRIME PREVENTION	12
General Safety	12
Personal Property	13
Residence Halls and Apartments	13
Pedestrian Safety.....	13
Vehicles and Bicycles	13
SAFETY POLICIES AND PROCEDURES	15

EMERGENCY MANAGEMENT MANUAL	15
REPORTING A CRIME	15
Reporting a Crime to a Confidential Source	15
Confidential Reporting of Crimes	15 Off-
Campus Crime	17
Response to Reports of Crimes	17
MISSING STUDENT NOTIFICATION	17
SEARCH AND SEIZURE	18
WEAPONS	18
HAZING	19
MAINTAINING AN ALCOHOL AND DRUG FREE CAMPUS	19
DISCLOSURE OF CRIME STATISTICS	21
CLERY GEOGRAPHY	21
ANNUAL DISCLOSURE OF CRIME STATISTICS	22
CAMPUS SECURITY AUTHORITIES	23
STATISTICS FROM LOCAL LAW ENFORCEMENT	23
DAILY CRIME LOG	23
CLERY CENTER CRIME CATEGORIES AND DEFINITIONS	24
Clery Crime Categories and Definitions	24
CRIME STATISTICS	29
WINONA LAKE, INDIANA (MAIN CAMPUS)	29
BATH AND NORTON, OHIO (UNDERGRADUATE AND SEMINARY) COURSE DELIVERY SITES	31
BATH AND NORTON, OHIO (UNDERGRADUATE AND SEMINARY) COURSE DELIVERY SITES	32
EMERGENCY Response AND EVACUATION Notifications	33
DISSEMINATING INFORMATION AND TESTING PROCEDURES	33
TIMELY WARNINGS AND EMERGENCY NOTIFICATIONS	33
Timely Warnings	33
Emergency Notifications	34
Procedures for Issuing Timely Warnings and Emergency Notifications	35
Disseminating Timely Warnings and Emergency Notifications	35
Guidelines for Timely Warnings and Emergency Notifications	36
SHELTER IN PLACE	36
SHELTER IN PLACE AND LIMITED ACCESS.....	37
FIRE SAFETY	39
INTRODUCTION	39
REPORTING A FIRE	39
FIRE SAFETY SYSTEMS	39
FIRE SAFETY IMPROVEMENTS	40
FIRE SAFETY POLICIES	40
FIRE LOG.....	40
FIRE STATISTICS AND SAFETY AMENITIES PER RESIDENCE HALL 2022.....	40
FIRE EVACUATION PROCEDURES	41
FIRE EMERGENCIES AND PROTECTIONS	42
EVACUATION OF PERSONS WITH DISABILITIES	43
Student and Employee Responsibilities	43
Procedures for Evacuation	43 FIRE

DRILLS	44	FIRE
SAFETY POLICIES	44	Open
Flames	44	Portable
Electrical Appliances	45	Tampering
with College Property	45	Room
Decorations	45	Fire
Hydrant / Fire Lanes	45	
Fireworks/Explosives	45	
Smoking	45	
WINONA LAKE FIRE DEPARTMENT	46	
SEXUAL AND VIOLENT OFFENSES	46	
DISCLOSURE TO VICTIMS	46	
SEXUAL HARASSMENT AND VAWA OFFENSES	46	
SEXUAL AND VIOLENT OFFENDER REGISTRY	48	
EDUCATIONAL AND AWARENESS PROGRAMS.....	49	
PROGRAMS TO PROMOTE PERSONAL SAFETY	49	
PROGRAMS TO PREVENT SEXUAL MISCONDUCT	50	
PROGRAMS TO PROMOTE AN ALCOHOL AND DRUG-FREE CAMPUS	52	
POSITIVE OPTIONS FOR BYSTANDERS.....	52	
APPENDIX A: STUDENT SUBSTANCE ABUSE POLICY	55	
Alcohol	57	
Illegal Drugs.....	58	
Legal Sanctions	59	
Health and Other Risks	59	
Clinical Exams and Testing	59	
Counseling, Treatment, and Rehabilitation	60	
APPENDIX B: EMPLOYEE SUBSTANCE ABUSE POLICY	61	
1. Purpose	61	
2. Scope	61	
3. Health and Other Risks	61	
4. Definitions	62	
5. Education.....	63	
6. Prohibited Activities	63	
7. Discipline and Legal Sanctions	64	
8. Drug and Alcohol Testing of Employees.....	65	
9. Appeal of a Drug or Alcohol Test Result.....	65	

10.	Rehabilitation and Employee Assistance	66
11.	Inspections and Searches	67
12.	CONFIDENTIALITY	67
	APPENDIX C: SEVERE WEATHER INFORMATION	68
	WINTER WEATHER CLOSINGS	68
	TORNADO/STORM	69
	BUILDING EVACUATION	69
	APPENDIX D: TITLE IX POLICY	70
	Introduction	70
	Immediate Steps for Those Affected by Sexual Assault	71
	Title IX Terms	72
	Actual Knowledge	72
	Complainant	72
	Consent	72
	Dating Violence	73
	Decision Maker	73
	Domestic Violence	74
	Education Program or Activity	74
	Formal Complaint	74
	Grace Community.....	74
	Informal Resolution	74
	Investigator	75
	Preponderance of Evidence	75
	Recipient	75
	Remedy	75
	Report	75
	Respondent	75
	Retaliation	75
	Sexual Exploitation	76
	Sexual Harassment	76

Sexual Violence	77
Sexual Assault	77
A. Non-Consensual Sexual Contact	77
B. Non-Consensual Sexual Intercourse	77
C. Sexual Misconduct with a Minor	78
D. Child Molesting	78
Stalking	78
Supportive Measures.....	78
Title IX Coordinator	78
Title IX	79
Title IX Scope	79
Policy Details	79
II. Scope	79
III. Receiving Supportive Measures	80
IV. Employees with Authority to Institute Corrective Measures	80
V. Employee Duty to Report	81
VI. Reporting Allegations of Sexual Harassment	83
VII. Amnesty for Complainant and Witnesses	84
VIII. Confidentiality and Requests for Inaction	85
IX. Retaliation	86
X. Investigation and Resolution Options	86
XI. Remedies	87
Student Sanctions.....	88
Employee Sanctions	89
XII. False Allegations	91
XIII. Process Abuse	91
XIV. Vendors	92

XV.	Requests from Another Institution	92
XVI.	Training	92
	Procedure	93
II.	Dismissal of a Complaint	94
III.	Informal Resolution	94
	IV. Formal Resolution & Hearings	
	96	
V.	Notification of Next of Kin	100
VI.	Appeals Process	100
VII.	Recordkeeping	100
	TITLE IX OFFICE	100
	Office of Civil Rights	101
	RESOURCES AND SUPPORT ON- AND OFF-CAMPUS	102
	Safety and Law Enforcement	102
	Grace College – Health and Mental Health	102
	Grace College – Student Assistance	103
	Local Assistance – Medical Treatment	103
	Local Assistance – Mental Health Counseling	103
	Area Assistance – Victim Services	103
	Hotlines and Resources – National.....	104
	APPENDIX E: HARASSMENT AND DISCRIMINATION TERMS	105
	APPENDIX F: SUMMARY OF SAFETY TRAINING	114
	APPENDIX G: FIRE EVACUATION ROUTES	117
	APPENDIX H: FIRE STATISTIC DEFINITIONS	118
	APPENDIX I: ATHLETIC DEPARTMENT ALCOHOL AND SUBSTANCE ABUSE ADDENDUM	119
	appendix j: GRACE COLLEGE buildings	120

INTRODUCTION

Grace College and Seminary is committed to a safe educational community for all its students, employees, and guests. Located in the beautiful Winona Lake, Indiana community, it has previously been named one of the state's top twenty safest communities.

Campus safety at Grace has a service and education mindset and hopes to collaborate with you to promote your own safety and well-being, as well as prevent crime by taking precautions, such as those described in this report. Because we view safety as the responsibility of all members of our campus community, we hope that you will use this report in an informative way so that together we all promote safety within our campus community.

Grace has compiled this *Annual Security and Fire Safety Report* for the calendar year 2022. It applies to the Winona Lake, Indiana campus, Bath, Ohio and Norton, Ohio and is published annually in compliance with the federal government's Student Right Know and Crime Awareness and Campus Security Act of 1990 (Public Law 101-542) as amended

Grace provides notice of the availability of the report to all current and prospective students and employees including (1) a statement of the report's availability, (2) a statement that a paper copy will be provided upon request by contacting Campus Safety, (3) a brief description of the report's contents, and (4) the exact electronic address of the report. The notice is both emailed and available on the *Student Right to Know* page of Grace's [website](#).

With each year's *Annual Security and Fire Safety Report*, policies are current at the time of publication.

For questions regarding any of the information or statistics contained in this report, please contact:

1. Glenn Goldsmith, Director of Campus Safety at goldsmga@grace.edu or 574-372-5100 x6483
2. Becky Stowers, Associate Dean of Students, at stowerrl@grace.edu or 574-372-5100 x6473

Thank you for your part in helping our campus community remain a safe place.

Glenn Goldsmith

Director of Campus Safety



OVERVIEW OF FEDERAL LAW

In 1990, Congress passed the *Crime Awareness and Campus Security Act of 1990 (CACSA) (Title II of Public Law 101-542)*, which amended the *Higher Education Act of 1965 (HEA)*. CACSA was amended in 1992, 1998, 2000 and 2008.

The 1998 amendments renamed the law the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. It is generally referred to as the *Clery Act* and is in section 485(f) of the HEA.

The *Clery Act* requires that all postsecondary institutions participating in HEA's Title IV student financial assistance programs disclose campus crime statistics and other security information to students and the public, such as timely warnings of crimes that represent a threat to the campus community, and to develop and implement specific campus safety and crime prevention policies and procedures.

The *Campus Fire Safety Right-to-Know Act of 2007* amends the HEA to require each institution participating in any program under the Act to provide to all current students and employees, and to any applicant for enrollment or employment upon request, an annual fire safety report containing specified information about the campus fire safety practices and standards of that institution.

On March 7, 2013, the *Violence Against Women Reauthorization Act of 2013 (VAWA) (Public Law 11314)* was signed into law and includes amendments to the Clery Act. Among other changes, these amendments require institutions to disclose statistics, policies, and programs related to dating violence, domestic violence, sexual assault, and stalking.

CAMPUS SAFETY DEPARTMENT

PURPOSE

The Grace College and Seminary (Grace) Campus Safety Department provides a positive attitude and proactive safety services for students, employees, and visitors to protect all assets of the college.

The primary role of this department is to be a service for the Grace College campus. This is accomplished through observation, reports, documentation, and, when necessary, taking such action as is deemed appropriate to promote the safety of the Grace community.

STAFF

The Campus Safety Department can be contacted 24 hours a day by calling **(574) 269-5344**.

Campus safety employs a full-time Director of Campus Safety, full-time Lead Campus Safety Officer, a full-time Campus Safety Officer, a part-time Liaison, and part-time student campus safety officers. Campus safety staff are on duty or on-call 24 hours, seven-days-a-week. Part-time administrative staff supports the campus safety office.

Campus safety is not a police department with sworn officers; however, it does employ Winona Lake police officers on a part-time basis to provide an additional security presence and to familiarize law enforcement with the campus in the event of an emergency.

AUTHORITY AND JURISDICTION

Policy: Campus safety (apart from its part-time sworn officers also working for Winona Lake Police Department [WLPD]) does not have the power to arrest, but does exercise its power to detain.

Campus safety staff regularly monitor campus property, facilities, and special events; are responsible for locking and unlocking campus buildings; documenting incidents, investigating suspicious or unusual activities; reporting maintenance or safety concerns; conducting regular safety drills and inspections; overseeing and enforcing campus parking and traffic policies; issuing timely warnings and emergency notifications to the campus; and responding to crisis or emergency situations as they may occur.

Campus safety staff use the model of “observe, document, and report” when conducting their work. In doing so, they maintain a daily activity report of rounds. This report is later reviewed by the director of campus safety and other campus administration then kept on file electronically.

Additionally, the Campus Safety Department:

1. Develops and offers safety and emergency preparedness training
2. Establishes contact with key campus personnel and community professionals and first responders that would be involved in crises that may occur at the local, state, or national level so that (a) they are familiar with the Grace campus should a crisis occur on-site for which their assistance is needed and, (b) community-based emergency response activities include the Grace campus as appropriate
3. Develops and communicates Grace’s crisis prevention, preparedness, and response plans to employees.

IDENTIFICATION OF CAMPUS SAFETY STAFF

Campus safety officers patrol campus in a marked campus safety vehicles and on-foot, wearing the uniform of the campus safety department.

Part-time police officers patrol campus in their marked law enforcement vehicles and on foot, wearing the uniform and equipment approved by their chief of police. Doing so provides a visible presence to the campus and enables them to monitor the campus – both inside and outside buildings – for safety, security, or criminal activity

RELATIONSHIP WITH LAW ENFORCEMENT

Policy: Grace maintains cooperative working relationships and regular communication with law enforcement agencies in order to serve and protect the campus. Its primary contact is with the Winona Lake Police Department, but has occasion to work with Warsaw Police Department and the Kosciusko County Sheriff's Department.

Collaborating with local law enforcement has demonstrated a commitment by both Grace and the WLPD to providing a safe campus for those who live, learn, work, and visit the campus as well as for those in the surrounding community. It has created greater visibility of law enforcement personnel and helped increase the familiarity between local law enforcement and our students, employees, and physical facilities.

Grace has an official *Memorandum of Understanding* with the Winona Lake Police Department outlining their working relationship, jurisdiction, and authority. In part, this MOU describes the cooperation between Grace and the Winona Lake Police Department for the investigation of crimes. Suspicious persons, activity, or other potential crimes are reported by campus safety officers to the police for assistance, which are documented in the activity log and corresponding incident report if needed.

The Winona Lake Police Department is located on the edge of Grace's Clery geography. Its close proximity to the campus allows for timely responses and promotes a good and cooperative relationship with the Grace campus community.

STAFF TRAINING

All regular, campus safety staff are trained in CPR/AED (every 2 years), basic first aid, bloodborne pathogens, Title IX policies, and other workplace related topics such as workplace violence and personal safety.

For a summary of training for campus safety staff and officers, see [Appendix E](#).



EMERGENCY CONTACTS AND COMMUNITY RESOURCES

Students and employees are provided the following guidance in the case of emotional, physical, environmental, or other safety emergencies.

Campus safety recommends that all students and employees include campus safety and local law enforcement numbers in their cell phone and desk phone contacts.

EMERGENCY CONTACTS

For a police, fire, or medical emergency, call **911** or use a campus code blue phone.

When calling **911** or campus safety at **574-269-5344**, remember to:

- Speak clearly and slowly
- Identify yourself
- Identify the problem and/or request
- Identify the extension if calling from an on-campus phone
- Identify your location or address as specifically as you can

For urgent safety hazards such as downed wires or gas leaks:

Grace College Campus Safety (McClain)	574-269-5344
Physical Plant on-call (cell phone)	574-527-2380
Grace College RD on call (cell phone)	574-635-5737

NON-EMERGENCY CONTACTS

Grace College Assistance

For emotional, physical, or safety emergencies.

Campus Safety (McClain)	574-269-5344
Counseling Services (Indiana Hall)	574-372-5100 x6472
Director of Counseling (GHWC)	574-372-5100 x6069
Health Services (GHWC)	574-372-5100 x6472
Nurse (GHWC)	574-372-5100 x6426
RD on call (cell phone)	574-635-5737
Student Disabilities Services (library)	574-372-5100 x6423
Physical Plant (maintenance – regular business hours)	574-372-5100 ext. 6367
Physical Plant (maintenance – after 4:00 pm or weekends)	574-269-5433

Local Assistance – Law Enforcement

Winona Lake Police Department 1310 Park Ave, Winona Lake, IN 46590	574-267-8622
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Warsaw Police Department 2191 Ft Wayne St, Warsaw, IN 46580	574-372-9511
Kosciusko County Sheriff's Department 221 West Main St, Warsaw, IN 46580	574-267-5667

Local Assistance – Medical Treatment

Ft. Wayne Sexual Assault Treatment Center hotline 1420 Kerrway Ct, Fort Wayne, IN 46805 Patient Resources	260-423-2222
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Kosciusko Community Hospital 2101 East DuBois Drive, Warsaw, IN 46580	574-267-3200
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Lutheran Health Network 1210 Provident Drive, Warsaw, IN 46580	574-269-8338
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Parkview Hospital – Warsaw 1355 Mariners Drive, Warsaw, IN 46582	574-372-0000
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Local Assistance – Mental Health Counseling

Bowen Center – 24-hour emergency service	800-342-5653
Bowen Center – Warsaw 850 North Harrison, Warsaw, IN 46580	574-267-7169

Area Assistance – Victim Services

Beaman Home – Warsaw 603 Parker St, Warsaw, IN 46581	877-725-9363
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Center for Nonviolence 235 W. Creighton Ave., Ft. Wayne, IN 46807	260-456-4112
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Ft. Wayne Sexual Assault Treatment Center hotline 2270 Lake Ave #201, Fort Wayne, IN 46805 Patient Resources	260-423-2222
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Rape Crisis Hotline, Ft. Wayne Women's Bureau	888-311-7273
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Victim Advocate – Winona Lake Police Department (desk) 1310 Park Avenue, Winona Lake, IN 46590	574-385-2323
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Victim Assistance Program (prosecutor's office) 121 North Lake Street, Warsaw, IN 46580	574-372-2419
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Hotlines and Resources - National

Domestic Violence (TTY and Spanish also available)	1-800-799-SAFE (7233)
Sexual Assault (RAINN: Rape, Abuse & Incest Nat'l Network)	1-800-656-HOPE (4673)
Substance Abuse (SAMHSA – English and Spanish)	1-800-662-HELP (4357)
Suicide Prevention (also available TTY and Spanish)	1-800-273-TALK (8255)

Click [here](#) for the following comprehensive list of national resources for sexual assault survivors and their loved ones:

1. General information for victims
2. Asian, Native Hawaiian, and Pacific Islander Survivors
3. Black survivors
4. Child abuse and sexual abuse
5. College students
6. Domestic, dating, and intimate partner violence
7. Human trafficking
8. Immigrant survivors
9. Incest
10. Indigenous survivors
11. Latinx survivors
12. Legal resources
13. LGBTQ survivors
14. LGBTQ survivors of color
15. Male survivors of sexual assault
16. Medical and physical health
17. Mental health
18. Military resources
19. Stalking
20. Sexual assault prevention
21. Suicide and self-harm
22. Survivors with disabilities
23. International or Americans abroad

SAFETY OF THE CAMPUS

ACCESS TO CAMPUS BUILDINGS

Policy: For the protection of its campus facilities, students, and employees, Grace College restricts access to its facilities depending on the hours of operation, function of the building, and nature of events on campus.

During business hours, Grace facilities (excluding residence halls) are open to students, parents, employees, contractors, and guests.

During non-business and non-event hours, access to all facilities is by authorized key, access card, or by admittance via campus safety. All academic and administrative buildings are locked by 12:00 pm during weekdays and typically remain locked during the weekend unless authorized faculty and staff request access for business or other functions. They are unlocked each morning at 7:00 a.m.



Grace, at its discretion, may limit access to the campus at any time to anyone when it is determined to be in the best interest of the campus community for public safety reasons. Limited access may also include no-contact and campus separation directives or a no trespass letter issued by the Grace. No trespass and court-ordered protective orders will be enforced by campus safety with the assistance of local law enforcement as needed.

BUILDING IDENTIFICATION

Grace has an entrance identification system whereby each door on every campus building is numbered to assist first responders in responding more quickly in case of an emergency. Employees and students should be familiar with the door numbering of buildings in which they live, work, and attend class.

CROSSWALK SAFETY

Grace College is a “walking campus;” therefore, drivers are expected to anticipate and yield to pedestrians. The *Student Handbook* defines traffic policies that apply to all faculty, staff, students, and visitors operating vehicles on the campus. To promote greater awareness of pedestrians in public crosswalks, campus safety places pedestrian crosswalk signage in two heavily trafficked areas.

ID CARDS

All students and employees are to have Grace College and Seminary identification on their person at all times when on campus. Faculty and staff are required to wear their ID visibly or their institution-issued name badge or official uniform (if applicable) at all times when on campus to enable employees and students to identify each other and for campus safety to quickly identify unauthorized people located on campus property. In addition, ID cards and key proxies allow campus safety and the physical plant to monitor building access through digitized access cards.

ID cards are a valid form of personal identification so ID photos are not to be covered or defaced in any way. Students or employees who lose their card are to immediately obtain a replacement at the Morgan Library. Everyone issued an ID card is urged to use it responsibly and properly and to have it with them daily when they are on the Grace campus.

Employees and students noticing an unauthorized visitor or suspicious person should immediately report the situation to campus safety at **574-269-5433**.

SECURITY OF RESIDENCE HALLS

Policy: Access to residence halls is restricted to resident directors, student residents, their approved guests, and other approved members of the campus community.

All but one of the traditional residence halls are accessed through an electronic access system (proximity scanners and student ID cards) for exterior doors and/or hallways. The main entrance of Kent Hall (the one traditional residence hall without electronic access) is locked at 10:00 p.m. and opened at 7:00 a.m. during the week and on weekends.

Residential housing, designated as either “traditional dormitory” or “apartment-style,” is intended for unmarried students and divided by gender on each floor. Lamp Post Manor, with 12 apartment units, is leased to married or graduate students on a monthly or annual term.

“Open” hours for all residence halls is from 7-11:00 p.m. every Friday and Saturday. All residence halls housing male and female students have lobbies open at all times for residential students only. During vacation/holiday periods, most residence halls are closed but remain monitored by campus safety.

Fire alarm systems are in all campus-owned residence halls and monitored 24-hours a day by an alarm monitoring service. In the event of a fire, the alarm monitoring service automatically dispatches the fire department and notifies the campus safety on-shift officer and the director of campus safety.

Campus safety staff routinely patrol the campus including residence halls. Residence hall staff, including resident advisors, assistant resident directors, and resident directors, enforce security policies in the residence halls to promote a safe and respectful living community.

Students locked out of their rooms may be assisted by contacting their RA, RD, or a campus safety officer if the RA or RD is not available.

Staff Entering Student Rooms

Occasionally, Grace College staff members including members of the residence life staff (RDs, ARDs, RAs), must enter student rooms for maintenance and repairs or to check rooms for safety and health reasons. Grace staff, however, will typically only enter a room during day-time business hours (unless there is a maintenance or other emergency).

All staff members, including campus safety staff, are to announce their presence by knocking before entering. If there is no response, or in the case of an emergency, the staff member and/or campus safety may use the master key to enter a student’s room. Typically, this is done with the assistance of residence life staff. Campus safety staff also announces itself when entering the hall floor. .

Physical plant and maintenance staff will enter a student’s room to make repairs if the student has previously granted permission for the staff member to enter. Permission is granted when students inform their RA, RD, or physical plant staff of a maintenance request.

Campus safety staff may also be present in the residence halls during fire drills.

Guests in the Residence Halls

Any guest in a residence hall (including lobbies) after curfew must be registered per the overnight guest registration policy. Guests are the responsibility of the student host and should remain with their student host at all times.

SAFETY OF CAMPUS FACILITIES

Security Cameras

Grace has installed security cameras in some high traffic areas and those with high levels of public access. These strategic locations can be observed by the campus safety office and the physical plant. Cameras are not installed inside residence halls or living spaces. Signage is posted at building entrances and in parking lots in which security cameras are in use.

Building Security

Campus safety staff check and secure offices and campus facilities nightly and report any operating deficiencies to the physical plant. Academic and administrative buildings are locked every night by midnight Sunday through Thursday and by 1:00 am on Friday and Saturday. They are open each morning before 7:00 am. Parking lots and facilities are actively patrolled by the campus safety staff and part-time police officers during their shifts.

Facility and Equipment Maintenance

The physical plant is responsible for the upkeep and repair of campus facilities including custodial services, grounds, carpentry, painting, plumbing, electrical, snow removal, utility generation, transportation, event setup, key distribution and lock smithing, and preventative maintenance.



During regular business hours (7:00 a.m. to 4:00 p.m.), maintenance and safety-related issues associated with campus facilities are to be reported to the physical plant at **574-372-5100 x6367**. Maintenance and safety emergencies occurring after hours should be reported to campus safety at **574-269-5433**.

Safety concerns or hazards associated with the campus' grounds and physical facilities are reported to the physical plant and documented in the daily campus safety *Activity Log*. Prompt reporting of maintenance and physical facility needs promotes safety for all those who live, work, or visit the campus, and security-related maintenance issues are given first priority.

Employees and students should not enter restricted areas on campus such as boiler rooms, mechanical rooms, machine shops, food prep areas, or hazardous work areas unless authorized to do so.

First aid kits are inspected and refilled monthly by the vendor. AEDs (automated external defibrillators) are monitored by campus safety. Fire extinguishers are inspected by a fire extinguisher services vendor. Fire panels are monitored by the physical plant's electrician and campus safety as well as by Automated Logic, Grace's fire security system.

There are carbon monoxide detectors in locations with a gas inlet such as mechanical rooms, restrooms, and areas in which there is a furnace or hot water tank, as well as in common residence hall lounges. They are supplied electrically with a battery back-up and checked quarterly by a member of the physical plant. All three chemical storage locations on campus are in federal and state compliance and safety data is displayed in those locations.

EMERGENCY PROCEDURES

Each year, campus safety updates the written [emergency procedures](#) posted on every floor in each building. Emergency procedures are also posted in every residence hall. Specific to each location, these procedures include contact information for emergencies and non-emergencies, the physical location of the building, the fire evacuation site, severe weather shelter, and brief instructions for medical emergencies, evacuation, fire, severe weather, power outages, campus crisis (shelter), suspicious person, bomb threat/suspicious package, and the Grace Alert system. The location of AEDs and first aid kits are also included in the emergency procedures.

NO CONTACT ORDERS

Grace does not issue protective orders; however, it does issue no-contact and campus separation directives and no-trespass letters, all of which may be initiated by student affairs, campus safety, or the Title IX Office. No-trespass letters can be issued by Grace.

Complainants may seek an order of protection, restraining order, or other similar lawful court order, but are not required to do so. Grace or the local victim's service center can assist parties in understanding their legal options. Information can be requested from Grace's campus safety or Title IX offices. Grace will comply with and enforce lawful protective orders.

PERSONAL SAFETY AND CRIME PREVENTION

Safety and security are the responsibility of all Grace's members, and the cooperation of the entire campus community is critical to the prevention of crime and protection of both individuals and property. It is essential that everyone, especially students living in residence halls, follows established procedures and takes simple precautions to avoid emergency, crime, or other safety situations.



Enrolled students and employees may access the campus safety page of the portal for safety-related information such as vehicle and parking information, fire safety and weather, law enforcement links, general safety information, campus safety personnel information. In addition, this *Annual Security and Fire Safety Report* contains valuable and essential information about campus security practices.

The following suggestions will help keep students, employees, and guests safe as well as protect personal and campus property.

General Safety

- Include campus safety (574-269-5433) and local law enforcement in cell phone and desk phone contacts and know where the campus' code blue phones are.
- Immediately report any persons looking or acting suspiciously to campus safety (574-269-5433) or call 911.
- Be alert and aware. Pay attention to who is around you when you are in public. Avoid texting and talking on the phone while walking.
- Travel well-lighted, busy routes with your keys in your hand as you approach your door and car.
- There is safety in numbers. Don't make yourself a target. Go out at night with a friend or two.
- Campus safety will provide a safe escort throughout the campus or a safe ride to your place of residence during the evening hours.
- [Weapons](#) must be registered with the Campus Safety Department or not brought to campus.
- Advise campus safety if you have a protective order issued against an individual or that cites Grace College as a protected location.
- Be aware of email scams and solicitation for jobs, requests for money, or requests for photos that appear suspicious and report them to campus safety.
- Immediately report to the physical plant any doors, locks, windows, equipment, or facilities in need of repair.
- Keep a reasonable and safe distance and take extra precaution if you see maintenance activity.
- Do not enter construction sites unless authorized. Hard hats may be required for entry.

Personal Property

- Record the serial numbers of your property and mark personal items with your name or other traceable identification.
- Keep your credit cards, debit cards, passports, and other important documents secure and out of sight.
- Carry limited amounts of cash. Only carry credit cards you need.
- Do not leave valuables or cash unprotected. Keep small valuables, such as money, wallets, backpacks, purses, and jewelry out of sight.
- Carry purses and wallets near your body and avoid looping handles and straps around you.
- Leave items of high value at home.
- Obtain renters insurance or private property insurance for protection.
- Report all suspected cases of theft immediately to campus safety **574-269-5344**.

Residence Halls and Apartments

- Always keep your room locked and keep your keys with you.
- Do not prop any door open.
- Do not attach your name and address to your room keys.
- Never lend your room keys or your student ID card to anyone.
- Do not leave your door unlocked because your roommate has lost his/her key.
- Report lost or stolen room keys immediately.
- Do not give unidentified persons or strangers access to a residence hall or your room.
- Do not give out your personal information or a friend's personal information to strangers.
- Do not leave messages on your door about your whereabouts.

Pedestrian Safety

- Use the cross-walks and follow the posted road signs when crossing the streets.
- Safety in parking lots should be observed by bicycle riding, skateboarding, and foot crossing in designated areas.
- Follow the direction of campus safety or law enforcement personnel who manage traffic and assist with pedestrian crossing.

Vehicles and Bicycles

- Check under, around, and in your car before you get in.
- Register your vehicles, motorcycles, scooters, and bicycles with campus safety.
- Keep your keys with you at all times.
- Put valuables in the trunk of a car rather than in full view.
- Follow posted signage related to parking and safe driving. Grace College is a "walking campus" so all drivers should anticipate and yield to pedestrians.
- Park cars, motorcycles, and bicycles in the designated areas. Keep them locked at all times.
- Do not park in isolated areas.

- Do not block fire lanes, fire hydrants, or handicap-designated parking.
- Do not park, house, or store motor-driven vehicles inside any residence hall.

SAFETY POLICIES AND PROCEDURES

EMERGENCY MANAGEMENT MANUAL

Grace has an institutional *Integrated Emergency Response and Compliance Manual* that addresses a variety of emergency, safety, and crisis-related topics to articulate the policies and procedures that guide its responses to student, employee, guest, or community needs. For example, guidelines are provided related to criminal activity, hazards, weather-related, medical, operational, and mechanical, utility, and telecommunication failures.

REPORTING A CRIME

Policy: Members of the Grace community should promptly and accurately report crimes or emergencies happening on campus to campus safety staff, [campus security authorities](#), or to law enforcement.

Any member of the Grace College and Seminary community has the right to notify local law enforcement of a crime at any time. Student affairs, campus safety, Title IX or other campus staff will gladly assist with contacting the local law enforcement when requested. It is important that crimes are reported in a timely, accurate way.

For the purposes of making a [timely warning](#) report and the annual disclosure of crime statistics, students or employees who are victims of or witnesses to a crime can report a crime in the following ways:

1. Calling local law enforcement at **911** in an emergency
2. Calling Campus Safety at **574-269-5534** and making the report to:
 - a. Director of Campus Safety
 - b. Lead Campus Safety Officer
 - c. Campus Safety Officers
 - d. Campus Safety Liaison
3. Reporting in person at the campus safety office in McClain Hall to one of the **staff** named above
4. Notifying a Grace [Campus Security Authority](#) (CSA)
5. Using the anonymous Complaint Notification Form on the institution's [web site](#)

Reporting a Crime to a Confidential Source

Policy: If and when appropriate, Grace's chaplain or one of its mental health counselors will inform individuals they are counseling of the procedures to report crimes on a voluntary, confidential basis for inclusion in the institution's [annual disclosure](#) of crime statistics.

Confidential Reporting of Crimes

Individuals, including the victim and witnesses, who report a crime to Campus Safety but want to remain anonymous can discuss this request with the director of campus safety or the director's designee who will make the determination of whether confidentiality can be maintained in consultation with other

campus administrators if needed. Individuals requesting confidentiality are advised that anonymity and confidentiality may limit the campus safety office's ability to thoroughly investigate the report.

Individuals making reports of crime to law enforcement and who wish these reports to remain confidential may request they be redacted and considered "sealed confidential" whereby law enforcement will not make them available to the media or other agencies. Some court cases and filings cannot be completely confidential. Individuals should make these requests for confidentiality directly to law enforcement.

In making a determination of confidentiality, the director of campus safety will consider factors such as, but not limited to, the following:

1. Risk of violence or threats of violence by the alleged perpetrator
2. History of violence from arrests/records from a previous school
3. Other complaints about the same individual
4. Whether the crime was perpetrated with a weapon
5. Whether the institution has other means to obtain evidence, such as security cameras or personnel, other students in a classroom, or physical evidence
6. Ability to provide a safe and nondiscriminatory environment for the campus community

The purpose of an anonymous report for crimes is to honor, when possible, the individual's request for confidentiality while taking steps to ensure the safety of that individual and others. It also permits the institution to keep an accurate record of crimes for inclusion in the annual security report; determine patterns of crime with regard to location, method, or assailant; and alert the campus to potential danger.

Regardless of the nature of the crime, staff assisting individuals who request anonymity should inform them of the procedures to report crimes on a voluntary, confidential basis for inclusion in the institution's annual disclosure of crime statistics. Reports of crimes, including those that are confidential, are counted and disclosed in the annual crime statistics reported by the institution.

Exception: In cases of reports to campus safety that may be a violation of the institution's sexual misconduct policies, however, campus safety staff are NOT confidential sources and are required to notify the Title IX Office. Confidential sources for reporting sexual misconduct or harassment at Grace are limited to the following:

1. Licensed counselors or interns supervised by Grace College Health and Counseling Services
2. Administrative staff in Grace College Health and Counseling Services
3. Dean of the Chapel (campus chaplain)
4. Campus nurse

5. Athletic trainers

Off-Campus Crime

If Winona Lake Police (WLPD) is contacted about criminal activity occurring off-campus involving Grace students, WLPD may notify campus safety. Although the WLPD is not required to provide such notification, because of its cooperative relationship with the college, it typically does.

Students and employees are required to abide by the laws of the local, state, national, and international governments both on- and off-campus and are subject to disciplinary action by the institution for violation of the law up to and including immediate suspension or termination.

Response to Reports of Crimes

Policy: The campus safety department responds to all reports of incidents and crimes in ways that protect the safety of students, employees, and guests of the campus as well as the surrounding community.

When a report is made to the campus safety department, an incident report and voluntary statement (if needed) are completed and logged to document the details of the complaint. An additional response may include investigation, follow-up, and referral to local law enforcement as appropriate as well as notification to campus administrators and the campus' safety committee for additional oversight as needed.

The institution cooperates with law enforcement investigations of crimes occurring on the Grace campus.

Whether on-campus or law enforcement investigations, [timely warnings and/emergency notifications](#) may be issued following the institution's established procedures.

MISSING STUDENT NOTIFICATION

Policy: If a member of the Grace College community has reason to believe that a residential student has been missing for 24 hours, he or she must immediately notify Grace College Campus Safety at 574-2695344. Campus Safety will generate a missing person report and begin an investigation.

1. Director of Campus Safety
2. Lead campus safety officer
3. A student campus safety officer
4. Winona Lake police officer

Students may designate a contact person who will be contacted first if the student is deemed missing. This “missing person contact” may be designated through the student affairs department. If a missing person contact is designated, then that person will be contacted instead of the parents/guardians or general emergency contact.

Students may register confidentially with this contact information. It will only be accessible to authorized campus officials and will only be disclosed to law enforcement personnel as related to a missing person investigation.

After investigating a missing person report, if Campus Safety determines the student has been missing for 24 hours, Campus Safety or Student Affairs will contact the student’s general emergency contact and/or the student’s parents or legal guardians. At this point the Winona Lake Police Department (WLPD) will also be notified about the missing person.

In the event the residential student reported missing is under the age of 18 and is not an emancipated individual, the student’s parent or legal guardian will be notified by campus officials no later than 24 hours after the student is determined to be missing in addition to notifying any additional contact person designated by the student.

SEARCH AND SEIZURE

The college will exercise its right to search students, their rooms, furnishings, personal property, computer hard drives, and/or motor vehicles for forbidden items such as illegal drugs, alcoholic beverages, tobacco, firearms, fireworks, pornographic material, etc., if there is reason to believe that an offense has taken place or is taking place. If possible, the student(s) involved is present during the search. The search may be made, however, even if the student(s) refuses to be present, and is conducted with the assistance of campus safety. The college reserves the right to confiscate any forbidden or misused items. The complete policy for search and seizure is available in the campus safety office.

WEAPONS

No weapons of any type are allowed on campus. This includes vehicles, rooms or storage areas and all other areas of Grace College property, both owned and rented. Any student in possession of a weapon must register and store the weapon at the campus safety office until other arrangements can be made. Violations of this policy will result in confiscation of the weapon(s), and the matter will be reported to the student affairs office and to the local law enforcement agency.

Weapons include, but are not limited to the following:

- Firearms - any device capable of, designed to, or that may readily be converted to expel a projectile.
- Knives - with a blade exceeding the legal length of 3 7/8 inches
- Martial arts - all forms of martial arts weapons including those used for training purposes
- Paintball guns, pellet guns, airsoft guns, potato guns

Grace's complete Weapons Policy is available from the campus safety department.

HAZING

No coarse jesting, ridiculing, or humiliating pranks under any condition is permitted. Any student participating in either a just-for-fun prank or in a deliberate hazing activity will be held responsible for his/her behavior. Regardless of motive or intent, any student participating in a prank-type activity which potentially endangers or adversely affects the physical and emotional well-being of another student can expect immediate and serious disciplinary action including the probability of suspension or dismissal. Any welcoming or introductory procedures related to classes or organizations must be approved by the advisor and the VP/Dean of Students at least three weeks in advance of the desired activity. All of these kinds of activities should be governed by biblical principles (i.e. I Cor. 10:31, Eph. 4:29, and I Thess. 5:11). The clear concepts are to do all things to honor God and, because Christ lives in you, to seek to encourage and build up one another.

According to Indiana Code 35-42-2-2.5, hazing is defined as criminal recklessness. Depending on circumstances it could result in a Level 6 Felony.

MAINTAINING AN ALCOHOL AND DRUG FREE CAMPUS

Grace College and Seminary is an alcohol, tobacco, and substance free campus.

In compliance with the *Drug-Free Schools and Communities Act of 1989*, Grace conducts and publishes a federally mandated biennial review of its alcohol and other drug (AOD) prevention program. A review committee, in consultation with other campus staff, assesses Grace's AOD-related initiatives, programs, and policies to determine whether any improvements are needed. This assessment considers all campus and community efforts that may serve to reduce employee and student alcohol and other drug use, even if they were not designed primarily for drug prevention purposes. The review committee validates Grace's enforcement procedures by evaluating institutional efforts to determine, prevent, and address violations of the institution's policies.

This biennial review is available to students, employees, and the public via the institution's [web site](#). It is retained in the school's administration and compliance office for three years after the fiscal year in which it was created.

The institution's [student](#) and [employee](#) policies regarding alcohol and substance use are available in full in this ASFR. Additionally, the athletic department provides discipline information specific to student athletes regarding tobacco, alcohol, and substance abuse violations.

Those interested in more information about Grace's response to the substance use among students and employees may contact:

- Norm Bakhit, Chief Human Resources Officer, (574) 372- 5100 x6074
- Chad Briscoe, Athletic Director, (574) 372-5100 x6261
- Aaron Crabtree, Dean of Students, (574) 372-5100 x6464
- Glenn Goldsmith, Director of Campus Safety, (574) 269-5344 or (574) 372-5100 x6483
- Becky Stowers, Associate Dean of Students, (574) 372-5100 x6473

Education and counseling related to alcohol or substance abuse are available from the [Counseling Center](#) to students attending the Winona Lake campus. Any student needing additional or off-campus medical or other ancillary services, including support groups, will be assisted by staff in the counseling center.

Help for employees, including employee assistance benefits, is described in detail in the institution's policy, provided as an [appendix](#) to this report.

See [Emergency Contacts and Community Resources](#) for additional contact information.

DISCLOSURE OF CRIME STATISTICS

CLERY GEOGRAPHY

The campus safety department maintains records of the appropriate geographic categories to which its property and buildings belong, a current list of buildings and properties owned or controlled by Grace, and public property identified as within its campus or immediately adjacent to and accessible from the campus. Reportable statistics are for Grace College and Seminary's one campus location in Winona Lake, Indiana and also for its course delivery sites in Ohio.

Grace's Clery parameters are reviewed annually, most recently in September 2023 at which time we added three additional properties identified within in its geography. The specific campus boundaries are available from the campus safety office, and include the main Winona Lake campus as well as Boyer Apartments, Trail House, Lamp Post Manor and Oak Hill Apartments, all within one mile from the main campus and all house students.

The Clery Act requires institutions to disclose statistics for reported crimes based on where the crimes occurred, to whom the crimes were reported, the types of crimes that were reported, and the year in which the crimes were reported. Specifically, this geography means the physical parameters of reporting of statistics for crimes that occur:

1. On campus

- 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; and
- Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

2. On campus - residence halls

- Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

3. On public property within or immediately adjacent to the campus

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

4. In or on non-campus buildings or property that Grace owns or controls

- 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 geographic area of the institution.

- The following statistics, therefore, are reported according to where they occurred. Statistical information for certain off-campus locations or property owned or controlled by Grace, as well as public property within or immediately adjacent to campus, is requested by the campus safety department from local law enforcement agencies with jurisdiction over those properties and geography.

Reports also include statistics for buildings and properties that Grace owns or controls, are reasonably contiguous to one another, and support or relate to Grace's educational purposes. Buildings and properties that are reasonably contiguous include those in location that students and the institution consider to be, and treat as, part of Grace's campus. In general, locations within one mile of Grace's campus border and within or immediately adjacent and accessible from campus are considered to be reasonably contiguous with the campus.

The crime statistics provided in this report are for the Winona Lake, Indiana campus and the Bath, Ohio location.

Buildings owned or operated by Grace College and, therefore, part of its Clery geography are listed in the [Appendices](#) and designated as residential or administrative.

ANNUAL DISCLOSURE OF CRIME STATISTICS

Policy: In compliance with federal law, Grace's yearly crime statistics for its Clery geography are compiled on a calendar-year basis by a core team of staff.

The campus safety department maintains the records associated with the institution's statistics.



The issue of campus safety, including academic, financial, and geographic considerations, is a vital concern. Members of the campus safety department, the director of residence life/conduct officer, and the vice president of administration and compliance serve as the core team to prepare the annual security report, but obtain information from other campus offices as they relate to disclosure of its crime statistics.

The crime statistics reported in this security report are in accordance with the [definitions](#) of crimes provided by the FBI for use in the *Uniform Crime Reporting* (UCR) system. This report includes statistics regarding crimes that occurred on campus and that were reported to campus safety or Grace's [campus security authorities](#). This report also includes statistics for referrals for campus disciplinary action for liquor, drug and weapon law violations as required under the Clery Act.

Most crimes are classified using the “hierarchy rule,” which is the requirement in the FBI’s UCR program for purposes of reporting crimes in that system when more than one criminal offense is committed during a single incident. In those cases, only the most serious offense is reported in the institution’s Clery Act statistics.

An exception to the rule would apply in cases where a sexual assault and a murder occur in the same incident. Additionally, the hierarchy rule does not apply to hate crimes, crimes required by the *Violence Against Women Act* (dating violence, domestic violence and stalking), or to drug, liquor and weapon law violations.

The crime statistics in this security report reflect disclosure of incidents that are reported to campus safety, campus security authorities, or local police agencies for the three calendar years (2020-2022) preceding the year in which the report is disclosed (2023).

Individuals reporting crimes to a confidential source on campus (e.g., chaplain, counselor, counseling intern, counseling staff, athletic trainer) are advised that they can make a police report and/or choose to have information that they limit provided confidentially to the campus safety office to include in the institution’s Clery statistics, which Grace does without inclusion of personally identifiable information.

CAMPUS SECURITY AUTHORITIES

The Clery Act expects Grace to report and collect accurate campus crime data and promote crime awareness and enhance campus safety. The intent of designating non-law enforcement personnel as CSAs is to recognize that students, employees, and others who are hesitant to report a crime to the police or campus safety may be willing to report incidents to other campus individuals. Grace, therefore, has designated certain students and employees as campus security authorities (CSAs) who have federally mandated responsibilities to report crimes that are reported to them.

CSAs are identified annually and trained in their responsibilities to collect and report data associated with crimes. A list of the institution’s CSAs is available upon request from the campus safety department.

STATISTICS FROM LOCAL LAW ENFORCEMENT

In complying with the federal requirements to report crime statistics, the campus safety department sent letters of request for crime statistics to the Winona Lake, Indiana Police Department and the Bath, Ohio Police Department as they are considered part of the institution’s Clery geography with programs in operation during the calendar year 2022. It received documentation from both Winona Lake and Bath, Ohio.

DAILY CRIME LOG

Campus safety staff maintains a daily incident log of all reportable activities, both criminal and noncriminal, which are assigned a case number. Only those incidents associated with criminal activity

are listed on the daily crime log. Crimes are recorded by the date they are reported and listed in chronological order, with the most recent crimes at the bottom of the log.

Campus safety may withhold some information if there is clear and convincing evidence that releasing it would jeopardize an ongoing criminal investigation or safety of the individual, cause the suspect to flee or evade detection, or result in the destruction of evidence. It will disclose any withheld information once the adverse effect is no longer likely to occur.

The director of campus safety, the lead campus safety officer, and campus safety officers are trained to maintain the log. The crime log includes:

1. The nature of the crime
2. The date and time the crime occurred
3. The general location of the crime within Grace's [Clery geography](#)
4. The disposition of the complaint, if known

Campus safety will make the crime log for the most recent 60-day period open to public inspection during regular business hours. Information in the log older than 60 days will be made available on request within two business days by campus safety during normal business hours by contacting the director of campus safety.

CLERY CENTER CRIME CATEGORIES AND DEFINITIONS

Under the Clery Act, for the purposes of counting and disclosing criminal offense, hate crime, arrest and disciplinary referral statistics, the definitions provided by the Federal Bureau of Investigation's (FBI's) *Uniform Crime Reporting Program* (UCR) are used.

1. The definitions for murder, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, weapons carrying, possessing, etc. law violations, drug abuse violations, and liquor law violations are from the *Summary Reporting System (SRS) User Manual* from the FBI's UCR Program.
2. The definitions of fondling, incest and statutory rape are from the *FBI's National Incident-Based Reporting System (NIBRS) Data Collection Guidelines* edition of the UCR.
3. Hate crimes are classified according to the FBI's *Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual*.

The Clery Act specifies that definitions for the categories of domestic violence, dating violence, and stalking provided by the *Violence Against Women Act of 1994* and repeated in the Department's Clery Act regulations must be used.

Clery Crime Categories and Definitions

The following are the four general categories of crime statistics with definitions (*Handbook for Campus Safety and Security Report 2016*).

Criminal Offenses

- **Criminal Homicide:**
 - a. **Murder and Non-Negligent Manslaughter:** the willful (non-negligent) killing of one human being by another.
 - b. **Negligent Manslaughter:** the killing of another person through gross negligence.
- **Sexual Assault (Sexual Offenses):** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Sexual offenses include:
- **Rape:** 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.
- **Fondling:** 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 or physical incapacity
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.
- **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
- **Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.
- **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, public building, motor vehicle or aircraft, personal property of another, etc.
- **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned; includes joyriding.)

Hate Crimes

- **Hate (or bias-related) Crimes:** Criminal offenses that manifest evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Although there are many possible categories of bias, under the Clery Act only the following eight categories are reported: race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability. Criminal offenses that are reported include all of the above as well as these additional hate crimes:

- **Larceny-Theft (Except Motor Vehicle Theft)** - The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.
- **Simple Assault** - An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Intimidation** - To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction/Damage/Vandalism of Property** - To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

VAWA Offenses

- **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. 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. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.
- **Domestic Violence:** Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or 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.
- **Stalking:** A course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress. For the purposes of this definition:
 - *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.
 - *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
 - *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Arrests and Disciplinary Referrals ●

Alcohol Violations:

- **DWI** – Driving a vehicle under the influence of an alcoholic beverage or drug.
- **Possession/ Consumption** – Possession of an alcoholic beverage or consuming an alcoholic beverage under the age of 21. Grace College campus maintains a zero-tolerance policy (age is not a factor).
- **Liquor Law Violations:** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and 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).
- **Weapon 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; and all attempts to commit any of the aforementioned.

Other Definitions:

- **Arrest:** Persons processed by arrest, citation or summons including those arrested and released without a formal charge placed against them, juveniles taken into custody or arrested but merely warned and released without being charged, any situation in which a young person in lieu of arrest is summoned, cited, or notified to appear before the juvenile or youth court or similar official for a violation of the law, only violations by young persons where some police or official action is taken beyond a mere interview, warning or admonishment.
- **Referred for disciplinary action:** The referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction. At Grace, this is referred to as a conduct panel.

Unfounded Crimes

Since 2015, institutions have been required to include in their web-based crime statistics survey and their annual security report the statistics for the total number of crime reports that were “unfounded” and subsequently withheld from crime statistics during each of the three most recent calendar years.

A crime is considered “unfounded” for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless. Crime reports can only be properly determined to be false if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner.

A reported crime cannot be designated “unfounded” if no investigation was conducted or the investigation was not completed. Nor can a crime report be designated unfounded merely because the

investigation failed to prove that the crime occurred; this would be an inconclusive or unsubstantiated investigation. As such, for Clery Act purposes, the determination to unfound a crime can be made only when the totality of available information specifically indicates that the report was false or baseless.

UNFOUNDED CRIMES		
YEAR	NUMBER	CRIME CLASSIFICATION
2022	0	N/A/
2021	0	N/A
2020	0	N/A

CRIME STATISTICS

WINONA LAKE, INDIANA (MAIN CAMPUS)

OFFENSE	YEAR	GEOGRAPHIC LOCATION – Winona Lake				
		On-campus	* On-Campus Student Housing	Non-campus Property	Public Property	TOTAL
Murder/Non-Negligent Manslaughter	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Manslaughter by Negligence	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Rape	2022	1	0	0	0	1
	2021	1 ¹	0	0	1	2 ³
	2020	1	0	0	0	1
Fondling	2022	3	1	0	0	3
	2021	0	0	0	1	1 ²
	2020	0	0	0	0	0
Incest	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Statutory Rape	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Robbery	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Aggravated Assault	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Arson	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Burglary	2022	1	0	0	0	1

	2021	3	3	0	0	3
	2020	1	1	0	1	2

* Under the Clery Act, an institution that has on-campus student housing facilities must separately disclose two sets of on-campus statistics to include the total number of crimes that occurred on campus including crimes that occurred in student housing and the number of crimes that occurred in on-campus housing facilities.

1 This rape is connected to a dating violence report (see #1 in the chart on the next page)

2 Fondling occurred in an unknown location near the lake, Winona Lake

3 A rape occurred in an unknown location possibly in the Town of Winona Lake

OFFENSE	YEAR	GEOGRAPHIC LOCATION – Winona Lake				
		On-campus Property	*On-Campus Student Housing	Non-campus Property	Public Property	TOTAL
Motor Vehicle Theft	2022	0	0	0	0	0
	2021	12	0	0	0	12⁴
	2020	0	0	0	0	0
Hate Crimes	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Domestic Violence	2022	0	0	0	0	0
	2021	0	0	0	1	1
	2020	0	0	0	2	2
Dating Violence	2022	0	0	0	0	0
	2021	1 ⁵	0	0	3	4¹
	2020	0	0	0	0	0
Stalking	2022	1	0	0	0	1
	2021	1	1	0	0	1⁶
	2020	1	0	0	0	1⁷
Liquor Law Violation/Arrests	2022	0	0	0	0	0
	2021	4	4	0	1	5
	2020	2	2	0	1	3
Drug Law Violation/Arrests	2022	0	0	0	0	0
	2021	1	1	0	1	2
	2020	0	0	0	2	2
Weapons Law Violation/Arrests	2022	0	0	0	0	0

	2021	0	0	0	0	0
	2020	0	0	0	0	0
Liquor Law Disciplinary Referrals	2022	10	5	0	0	10
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Drug Law Disciplinary Referrals	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0
Weapons Law Disciplinary Referrals	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2020	0	0	0	0	0

* Under the Clery Act, an institution that has on-campus student housing facilities must separately disclose two sets of on-campus statistics to include the total number of crimes that occurred on campus including crimes that occurred in student housing and the number of crimes that occurred in on-campus housing facilities. 4 Winona Lake police identified stolen Catalytic Converters as Vehicle thefts

5 A Dating violence is connected to a rape

6 Stalking occurred via email 2021 7 The stalking in 2020 was via text.

BATH AND NORTON, OHIO (UNDERGRADUATE AND SEMINARY) COURSE DELIVERY SITES

OFFENSE	YEAR	GEOGRAPHIC LOCATION – Bath, OH			
		On-campus Property	Non-campus Property	Public Property	TOTAL
Murder/Non-Negligent Manslaughter	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Manslaughter by Negligence	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Rape	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Fondling	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Incest	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0

Statutory Rape	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Robbery	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Aggravated Assault	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Arson	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Burglary	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Motor Vehicle Theft	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0

BATH AND NORTON, OHIO (UNDERGRADUATE AND SEMINARY) COURSE DELIVERY SITES

OFFENSE	YEAR	GEOGRAPHIC LOCATION – Bath, OH			
		On-campus Property	Non-campus Property	Public Property	TOTAL
Hate Crimes	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Domestic Violence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Dating Violence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Stalking	2022	0	0	0	0

	2021	0	0	0	0
	2020	0	0	0	0
Liquor Law Violation/Arrests	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Drug Law Violation/Arrests	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Weapons Law Violation/Arrests	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Liquor Law Disciplinary Referrals	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Drug Law Disciplinary Referrals	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Weapons Law Disciplinary Referrals	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

Grace College and Seminary has course delivery sites at Bath, Ohio for undergraduates and Norton, Ohio for seminary students. There are no dorms, staff offices, or support services on site at either of these locations.

EMERGENCY RESPONSE AND EVACUATION NOTIFICATIONS

It is important to become familiar with the institution’s evacuation procedures before an emergency occurs. The following information is provided to promote and enhance the safety of those living, working, or visiting the campus, as well as the safety of all those responding to an emergency associated with the institution’s property and buildings within its Clery geography.

DISSEMINATING INFORMATION AND TESTING PROCEDURES

Grace has emergency building directories, posters, and signage to assist with evacuation and emergency procedures. Mass emails, and text alerts are tested at least once on an annual basis. Campus safety staff conduct fire drills at least twice annually in the residence halls and annually in administrative buildings.

TIMELY WARNINGS AND EMERGENCY NOTIFICATIONS

Policy: Grace College will immediately notify the campus community (or designated segments of the community) upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

	Timely Warning	Emergency Notification
Scope	Clery crimes, reported to CSAs	Significant emergency, dangerous situation
Triggered by	Crimes that occurred and represent an ongoing threat	Event currently occurring on or imminently threatening campus
Where event occurs	Anywhere on Clery Geography	Only on campus
How soon to issue	As soon as information is available	Immediately upon confirmation of situation

Timely Warnings

Timely warnings are issued for a Clery crime category that Grace's director of campus safety or other [campus security authority](#) considers a serious or continuing threat to students or employees; determines will aid in the prevention of similar crimes; and are reported or believed to have occurred on campus, in campus residence halls, non-campus buildings or property, or public property contiguous to the campus (*DOE Handbook 2016*).

1. Clery Act crime examples include but are not limited to:
 - a. Criminal homicide
 - b. Sexual offenses (stranger or acquaintance)
 - c. Robbery
 - d. Aggravated assault
 - e. Burglary
 - f. Motor vehicle theft
 - g. Arson
 - h. Hate crimes

- i. Emergency situations that are life threatening (e.g., person with a weapon, threat of violence)
 - j. Any act or immediate threat of interpersonal violence (e.g., consistent pattern of violent behavior, hate crimes, domestic situations)
2. Timely warnings are issued when they have met the following four conditions, but Grace has the discretion to issue timely warnings in other situations as well:
 - a. Clery crime
 - b. On Clery geography
 - c. Reported to a campus security authority or local police agency
 - d. Considered by the institution to represent a serious or continuing threat to students and employees
3. Timely warnings are issued as soon as pertinent information is available, contain information about the type of criminal incident that has occurred, and are not limited to violent crimes or crimes against persons.
4. Timely warnings should be issued even when all the facts surrounding a criminal incident representing a serious and continuing threat to students and employees are not available. Timely warning should be issued if it cannot be determined with certainty that no further threat exists.
5. Each report is evaluated on a case-by-case basis, including factors such as the following:
 - a. The nature of the crime
 - b. The continuing danger to the campus community
 - c. The possible risk of compromising law enforcement efforts
6. Timely warnings should reach the entire campus.

Emergency Notifications

Emergency notifications are triggered by any significant emergency or dangerous situation occurring on the campus involving an immediate threat to the health or safety of students. (*DOE Handbook 2016*).

1. Examples of significant emergencies or dangerous situations include, but are not limited to:
 - a. Approaching severe weather
 - b. Medical outbreak (meningitis, norovirus, other serious illness)
 - c. Natural disaster
 - d. Gas leak or environmental hazard
 - e. Terrorist incident
 - f. Armed intruder
 - g. Bomb threat
 - h. Civil unrest or rioting

- i. Explosion
 - j. Chemical or hazardous waste spill
2. Emergency notifications could overlap and include a Clery crime such as a shooting, but also cover crimes not reportable under Clery as well as non-criminal incidents, such as an outbreak of a communicable illness, an impending weather emergency, or a gas leak.
3. Notifications are issued without delay upon confirmation of the emergency by responsible authorities pre-identified by the institution in their annual Clery Act reports.
4. Emergency notifications are usually more localized than timely warnings; therefore, may target just the segment of the campus at risk (e.g., a chemical leak in a science lab may only threaten those on the floor of that particular building where the lab is located).
5. Emergency notifications have a wide focus on any emergency or dangerous situations (including Clery crimes) and apply to situations that are currently occurring on or imminently threatening the Grace campus.

Procedures for Issuing Timely Warnings and Emergency Notifications

1. Grace will, without delay and considering the safety of the campus, determine the content of the notification and initiate the notification system (Grace Alert), unless issuing the 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.
2. The Grace Alert system is used by the Campus Safety Department to issue campus-wide timely warnings and emergency notifications. The director of campus safety or the director's designated staff (typically the lead campus safety officer or campus safety liaison) will send the Grace Alert. Requests for timely warnings and emergency notifications may come from campus safety officers, local law enforcement, identified [Campus Security Authorities](#) (CSAs), or the Crisis Assessment Team.

Disseminating Timely Warnings and Emergency Notifications

Employees and students are asked to enroll in Grace's emergency alert system via the campus portal so that timely warnings and emergency notifications can be sent using a variety of methods, including cell phone, campus email, and SMS text messaging. Warnings may also be issued through social media, personal communication (e.g., room by room), or a combination of any of these methods.

The information supplied by those enrolling in the alert system is used only for the purpose of conducting Grace business.

Depending on the particular circumstances of the crime or emergency, especially in situations that could pose an immediate threat to the community and individuals, the Integrated Emergency Responses Plan is used to determine next steps.

In determining if and how the broader community should be warned or notified, campus safety will follow the Integrated Emergency Response Plan and/or public agencies such as the fire, police, or health departments; Red Cross; local office of emergency management; or other emergency responders when making this decision.

Guidelines for Timely Warnings and Emergency Notifications

1. The initial communication should give warning to all the campus – with pertinent, accurate information that is known, especially the location of the crisis.
2. The communication should include all necessary information for the campus to protect itself. A general timely warning will include:
 - a. Type of reported crime
 - b. Time and location of reported crime
 - c. Specific advice for the campus to avoid becoming a victim

Unless it will make an immediate, material difference in public safety, avoid including:

- a. Descriptions of alleged suspects based on perceptions of ethnicity or race
 - b. Wording that could lead members of the community to feel stereotyped, marginalized, or profiled
3. Although personally identifiable information is generally excluded from disclosure, such information may be released in emergency situations per the *Dear Colleague Letter on Campus Security* (May 1996).
4. Updates can be sent if further relevant information or warnings emerge.
5. An “ALL CLEAR” should be sent only after approval from the police. Upon giving an all clear, a safe, large location would be identified as the designated gathering place for all of campus. This would serve as a “check in” location to account for students and employees as well as concerned friends and relatives.
6. These general procedures also apply to emergency notifications, which should accurately describe the emergency situation and include specific instructions to promote the safety of the campus community.

SHELTER IN PLACE

“Shelter-in-place” means finding a safe location indoors and staying there until given an “all clear” by campus safety. It is intended to reduce the risk of a threat that is imminent or may be approaching at a slower rate. It refers to a designated area of safety when it is not safe to go outside for reasons such as [severe weather](#), a pandemic, or major hazards.

Sheltering in place involves seeking cover from a storm or environmental threat, closing and locking doors and windows, staying at home and avoiding unnecessary trips out. An example of a shelter-in-place location is a small, interior room with no or few windows.

Timely warnings or emergency notifications from Grace Alert or another authoritative source will include instructions about taking shelter. Different situations, such as severe weather, can require different locations.

[Emergency relocation procedures](#) are provided in all employee offices and classrooms.

SHELTER IN PLACE AND LIMITED ACCESS

Lockdown prohibits people from leaving an area during a crisis, with specifics varying depending on the situation. Lockdown is typically declared for an active assailant in a public place and may look very different from sheltering in place. A lockdown could include:

1. Locking all doors and windows to prevent an intruder
2. Turning off lights and silencing phones
3. Staying within a building unless told otherwise
4. Staying within the borders of a particular location until told otherwise.

Lockdown is used to prevent an imminent threat or something that is currently happening or will happen very soon. It keeps people from coming in contact with an active assailant by going to places that can be secured. Ideally, such a space has phone and internet access, but the ability to secure the space is primary.

1. When possible, the [campus emergency notification system](#) will be activated to alert people of the need for a Lockdown,
2. It must be an individual decision whether it is best to try to flee the area or to shelter in place. There are risks and benefits to both decisions and the decision will need to be based on the individual situation.
3. Staff may initiate locking a door in their area when circumstances dictate.
4. Individuals should not set off the fire alarm in a lockdown. People may become targets by leaving the buildings and gathering outside.
5. If a fire alarm goes off while during a shelter in place event, assess the situation before leaving the shelter. The alarm may have been set off by the assailant. If there is smoke or fire, individuals should exit.
6. In an active assailant situation, the first priority of police will be to neutralize the assailant. Consider carefully before doing anything that may cause law enforcement to confuse individuals with the suspects — such as showing a personal weapon or running toward police. The campus community should cooperate with all instructions from law enforcement.

Grace, at its discretion, may limit access to the campus at any time to anyone when it is determined to be in the best interest of the campus community for public safety reasons. Limited access may also

include no-contact and campus separation directives issued by the campus or no trespass orders issued by the police department.

FIRE SAFETY

INTRODUCTION

The *Higher Education Opportunity Act* (HEOA, 2008) requires institutions that maintain on-campus housing and participate in federal student financial aid programs make public an annual fire safety report outlining fire safety practices and standards as well as all fire-related on-campus statistics. It became a Clery Act requirement as well in 2010.

Grace complies with this regulation by submitting fire statistics from its fire safety report annually to the Department of Education and includes all fire-related incidents at on-campus student housing facilities as part of its *Annual Security and Fire Report*. The following fire safety statistics include the number of fires, deaths, injuries, fire drills, and property damage; value of property damage caused by fire; cause of each fire; and type of fire detection systems by residence hall. It also includes information about fire prevention, fire drills, and general fire safety.

REPORTING A FIRE

1. Activate the fire pull alarm station or notify **911** immediately. Give exact location and nature of situation.
2. Evacuate the building via the nearest exit, in a controlled yet rapid manner.
 - a. All persons are to utilize stairs, not elevators during a fire alert situation. Walk to the outside of the building at a distance of at least 100 feet, keeping the main building egress clear for incoming emergency vehicles.
 - b. If able to safely do so, warn other occupants by knocking on doors and shouting “fire” as you leave.
 - c. Confine the fire by closing all doors in the area and rescue anyone in immediate danger, only if you can do so safely.
 - d. Individuals should not attempt to fight the fire themselves. Evacuate immediately.
3. Contact Campus Safety at **574-269-5344**.
 - a. At least one person needs to ensure that this has been accomplished, generally an RD or RA.
4. Remain outside until the local Fire Department and Campus Safety arrive to assess the situation, which includes a search of the building for any remaining occupants. Approval to return to the building is subject to authorization by the Fire Chief.

FIRE SAFETY SYSTEMS

Smoke detectors and fire alarms are in every dorm room on campus. All rentals leased to students have smoke detectors. Kent and Lofts have individualized alarms per room, which are also connected to the building’s alarm system.

Members of the Grace community are advised that sprinklers, smoke detectors, and fire extinguishers should never be unplugged, removed, covered, disabled, or tampered with. Tampering with smoke detectors is against the law and may result in discipline. Fire safety systems that are inoperable or have

malfunctioned should be reported to the physical plant, campus safety, resident assistant, or resident director. A maintenance request can also be submitted to the physical plant.

FIRE SAFETY IMPROVEMENTS

In 2022 we had several main fire panels in four buildings (Science Center, Omega, Kent Hall and our main panel in McClain Hall) were damaged beyond use due to lightning strikes. It was determined that the fire panels did not have surge protection in several of these buildings. Surge protectors are now in place. We had some modules ruined inside the McClain panel that had to be replaced as well.

FIRE SAFETY POLICIES

Policies specific to fire safety are available in this report [here](#).

FIRE LOG

Campus safety maintains a daily fire log that records the nature of every fire by date, time, and general location of each fire in on-campus student housing facilities. Fires are recorded in the log by date reported.

To view the incidents for the most recent 60-day period, contact the Campus Safety Department at **574269-5344** during regular business hours. Requests for any portion of the log older than 60 days should be directed to the director of campus safety. Information will be made available within two business days of a request for public inspection.

FIRE LOG								
Building	Incident #	Date Reported	Time Occurred	Date Occurred	Cause of Fire	Fire-related injuries	Fire-related deaths	Fire-related Loss (US\$)
2022								
No fires	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2021								
No fires	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2020								
No fires	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

FIRE STATISTICS AND SAFETY AMENITIES PER RESIDENCE HALL 2022

See [Appendix H](#) for the definitions associated with fire statistics used in the following reports.

FIRE STATISTICS AND SAFETY AMENITIES PER RESIDENCE HALL 2022						
Residence Hall	Fire Alarms monitored by Alarm Co.?	Equipped w/ Sprinkler System?	Smoke Detectors and Fire Alarms?	Fire Evacuation Plan posted?	# of Fire Drills conducted per year	Total # Fires (See log)
Alpha Hall	Yes	No	Yes	Yes	1	0
Beta Hall	Yes	Yes	Yes	Yes	1	0
Boyer	Yes	No	Yes	Yes	1	0
Encompass	Yes	Yes	Yes	Yes	1	0
Gamma C	Yes	Yes	Yes	Yes	1	0
Indiana Hall	Yes	Yes	Yes	Yes	1	0
Kauffman	Yes	Yes	Yes	Yes	1	0
Kent Hall	Yes	Yes	Yes	Yes	1	0
Lamp Post Apts.	Yes	No	Yes	Yes	1	0
The Lodge	Yes	Yes	Yes	Yes	1	0
The Lofts	Yes	Yes	Yes	Yes	1	0
Omega Hall	Yes	Yes	Yes	Yes	1	0
Westminster Hall	Yes	Yes	Yes	Yes	1	0

Note: Dates of fire drills can be obtained from the Director of Campus Safety by request.

FIRE EVACUATION PROCEDURES

When the fire alarm sounds, evacuation is required by all individuals who are within the building.

In the event of an emergency, students, employees, and visitors should cooperate fully with campus safety staff and first responders by evacuating in a safe and orderly manner using the nearest exit.

Those on the upper floors of a building should use the stairs and move as far away from the building as possible upon exiting then gather at the designated relocation site.

Failure to evacuate may result in disciplinary action by the institution according to the student employee handbooks.

Occupants are not permitted to return to the building until everyone has been accounted for and the all clear signal has been given by the fire department or Grace's campus safety staff.

If you see or smell a fire or smoke:

1. Activate the nearest fire alarm if there is a threat to safety and exit the building.
2. Call the Winona Lake Fire Department at **911** immediately. Give exact location and nature of situation.
3. Follow the evacuation procedures provided in all residence halls.
4. Contact Campus Safety at **574-269-5344**. Give the exact location and nature of the situation.

During evacuation:

1. Close room windows. 2. Leave room lights on.
3. Close room doors.
4. Walk calmly, don't run to the closest exit door and continue outside and away from the building.
5. Use the stairs. Do not use the elevator.
6. Go to the designated gathering area for the building. Remain there until an all clear is issued.
7. Do not attempt to fight the fire yourself. Your best means of survival is immediate evacuation.
8. Don't touch the door handle if it is hot. If able, close, but do not lock the doors
9. If able to do so safely, assist those in immediate danger or those with a [disability](#) to the nearest stairwell in the building. Notify the fire department of anyone needing assistance.
10. Approval to return to the building is subject to authorization by the fire chief.

FIRE EMERGENCIES AND PROTECTIONS

Reducing the risk of fire

1. Never disable or tamper with sprinklers, smoke detectors, or fire extinguishers.

2. Use surge protectors, but do not link surge protectors together.
3. Avoid running electrical cords under carpet.
4. Empty trash cans regularly.
5. Do not overload electrical outlets.
6. Use only approved appliances as outlined in the *Student Handbook*.
7. Keep hallways clear of property.
8. Do not use candles, incense, or tobacco products.

If a fire is located anywhere in the building:

1. Activate the building fire alarm system.
2. Evacuate the building immediately using the nearest exit and stairwells not elevators.
3. Move away from the building.
4. Avoid blocking emergency access.

If a fire starts in your room:

1. Close windows and doors to isolate the smoke.
2. Lock room/apartment doors when leaving the building.
3. Evacuate the building immediately.
4. Avoid using the elevators.

If you are trapped in a building:

1. Remain in the room/apartment.
2. Call **911**.
3. Dampen clothes or towels and lay at the base of the door to create a seal.
4. Open a window and signal for help.

EVACUATION OF PERSONS WITH DISABILITIES

Student and Employee Responsibilities

1. Having a plan for evacuation assistance and practicing it may save your life. It is best to pre-plan for such a possibility. Arrangements can be made to reasonably assure that assistance is provided to students or employees who require it.
2. Students should work with the coordinator of disabilities services to ensure their emergency evacuation plan is discussed with each of their professors, campus safety, and residence life staff.
3. Employees who need assistance with emergency evacuation should pre-plan this with a coworker, supervisor, or human resources.

4. Students and employees with physical disabilities should familiarize themselves with the fire evacuation routes and plans for every floor where they live, work, and attend class, including knowing where the available exits, pull stations, evacuation routes, and areas of refuge are.
5. Students and employees with physical disabilities are encouraged to carry a sounding device (like a small whistle), flashlight, and cell phone to alert emergency personnel of their location and to include **911** and campus safety in their telephone contacts (**574-269-5344**).

Procedures for Evacuation

1. Students or employees without assistance available should **call 911** and advise the dispatcher of their location.
2. If possible, during an emergency, all persons should proceed toward the nearest safe emergency exit using the stairs. Provide evacuation assistance to those with a physical disability if possible.
3. If able, individuals with a physical disability should exit the building along with other building occupants. Assistance should be provided using the following guidelines:
 - a. Visually impaired/blind
 - Tell the person the nature of the emergency and offer to guide the person to the nearest exit. Have the person take your elbow and escort them out of the building. As you walk, advise the person of any obstacles. When you reach safety, orient the person to where he/she is and ask if any further assistance is necessary.
 - b. Hearing impaired/deaf
 - Alert the person that there is an emergency by using hand gestures or by turning the light switch on and off. Verbalize or mouth instructions or provide the individual with a short note containing instructions. Offer assistance as you leave the building.
 - c. Mobility impaired
 - Since elevators should not be used for evacuation during most emergencies, persons with mobility impairments (i.e., any impairment that renders an individual unable to exit the building on their own) will need assistance evacuating. Individuals who can walk may be able to evacuate by themselves. Walk with the person to provide assistance if necessary.
4. If individuals need more than minimal assistance to exit a building, then request help from a first responder on the scene. If, however, it is in the best judgment of the person providing assistance to carry the individual out of a building due to an emergency, then this should ideally be done with the permission of the individual needing assistance. In all situations, the safety of those needing assistance and those providing assistance should be maintained.
5. If the individual with a disability cannot be evacuated, then whenever possible remain with the person while another individual exits the building and notifies emergency personnel of the exact location of the person needing assistance. If you cannot accompany or remain with the

individual, you should proceed directly out of the building and to emergency personnel to notify them of the exact location of the person needing assistance.

FIRE DRILLS

Campus safety staff conducts fire evacuation drills in the residence halls at least once yearly to insure those residents will be able to evacuate the halls quickly. When the fire alarm sounds, building evacuation is required by all individuals who are within the building. To ensure that everyone has exited the building, it is necessary for everyone to go to the assembly area identified in the posted emergency procedures and at the beginning of the year by the resident director for students.

Evacuation information is found on room and apartment doors, in hallways, in classrooms, and in offices. It is also posted in hallways and meeting rooms in administrative and academic buildings.

FIRE SAFETY POLICIES

In an effort to communicate general safety policies and procedures to students, the *Student Handbook* contains guidance on fire-related safety practices, including the following.

Open Flames

Policy: Open flame of any type, including those in glass bulbs, open flame lamps, heaters, incense, and Bunsen burners are restricted in Grace buildings. Unlit candles are permitted for decorative use. If there is evidence the candles have been burned, they will be considered in violation of this policy and will result in impounding of the material(s) and a fine.

Portable Electrical Appliances

Policy: The use of most electrical appliances is prohibited in residence halls because of sanitation, safety, and electrical circuit overload concerns. Questions about appliances that are permitted or requests for exceptions should be sent to the director of residence life.

Cooking meals in student rooms is prohibited (except in kitchens of apartments). The following regulations govern the use of appliances and other devices:

1. Small microwaves, up to 750 watts, are permitted in the residence halls.
2. Refrigerators are permitted, one per resident, but are not to exceed 4.5 cubic feet.
3. Hot air popcorn poppers are permitted in the residence halls; those using oil are not.
4. Toasters, toaster ovens, George Foreman grills, crock pots, NuWave cooktops, and any open coil heating/cooking units are not permitted in the residence halls unless given permission by the resident director.
5. Plug-in space heaters, electric blankets, floor lamps, and candle warmers are not permitted in the residence halls.
6. Power strips are only allowed for electric appliances/devices; extension cords are not permitted.
7. Surge protectors are not to be linked, or to exceed in number the number of outlets it has.

Tampering with College Property

Policy: Tampering with college property, including misusing fire extinguishers, fire alarms, and code blue phones, is prohibited and may require some form of restitution.

Room Decorations

Policy: Rubber backed carpet is not allowed in dorm rooms due to fire code regulations. Because of safety issues, halogen lights, and the burning of candles, incense, or use of candle warmers are not permitted. Christmas lights and other decorations must be hung no higher than 18 inches from the ceiling per fire code.

Fire Hydrant / Fire Lanes

Policy: Vehicles blocking fire hydrants, standpipes or fire lanes will receive a \$50 citation and may be towed at the owner's expense. A yellow curb may denote a fire lane, where parking is prohibited. All of the yellow around Alpha Circle Drive is a fire lane. Please be aware of where fire hydrants are located and do not park near them at any time.

Fireworks/Explosives

Policy: Possession or use of firecrackers or any type of explosive is prohibited. Students are not permitted to have fireworks of any type in their possession. Infractions of this policy will result in impounding of the fireworks and possible disciplinary action.

Smoking

Policy: Grace is a smoke-free campus, including residence halls and its outdoor athletic spaces. It recognizes that tobacco is a harmful substance, even if lawful, and has a policy of prohibiting the use of tobacco. This includes (but is not limited to) cigarettes, cigars, pipes, hookah, chewing or dipping, electronic devices (e-cigarettes or cigars) and other means of inhalation.

WINONA LAKE FIRE DEPARTMENT

The Winona Lake Fire Department is physically located within Grace's Clery geography. Its close proximity to the campus allows for timely responses to the Grace campus community.

Campus safety has a cooperative relationship with the Winona Lake Fire Department, including hosting safety and training events on campus related to fire, which increase their familiarity with the Grace campus and ability to respond in emergencies with other first responders.

Campus Safety conducted a Spring fire safety event with fire department members talking with student and discussing fire safety.



SEXUAL AND VIOLENT OFFENSES

DISCLOSURE TO VICTIMS

Grace will provide in writing to the accused and the accuser the results of any disciplinary proceeding conducted by Grace against a student accused of dating violence, domestic violence, sexual assault or stalking as defined in [Section 16 of Title 18 of the U.S. Code](#). Grace will provide the procedures for the accused and accuser to appeal the result of the disciplinary hearing. Grace will notify both parties of any changes to the result and when the results become final.

If the accuser is deceased as a result of the crime or offense, then the victim's next of kin will be treated as the accuser for the purposes of this request.

Policies regarding disclosure of disciplinary proceedings are available in the institution's FERPA policy and its Title IX Sexual Misconduct Policy.

SEXUAL HARASSMENT AND VAWA OFFENSES

Policy: The following policy prohibiting *Violence Against Women Act (VAWA)* offenses is stated in the institution's Title IX sexual harassment and non-Title IX sexual misconduct procedures:

Members of Grace College and Seminary (Grace) have the right to be free from all forms of Sexual Harassment, which impedes the realization of the Grace's mission. All members of Grace's Community are expected to conduct themselves in a manner that maintains an environment free from Sexual Harassment. As such, Grace does not discriminate on the basis of sex and is committed to providing an educational and working environment free from sex discrimination.

The institution's detailed sexual harassment and misconduct procedures also include [definitions](#) of and information regarding making a report of sexual harassment and VAWA offenses (dating violence, domestic violence, sexual assault, and stalking) as well as:

1. How and to whom [reports](#) of sexual misconduct should be made
2. Explanations of campus directives, no trespass letters, and protective orders (page 93):

Grace does not issue protective orders; however, it does issue no-contact and campus separation directives and no-trespass letters, all of which may be initiated by student affairs, campus safety, or the Title IX Office. No-trespass letters can be issued by Grace.

Complainants may seek an order of protection, restraining order, or other similar lawful court order, but are not required to do so. Grace or the local victim's service center can assist parties in understanding their legal options. Information can be requested from Grace's campus safety or Title IX offices. Grace will comply with and enforce lawful protective orders.

3. [Confidential](#) reporting options and requests for confidentiality
4. Confidentiality and publicly available recordkeeping (page 97)
Outcome letters will maintain as confidential any accommodations or protective measures provided to the Complainant to the extent that maintaining such confidentiality does not impair the ability of the institution to provide the accommodations or protective measures.
5. Information about [preserving evidence](#)
6. Explanation of on- and off-campus [resources](#) and services, including regional and national resources, are available to those affected by acts of sexual harassment, including academic, mental health, medical, law enforcement, and victim services.

As defined by the institution, consent is clear, knowing, active (not passive), and voluntary (or affirmative, conscious, and voluntary) words or actions that give permission for specific Sexual Activity prior to engaging in and during an act. This definition, as well as guidance to determine consent, is provided in the institution's [Title IX terms](#).

The institution provides both the reporting and responding parties a written description of their *Rights and Responsibilities* as part of the intake and formal complaint process and considers the rights of both the reporting and responding parties throughout the inquiry and investigative processes associated with possible VAWA offenses.

[Safety and support measures](#) are discussed with the parties involved and [including](#) those associated with housing, employment, academics, counseling, health, safety, and legal options.

Procedures for responding to reports of alleged VAWA offenses are outlined in detail in Grace's [Title IX Policy](#), including the following required by Clery that Grace report in this *Annual Security Report*:

1. The [procedures and proceedings](#) to determine responsibility for a policy violation
2. The [preponderance of evidence](#) standard to determine a policy violation (see also page 100 – "Resolution")
3. The range of sanctions for [employees](#) and for [students](#) if responsibility is determined
4. [Supportive measures](#) available
5. [Steps](#) to ensure a prompt, fair, and thorough investigative process ("Formal Resolution & Hearings")
6. Requirements of the proceedings, including the [training](#) of the Title IX staff and a fair process (see also [Title IX webpage](#))
7. The availability and role of an [Advisor](#)

8. The [final notification process](#), occurring concurrently to and without undue delay between parties
9. [Involvement of law enforcement](#) and the reporting party's right to decline notification

SEXUAL AND VIOLENT OFFENDER REGISTRY

The *Campus Sex Crimes Prevention Act of 2000 (CSCPA)*, which amends the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act*, the *Jeanne Clery Act* and the *Family Educational Rights and Privacy Act of 1974 (FERPA)*, requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a state about registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice of each institution of higher education in that state at which the person is employed, carries a vocation or is a student.

In the State of Indiana, convicted offenders must register with the Indiana Sex Offender Registry. Violating the sex offender registry laws can lead to additional criminal charges. The county sheriff manages the registry for sex or violent offenders in each county in Indiana. Sex or violent offenders in Indiana, as defined in Indiana Code 11-8-8-5, must provide identifying information and their residential and workplace addresses to the sheriff.

In accordance with CSCPA, Grace provides the following information regarding Indiana and national sex offender registries.

1. To find out if there are sex or violent offenders in the area, individuals can access the [Indiana Sex Offender Registry](#).
2. The National Sex Offender Public Website (NSOPW) may be found online [here](#).

EDUCATIONAL AND AWARENESS PROGRAMS

Policy: Grace College will provide programs to students and employees for education and prevention of dating violence, domestic violence, sexual assault, and stalking.

The primary and ongoing prevention programming is current as of the publication of this ASFSR.

PROGRAMS TO PROMOTE PERSONAL SAFETY

Education for students relating to safety and security begins with the residence life staff. Campus safety staff trains residence life staff concerning safety and security matters at the beginning of the fall semester. Emergency procedures are reviewed, drills are conducted, and a list of emergency telephone numbers is distributed.

Resident assistants receive fire and safety training, typically including instruction by the Winona Lake Fire Department on how to use fire extinguishers. The director of campus safety also provides training on campus safety practices. Resident assistants, resident directors, Gordon Health and Wellness Center staff, and campus safety staff are trained in CPR/AED.

At the beginning of each semester, residence life staff conduct mandatory hall meetings with students to explain residence hall and safety procedures. Specific policies outlined in the *Student Handbook* are reviewed and emergency information, such as refraining from propping open entry doors, locking personal dorm rooms, the location of fire extinguishers and alarms, fire and tornado safety, and relocation and shelter in place, is discussed.

Students and trip leaders preparing for domestic and overseas travel are oriented and provided travel safety information specific to their destinations prior to departure by the Global Initiatives office.

Safety information is published and promoted on [Grace's website](#), on the campus portal (Campus Life: Campus Safety), and in the *Student Handbook* (located on the campus portal: Campus Life).

All students and employees are notified when the *Annual Security and Fire Safety Report* is published. Additionally, they all receive the *Annual Notification* that includes links and reference to this report.

Students and employees register vehicles through the campus' portal page. Students and employees automatically receive Grace Alert emails to their Grace accounts even without registering for text notifications. Throughout the school year, safety reminders and updates may be published in the weekly student "Lancer Lowdown" e-newsletter, weekly employee "Grace Equip" newsletter, in special e-mail messages, or through the "Grace-Alert" text and email message system. Informational pamphlets and booklets are available at the campus safety office located in the lower level of McClain Hall.

Employees are assigned online training modules through the *Vector* platform on a variety of safety-related topics and drug free workplace, and those with specific roles on campus may have additional, targeted safety training such as first aid, bloodborne pathogens, and [Campus Security Authorities](#). Employees have annual active shooter training. Students also have training on topics such as sexual violence and cybersecurity to protect their personal information. Additional, in-person training on safety-related topics may be sponsored for employees and/or students. For a general list of training topics for employees and students, please see [Appendix E](#).

The campus safety department issues a series of announcements for employees and students during Campus Safety Month. Prior topics have included protecting personal valuables, fire safety, safe driving and traffic safety.

Grace also maintains safety policies and guidelines for students that, in addition to the *Annual Security and Fire Safety Report*, are published in its *Student Handbook*, including those related to reporting crimes, off-campus crimes, timely warnings, missing student notifications, search and seizure, firearms, fireworks, explosives, hazing, hoverboards, open flames, personal responsibility for safety, safe rides, bicycle information, and traffic safety.

The *Employee Handbook* contains workplace safety policies and guidelines for employees. New employees are assigned online training related to sexual violence awareness; sexual harassment; and diversity, equity, and inclusion. Employees are also assigned online training regarding implicit bias and microaggression awareness and supervisors attend training on reasonable suspicion for drug and alcohol use in the workplace.

The institution's safety committee, composed of a cross-section of staff, provides oversight to safety topics and incident and accident reports to determine safety-related trends, as well as recommend improvements and responses to a wide range of safety and security concerns for both employees and students. It also reviews requests for accessibility requests as they relate to safety of the campus community.

PROGRAMS TO PREVENT SEXUAL MISCONDUCT

As a Christian campus of higher education, Grace's normative environment is one in which respectful, God-honoring relationships are expected and supported through a variety of academic, residence life, co-curricular, and chapel programming as well as being alcohol and drug-free. Both directly and indirectly, students and employees are provided with information and education that enables them to engage with the campus community in ways that encourage these relationships as everyone lives, works, and worships together.

Both student and employee handbooks contain policies prohibiting sexual harassment and misconduct as well as procedures for reporting possible policy violations and sanctions for findings of responsibility. Sexual harassment is [defined](#) by Grace College includes Sexual Harassment, Sexual Assault (including Dating and Domestic Violence and Stalking), Non-Consensual Sexual Contact, Non-Consensual Sexual Intercourse, Sexual Exploitation, Sexual Misconduct with a Minor, and Child Molesting.

Policies prohibiting sexual misconduct are included in the employee and student handbooks. The *Student Handbook* outlines conduct, safety, and community life policies for incoming and returning students. New employees receive the *Employee Handbook*, all employees review the *Employee Handbook* annually, and faculty review the *Faculty Handbook* annually.

Employees are assigned online training regarding sexual assault, stalking, and dating and domestic violence at the time of their hire and again annually. The Title IX Coordinator provides orientation to new employees regarding *Title IX* protections, reporting, and employee obligations. Further, employees have access to online training modules through *Vector* on a variety of safety-related topics, such as those related to violence in the work place and drug free workplace.

In addition to online training, the Title IX Coordinator provides annual, in-person training about Title IX policies and procedures to campus staff such as residence life staff, counseling staff and other confidential sources, athletics, and faculty. Student groups, such as incoming students, all athletes, student leaders, international students, and study abroad students also receive in person training by the Title IX staff or other trainer.

Fully online, commuter, and graduate, and seminary students receive letters from the Title IX Coordinator describing Grace's policy, resources, and reporting options.

The Title IX Office provides messaging through various consent posters with QR codes to *Title IX* information to be displayed in campus residence halls and administrative and academic buildings. It also provides online reporting options in all the emails it generates and provides educational information and resources throughout the month of April (Sexual Assault Awareness month) to both employees and students. The Health Services nurse also provides information in person and through social media.

Programming for female students about healthy sexuality included a closed educational group about women's sexuality. Examples of prior programming about health and healthy sexuality included a focus group on women's health and wellness, a women's sexual assault support group, a men's sexual assault support group, a women's body image group, a women's health event, and an event for students interested in reducing mental health stigmas.

In compliance with federal requirements for prevention of sexual assault, stalking, and domestic and dating violence, Grace students are advised of Grace's sexual misconduct and harassment policy during the August mandatory hall meetings. This presentation includes Grace's policy prohibiting sexual harassment and discrimination and information about who to notify with any complaints or questions about the policy. Additionally, all students and employees receive an *Annual Notice* directing them to resources, reporting options, supportive measures, the sexual misconduct policy, and an informational brochure available to them on the institution's [website](#).

Title IX team members have [training](#) regarding their roles associated with VAWA (*Violence Against Women Act*) complaints and investigations. These roles include the coordinator, deputy coordinator for athletics, investigators, and hearing officers.

PROGRAMS TO PROMOTE AN ALCOHOL AND DRUG-FREE CAMPUS

Grace College and Seminary maintains policies for both its students and employees regarding its drug and alcohol use and abuse policies and its responsibilities related to being a drug-free workplace. These policies are available to employees and students in full on the institution's [website](#) or by request from the human resources or student affairs offices respectively.

Further, in compliance with the federally mandated by the *Drug-Free Schools and Communities Act of 1989*, it publishes a *Biennial Report for Alcohol and Other Drug Abuse Prevention Programs*, also available in full on its [website](#). This document provides extensive discussion of the institution's alcohol and other drug program elements including its:

- Alcohol and drug free events and facilities
- Direct program interventions
- Normative environment, which consists of its:
 - Community lifestyle
 - Pro-health messages
 - Admissions processes

- Academics
- Student activities
- Athletic program direct interventions
- Policy development and publication

As part of its onboarding of new employees, Grace provides online training regarding its drug free workplace within 30 days of hire and review of the *Employee Handbook* and *Community Lifestyle Expectations* are reaffirmed annually.

Events and education that promote health and wellness, which support an alcohol and drug-free work and learning environment, are also advertised to employees and students through campus communications. Examples for employees include a spiritual wellness series, mental health topics, health and wellness screenings, and group fitness classes. Group fitness classes, an interactive body image group experience, a couple’s conflict group, a support group for those with a chronic or invisible physical condition, a chapel speaker and a clinical group about mental health, and an invitation to a community-focused educational evening by law enforcement were all available to students.

POSITIVE OPTIONS FOR BYSTANDERS

All members of the campus community have the ability to look out for others’ safety. Whether it is explaining that jokes about stereotypes are not funny, intervening safely when recognizing warning signs about substance use, or directly confronting a person who is engaging in disrespectful or threatening behavior, anyone can help prevent harassment, unwelcome interactions, misconduct, and physical or sexual violence.

A bystander is a person who is present when an event takes place or could witness the circumstances that led up to these events. Even though they may not be directly involved in the situation, they can change the outcome. Grace College provides information about bystanders and upstanders – people who speak or act in support of an individual or cause, especially those who intervenes on behalf of a person being attacked or bullied – to students and employees through various means such as in-person education, information tables, Instagram messages, emails, posters, and campus newsletters.

Bystander intervention approaches encourage members of the campus community to speak up when they witness potentially dangerous situations, physical or sexual violence, or other kinds of harassment or misconduct. It involves recognizing a potentially harmful situation, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safety and effective intervention options, and acting to intervene.

In all situations, however, bystanders should not put themselves in a dangerous situation. If you witness an altercation or escalating situation, it is safer to call campus safety **(574) 269-5534** or local law enforcement at **911** rather than approaching the individuals involved.

According to RAINN (Rape, Abuse & Incest National Network), the nation's largest anti-sexual violence organization, the key to keeping others safe is learning how to intervene in a way that fits the situation and your comfort level. RAINN suggests the following bystander intervention approach:

1. Create a distraction

- Do what you can to interrupt the situation. A distraction can give the person at risk a chance to get to a safe place.
- Cut off the conversation with a diversion like, “Let’s get pizza, I’m starving,” or “This party is boring. Let’s try somewhere else,” or “Hey, let’s go find the bathroom.”
- Bring out fresh food or drinks and offer them to everyone, including the people you are concerned about.
- Start an activity that draws other people in, like a game or other activity.

2. Ask directly

- Talk directly to the person who might be in trouble.
- Ask questions like “Who did you come here with?” or “Would you like me to stay with you?”

3. Refer to an authority

- Sometimes the safest way to intervene when on campus is to refer to a neutral party with the authority to change the situation, like an RA, RD, or campus safety.
- If you are somewhere off-campus, talk to an employee or security guard about your concerns. It is in their best interest to ensure that their patrons are safe and they will usually be willing to step in.
- Do not hesitate to call **911** if you are concerned for someone else’s safety.

4. Enlist others

- It can be intimidating to approach a situation alone. Enlist another person to support you.
- When it comes to expressing concern, sometimes there is power in numbers so ask someone to come with you to approach the person at risk.
- Ask someone to intervene in your place. For example, you could ask someone who knows the person at risk to escort them to the bathroom.
- Enlist the friend of the person you are concerned about. “Your friend looks like they’ve had a lot to drink. Can you check on them?”

For more information about bystander intervention and sexual assault preventions, see [RAINN](#), the Rape, Abuse & Incests National Network or call **1-800-656-HOPE (4673)**.

Why intervene?

- It is the right thing to do.
- If you see something, you should say something and do something.
- You would want someone to help you.
- To keep the situation from worsening.

In 2022, upstander information and resources were highlighted during Sexual Assault Awareness month.

APPENDIX A: STUDENT SUBSTANCE ABUSE POLICY

GRACE COLLEGE AND SEMINARY STUDENT SUBSTANCE USE AND ABUSE POLICY

Policy: The use (or consumption), sale, purchase, transfer, or possession of a controlled substance on property owned or leased by Grace College or while participating in activities sponsored by the College, and the use, possession, or being under the influence of alcohol, and the abuse of prescription medicine also pose unacceptable risks for safe, healthy and efficient operations. Violation of the College's policy will be subject to the student conduct process up to and including dismissal. Students of legal drinking age are permitted to consume alcohol in moderation during semester breaks (Christmas break and summer break).

In addition, the College recognizes that tobacco is a harmful substance, even if lawful, and has a policy of prohibiting the use of tobacco. This includes (but is not limited to) cigarettes, cigars, pipes, hookah, chewing or dipping, electronic devices (e-cigarettes or cigars) and other means of inhalation. Although Grace College strongly cautions students regarding the use of addictive substances which pose significant long-term health concerns, students of legal age are permitted to use tobacco during semester breaks (Christmas break and summer break). Tobacco cessation assistance is available through the Grace College Health and Counseling Center.

Vaporizer use, regardless of substance being inhaled, is prohibited for Grace College students.

Grace further expresses its intent to comply with federal and state rules, regulations or laws that relate to the maintenance of a school free from controlled substances and unlawful and irresponsible use of alcohol.

Purpose: Grace has the right and obligation to maintain a safe, healthy, and efficient environment for all of its students, and to protect the College's property, information, equipment, operations and reputation.

Scope: Grace College has a vital interest in maintaining a safe, healthy, and efficient environment. Being under the influence of a controlled substance or alcohol while a student poses serious safety and health risks to the user and to all those who associate with the user. This policy, therefore, applies to all students in all programs and all off campus locations.

Standards of Conduct:

1. Members of the community are to refrain from the use of tobacco in any form, alcoholic beverages, and controlled substances.
2. Controlled substances are defined as:
 - a. Any drug or other substance that is not legally obtainable
 - b. Any drug that is legally obtainable but has not been legally obtained

- c. Any prescribed drug not legally obtained
 - d. Any prescribed drug not being used for the prescribed purpose
 - e. Any over-the-counter drug being used at a dosage level other than recommended by the manufacture or being used for a purpose other than intended by the manufacturer
 - f. Any drug being used for a purpose not in accordance with bona fide medical therapy.
 - g. Unregulated high-tech smoking devices, commonly referred to as electronic cigarettes, or “e-cigarettes,” or “vaporizers”.
3. Examples of controlled substances are cannabis substances, such as marijuana and hashish, cocaine, heroin, methamphetamine, phencyclidine (PCP), and so-called designer drugs and lookalike drugs.
 4. CBD (Cannabidiol) oil is permitted as a medical treatment as long as it is legally obtained and meets legal (State of Indiana) guidelines. These guidelines include specific product labeling and THC levels below three-tenths percent (%.3). Students may not sell or distribute CBD oil.
 5. Grace College students may not be bartenders (students may serve alcohol in restaurants, but not bartend), be involved in the purchase of alcohol for a minor, or provide an off-campus location for a party where alcohol or controlled substances are available.
 6. If a student is suspected to be using any of the aforementioned drugs or controlled substances, Grace College may require students to undergo drug testing through a local medical clinic. If asked, students must submit to the drug test immediately. If the drug test comes results positive, the student will be responsible to pay for the test as part of their sanctions. If the test is negative, Grace College will pay for the test.
 7. During the school year, attendance at bars, nightclubs, and dance clubs whose primary activities include practices that are prohibited by the College lifestyle policy is prohibited. For help in determining whether a particular activity or club is within the college guidelines (such as concerts, receptions, special events, etc.), students may consult with a Resident Director, Director of Residence Life, or the AVP/Dean of Students.

Medical Amnesty:

Students physically present on Grace College property who seek professional medical assistance for themselves or others related to the consumption of alcohol will not be subject to disciplinary sanctions by Grace College. Students in an alcohol-related emergency who require medical attention will not be subject to disciplinary sanctions if the student successfully completes an education program that is approved by the Director of the Health and Counseling Center in consultation with the Dean of Students and the Director of Residence Life. Recurring offenses are subject to the discretion of the Student Affairs Office. Students seeking medical amnesty will remain accountable to the Student Affairs code of conduct for secondary behavior that might occur while intoxicated, including, but not limited to, property damage, assault against another person, or sexual misconduct. The purpose of this policy is not to exonerate students from disciplinary action; rather it is to prioritize student safety and promote educationally- based, restorative responses related to these emergency situations.

For the full policy on Medical Amnesty or Indiana's Lifeline Law, please stop by the Student Affairs office.

Student Conduct Sanctions:

Sanctions action against students related to the violation of the expressed standards of conduct will be in accordance with those outlined in the Student Conduct Guidelines. In each situation there are several variables which may contribute to the resulting decisions. Grace College reserves the right to exercise greater or less severity in decisions. Examples of variables that would likely result in greater severity (and likely suspension or dismissal) include: providing for minors, lying, operating a vehicle while under the influence, distribution or selling controlled substances, drinking or drunkenness on campus, and hosting an off-campus party. The values of community, integrity, truth, and response to correction are held in higher regard than "fairness" to other situations. The following sanctions are intended to be general guidelines toward forming a response.

ALCOHOL

Students who violate the campus alcohol policy will generally be assessed a student conduct contract with the following sanctions:

1. First Offense consumption, possession, or purchase
 - a. The student will undergo an alcohol assessment administered by the Grace College Counseling Center or another approved provider. All recommendations from the assessment must be completed.
 - b. The student will complete an alcohol use education such as an online class or group therapy (student is responsible to cover any cost associated with education).
 - c. The student may be required to meet with a mentor approved by Student Affairs a minimum of 8 times.
 - d. If the student is underage the student's parent or guardian will be informed.
 - e. If the student is in a leadership position or an athlete, they will incur additional sanctions.
 - f. All sanctions must be completed within one semester (16 weeks) of being issued a student conduct contract. Failure to comply with the contract will result in further sanctions up to and including a student conduct panel.

2. Second Offense consumption, possession, or purchase
 - a. The student will serve a 3 to 5 day short-term suspension away from campus.
 - b. The student will undergo a second alcohol assessment administered by the Grace College Counseling Center or an approved provider. All recommendations from the assessment must be completed.

- c. The student may be required to meet with a mentor approved by Student Affairs a minimum of 8 times, complete an educational project, or attend counseling for one full semester.
 - d. The student's parent or guardian will be informed.
 - e. If the student is in a leadership position or an athlete, they will incur additional sanctions up to and including disciplinary probation.
 - f. All sanctions must be completed within one semester (16 weeks) of being issued a student conduct contract. Failure to comply with the contract will result in a student conduct panel.
3. Third Offense consumption, possession, or purchase
- a. The student will appear before a student conduct panel. The panel will determine sanctions up to and including dismissal. The student will likely be suspended from campus until the panel can be convened.
 - b. The student's parent or guardian will be informed.
 - c. If the student is in a leadership position that student's employment will be terminated.
 - d. If the student is an athlete, they will be removed from their athletic team.

ILLEGAL DRUGS

Students who violate the campus substance use policy will generally be assessed a student conduct contract with the following sanctions:

1. First Offense use, possession, or purchase
- a. The student will serve a 3 to 5 day short-term suspension away from campus.
 - b. The student will undergo a substance use assessment administered by the Grace College Counseling Center or an approved provider. All recommendations from the assessment must be completed.
 - c. The student may be required to undergo drug testing.
 - d. The student will complete a substance use education such as an online class or group therapy (student is responsible to cover any cost associated with education).
 - e. The student may be required to meet with a mentor approved by Student Affairs a minimum of 8 times or attend counseling for one full semester.
 - f. The student's parent or guardian will be informed.
 - g. If the student is in a leadership position or an athlete, they will incur additional sanctions up to and including disciplinary probation.
 - h. All sanctions must be completed within one semester (16 weeks) of being issued a student conduct contract. Failure to comply with the contract will result in further sanctions up to and including a student conduct panel.
 - i. Depending on the seriousness of the offense, appropriate law enforcement may be notified.

2. Second Offense use, possession, or purchase
 - a. The student will appear before a student conduct panel. The panel will determine sanctions up to and including dismissal. The student will likely be suspended from campus until the panel can be convened.
 - b. The student's parent or guardian will be informed.
 - c. If the student is in a leadership position that student's employment will be terminated.
 - d. If the student is an athlete, they will be removed from their athletic team.
 - e. Depending on the seriousness of the offense, appropriate law enforcement may be notified.

LEGAL SANCTIONS

In addition to the student conduct process from the College, local, state, and federal laws strictly outline penalties, including fines and jail terms, for the illegal use, possession or distribution of alcohol and drugs. A violation of any law is a violation of the student conduct policy and will be treated as a student conduct manner. Further Grace College will coordinate with local and federal law enforcement with any violation. Indiana and federal law provides for fines and/or imprisonment for the unlawful possession, sale, manufacture, or distribution of drugs or alcohol. The amount of the fines and the length of imprisonment vary according to the type and amount of the substance involved, prior violations for such offenses, and a variety of other factors. Legal sanctions for the unlawful distribution of drugs increase if the substance is distributed to a person under twenty-one years of age or within one thousand feet of the property of a college. A summarized list of Indiana State Sanctions is available from Student Affairs.

HEALTH AND OTHER RISKS

The abuse of alcohol and use of illicit drugs are known to be detrimental to physical and psychological well-being. Almost every system in the body can be negatively affected by excessive or chronic alcohol consumption or drug use. Their use is associated with a wide variety of health risks such as severe weight loss, anemia, physical and mental dependence, impaired learning, depression, high-risk sexual behavior, changes in the reproductive system, damage to the lungs, cardiovascular disease, cancer, liver disease, seizures, brain damage, acute and chronic illness, and even death. Because many who abuse alcohol and drugs also smoke, the health risks are further compounded.

In addition, the abuse of alcohol and drug use are associated with risks to the community and may include such things as impaired and unsafe work performance, violence, injuries, accidents, drunk driving, acquaintance rape.

CLINICAL EXAMS AND TESTING

College officials reserve the right to require that a student submit to a physical exam or clinical testing designed to detect the presence of drugs when there are reasonable grounds (meaning objective facts sufficient to lead a reasonable person to conclude that a particular student is unable to satisfactorily

perform his or her duties or function in a college environment due to drug or alcohol impairment. Such inability to perform may include, but is not limited to, decreases in the quality or quantity of the student's productivity, judgment, reasoning, concentration and psychomotor control, and marked changes in behavior. Accidents, deviations from safe working practices, and erratic conduct indicative of impairment are examples of "reasonable belief" situations) for believing that a student is under the influence of, or improperly using controlled substances, prescription or over the counter drugs or alcohol in violation of this policy.

If action was based upon a drug or alcohol test, the student will have the right, at his or her expense, to have a separate test performed on the same sample by a testing agency acceptable to the College.

COUNSELING, TREATMENT, AND REHABILITATION

Alcohol and drug information, referral, counseling, treatment, and rehabilitation programs are available to students through a variety of on- and off-campus resources. Counseling services are available on campus through the Counseling Center. For more serious problems, the Counseling Center may refer students to counseling, treatment, or rehabilitation programs off campus, and maintains a list of these resources available locally to students or others wanting information or counseling for alcohol or drug use. Some of these services and programs are without charge, while others are covered by the student's insurance or based on the student's ability to pay. The Counseling Center will assist students who do not live locally to identify counseling or treatment services in their immediate vicinity.

Students with questions, concerns, or problems related to the use of illicit drugs or the abuse of alcohol are urged to take immediate advantage of the help that is available.

Revised 6/10/21

APPENDIX B: EMPLOYEE SUBSTANCE ABUSE POLICY

GRACE COLLEGE AND SEMINARY Drug and Alcohol Abuse Employee Policy

Policy: The use, sale, purchase, transfer, or possession of an illegal drug in the workplace, and the use, possession, or being under the influence of alcohol, therefore, poses unacceptable risks for safe, healthy and efficient operations. As a condition of employment, all employees are required to abide by the terms of this policy and to notify Grace’s management of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

In addition, the College recognizes that tobacco is a harmful substance, even if lawful, and has a policy of discouraging the use of tobacco.

Grace further expresses its intent through this policy to comply with federal and state rules, regulations or laws that relate to the maintenance of a workplace free from illegal drugs and alcohol.

1. PURPOSE

Grace has the right and obligation to maintain a safe, healthy, and efficient workplace for all of its employees, and to protect the organization’s property, information, equipment, operations and reputation.

This policy outlines the goals and objectives of Grace’s drug and alcohol testing program and provides guidance to supervisors and employees concerning their responsibilities for carrying out the program.

2. SCOPE

This policy applies to all departments, all employees, and all job applicants. The term “employee” includes contracted employees.

3. HEALTH AND OTHER RISKS

Grace College & Seminary has a vital interest in maintaining a safe, healthy, and efficient working environment. Being under the influence of a drug or alcohol on the job also poses serious safety and health risks to the user and to all those who work with the user.

The abuse of alcohol and use of illicit drugs are known to be detrimental to physical and psychological well-being. Almost every system in the body can be negatively affected by excessive or chronic alcohol consumption or drug use. Their use is associated with a wide variety of health risks such as severe weight loss, anemia, physical and mental dependence, impaired learning, depression, high-risk sexual behavior, changes in the reproductive system,

damage to the lungs, cardiovascular disease, cancer, liver disease, seizures, brain damage, acute and chronic illness, and even death. Because many who abuse alcohol and drugs also smoke, the health risks are further compounded.

In addition, the abuse of alcohol and drug use are associated with risks to the community and may include such things as impaired and unsafe work performance, violence, injuries, accidents, drunk driving, and acquaintance rape.

4. DEFINITIONS

4.1 **Alcohol** means any beverage that contains ethyl alcohol (ethanol), including but not limited to beer, wine, and distilled spirits.

4.2 **Company premises or company facilities** means all property of Grace including, but not limited to, the offices, facilities and surrounding areas on Grace-owned or – leased property, parking lots, and storage areas. The term also includes Grace-owned or – leased vehicles and equipment wherever located.

4.3 **Drug Paraphernalia** means any equipment, product, or material of any kind that is primarily intended or designed for use in manufacturing, compounding, converting, concealing, producing, processing, preparing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance, possession of which is unlawful under this subchapter. It includes items primarily intended or designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, hashish oil, PCP, methamphetamine, or amphetamines into the human body.

4.4 **Drug testing** means the scientific analysis of urine, blood, breath, saliva, hair, tissue, and other specimens of the human body for the purpose of detecting a drug or alcohol.

4.5 **Illegal drug** means:

- a. any drug that is not legally obtainable
- b. any drug that is legally obtainable but has not been legally obtained
- c. any prescribed drug not legally obtained
- d. any prescribed drug not being used for the prescribed purpose
- e. any over-the-counter drug being used at a dosage level other than recommended by the manufacturer or being used for a purpose other than intended by the manufacturer
- f. any drug being used for a purpose not in accordance with bona fide medical therapy

Examples of illegal drugs are cannabis substances, such as marijuana and hashish, cocaine, heroin, methamphetamine, phencyclidine (PCP), and so-called designer drugs and look-alike drugs.

4.6 **Legal drugs** mean any prescribed or over-the-counter drug that has been legally obtained and is being used for the purpose for which it was prescribed or manufactured.

4.7 **Reasonable belief** means a belief based on objective facts sufficient to lead a reasonable person to reach a particular conclusion, in this case to conclude that a particular employee is unable to satisfactorily perform his or her job duties due to drug or alcohol impairment. Such inability to perform may be manifested by such things as decreases in the quality or quantity of the employee's productivity, judgment, reasoning, concentration and psychomotor control, and marked changes in behavior or other facts. Accidents, deviations from safe working practices, and erratic conduct indicative of impairment are examples of "reasonable belief" situations.

4.8 **Under the influence** means a condition in which a person is affected by a drug or by alcohol in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior, nor to obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance. A determination of being under the influence can be established by a professional opinion, a scientifically valid test, such as urinalysis or blood analysis, and in some cases by the opinion of a layperson.

5. EDUCATION

5.1 Supervisors and other management personnel are to be trained in:

- a. Detecting the signs and behavior of employees who may be using drugs or alcohol in violation of this policy;
- b. Intervening in situations that may involve violations of this policy;
- c. Recognizing the above activities as a direct job responsibility;

5.2 Employees are to be informed of the:

- a. Health and safety dangers associated with drug and alcohol use;
- b. Provisions of this policy.

6. PROHIBITED ACTIVITIES

6.1 Legal Drug

- a. An employee whose medical therapy requires the use of a legal drug that may have an effect on the employee's work performance must report such use to his or her supervisor prior to the performance of Grace business. The supervisor who is so informed will contact human resources for guidance.

While employees need not inform management of all medications taken, it is better to err on the side of disclosure if the medication may have an effect on work performance.

- b. Grace at all times reserves the right to judge the effect that a legal drug may have on job performance and to restrict the using employee's work activity or presence at the workplace accordingly.

6.2 Illegal Drugs and Alcohol. The use, sale, purchase, transfer, or possession of an illegal drug or of alcohol by any employee while on Grace premises or while performing Grace business is prohibited.

7. DISCIPLINE AND LEGAL SANCTIONS

- 7.1 Any employee who possesses, distributes, sells, attempts to sell, or transfers illegal drugs on Grace premises or while on Grace business will be subject to disciplinary action, up to and including discharge.
- 7.2 Any employee who is found to be in possession of or under the influence of alcohol in violation of this policy will be subject to discipline up to and including discharge.
- 7.3 Any employee who is found to be in possession of drug paraphernalia in violation of this policy will be subject to discipline up to and including discharge.
- 7.4 Any employee who is found through drug or alcohol testing to have in his or her body a detectable amount of an illegal drug or of alcohol will be subject to discipline up to and including discharge except that, depending on the circumstances of the case and the employee involved, the employee may be offered a one-time opportunity to enter and successfully complete a rehabilitation program that has been approved by Grace. During rehabilitation, the employee will be subject to unannounced drug or alcohol testing. Upon return to work from rehabilitation, the employee will be subject to unannounced drug or alcohol testing for a period of 60 months. Any test that is confirmed as positive during or following rehabilitation will result in discharge.
- 7.5 In addition to the disciplinary action by the College, local, state, and federal laws strictly outline penalties, including fines and jail terms, for the illegal use, possession

or distribution of alcohol and drugs. Indiana and federal law provides for fines and/or imprisonment for the unlawful possession, sale, manufacture, or distribution of drugs or alcohol. The amount of the fines and the length of imprisonment vary according to the type and amount of the substance involved, prior violations for such offenses, and a variety of other factors. Legal sanctions for the unlawful distribution of drugs increase if the substance is distributed to a person under twenty-one years of age or within one thousand feet of the property of a college.

8. DRUG AND ALCOHOL TESTING OF EMPLOYEES

8.1 Grace will notify employees of this policy by:

- a. Providing to each employee a copy of the policy, and obtaining a written acknowledgement from each employee that the policy has been received and read.
- b. Announcing the policy in various written communications and making presentations at employee meetings.

8.2 Grace may perform drug or alcohol testing:

- a. Of any employee who manifests behavior that gives rise to a reasonable belief that the person is violating this policy.
- b. Of any employee who is involved in an accident that results or could result in property damage or personal injury.
- c. On a random basis of any employee.
- d. Of any employee who is subject to drug or alcohol testing pursuant to federal or state rules, regulations, or laws.

8.3 An employee is required to consent to submit to drug or alcohol testing as a condition of employment and the employee's refusal to consent may result in disciplinary action, including discharge, for a first refusal or any subsequent refusal.

8.4 An employee may be suspended pending results of testing when Grace has a reasonable belief that this policy is being violated.

9. APPEAL OF A DRUG OR ALCOHOL TEST RESULT

9.1 An applicant or employee whose drug or alcohol test reported positive will be offered the opportunity of a meeting to offer an explanation. The purpose of the meeting will be to determine if there is any reason that a positive finding is in error or could have resulted from some cause other than drug or alcohol use. Grace's human resources officials along with local health professionals, as appropriate, will judge whether an offered explanation merits further inquiry.

- 9.2 An employee whose drug or alcohol test is reported positive will be offered the opportunity to:
- a. Obtain an independent test, at the employee's expense, using the remaining portion of the specimen that yielded the positive result;
 - b. Obtain the written test result and submit it to an independent medical review at the employee's expense.
- 9.3 The employee may use Grace's medical benefits, to the extent that coverage may apply, for meeting the costs of (9.2.a) and (9.2.b)
- 9.4 During the period of an appeal and any resulting inquiries, the employment status of an employee may be suspended. An employee who is suspended pending appeal will be permitted to use any available annual leave in order to remain in an active pay status. If the employee has no annual leave or chooses not to use it, the suspension will be without pay.

10. REHABILITATION AND EMPLOYEE ASSISTANCE

- 10.1 Rehabilitation assistance in lieu of discharge may be offered:
- a. To any employee who has requested rehabilitation assistance provided that the request is unrelated to an identification of the employee as a violator of this policy.
 - b. To any employee who has violated this policy provided that the violation does not involve selling or transferring illegal drugs, or serious misconduct.
- 10.2 An employee who is in rehabilitation will be suspended, except that—when indicated by the circumstances of the case and the written recommendation of a licensed physician or recognized rehabilitation professional—an employee may be permitted to work while undergoing rehabilitation on an outside-of-work basis. The written recommendation must include a statement to the effect that the employee's presence in the workplace will not constitute a safety hazard to the employee, co-workers or others.
- 10.3 An employee whose rehabilitative therapy involves drug maintenance, hospitalization or detoxification will not be considered for the exception from suspension described in (10.2).
- 10.4 An employee who is in rehabilitation or who has completed rehabilitation may be allowed to return to work upon presentation of a written release signed by a licensed physician or recognized rehabilitation professional. The release must

include a statement to the effect that the employee's presence in the workplace will not constitute a safety hazard to the employee, co-worker or others.

10.5 Rehabilitation assistance given by Grace will be:

- a. Limited to those medical benefits that may be available in the employee's medical benefits plan.
- b. Obtained through a rehabilitation program that has been pre-approved by Grace.
- c. Obtained by the employee during times that will not conflict with the employee's work time, except that the employee may use any available leave to be absent from the job with pay.

10.6 Grace will provide to any employee, upon request and at no cost to the employee, information concerning local resources that are available for the treatment of drug and alcohol related problems.

11. INSPECTIONS AND SEARCHES

11.1 Grace may conduct unannounced general inspections and searches for drugs or alcohol on Grace premises or in Grace vehicles or equipment wherever located. Employees are expected to cooperate.

11.2 Search of an employee and his or her personal property may be made when there is reasonable belief to conclude that the employee is in violation of this policy.

11.3 An employee is required as a condition of employment to consent to a search, and the employee's refusal to consent may result in disciplinary action, including discharge, even for a first refusal.

11.4 Illegal drugs, drugs believed to be illegal, and drug paraphernalia found on Grace property may be turned over to the appropriate law enforcement agency and the full cooperation given to any subsequent investigation. Substances that cannot be identified as an illegal drug by a layman's examination may be turned over to a forensic laboratory for scientific analysis.

11.5 If an employee is the subject of a drug-related investigation by Grace or by a law enforcement agency, the employee may be suspended pending completion of the investigation.

12. CONFIDENTIALITY

All information relating to drug or alcohol testing or the identification of persons as users of drugs and alcohol will be protected by Grace as confidential unless otherwise required by

law, overriding public health and safety concerns, or authorized in writing by the persons in question.

Revision 7/7/21

APPENDIX C: SEVERE WEATHER INFORMATION

WINTER WEATHER CLOSINGS

In the case of a snow emergency, severe inclement weather, extraordinary snowfall totals, unusually dangerous wind chills, or other emergency the institution may be closed or classes may be delayed for a period of time. In those instances, all classes at the Winona Lake campus in all programs (Trine, Bethel, Seminary, etc.) are cancelled. On-line classes are not affected. The following steps will be followed in order to make a decision and notify those affected:

1. The Dean of Student Affairs will confer and consult other relevant campus officials (Campus Safety, Academic Affairs (Provost), Human Resources, and the office of the President) regarding current conditions, forecasts, and advisories (red, orange, yellow) issued by Kosciusko County Emergency Management Agency and reported to the IDHS (Indiana Department of Homeland Security).
2. Based on those criteria, a decision will be made within a reasonable timeframe and communication will ensue. Should school be closed and classes cancelled, the Office of Student Affairs shall proceed with communications to:
 - a. The Office of Human Resources in order to enact Grace’s Staff Emergency Day Policy due to Inclement Weather.

EMERGENCY DAYS

- If the institution is closed for an “emergency day” it is considered closed for all personnel.
- When an announcement is made that classes have been cancelled due to a snow emergency, it is understood that all non-essential personnel are excused from reporting to work. Service personnel may need to report to work due to the nature of the work they perform. Service personnel will be notified by their supervisor.
- Non-essential hourly employees who have been excused from work for the emergency closing will be paid. Any work that can be made up will be appreciated.

- b. Faculty, staff, and students via Grace’s emergency notification system (Grace Alert), email, and website. Final communication will be initiated by 7 a.m. in most circumstances.
 - c. Should weather conditions require a mid-day or evening closure, a similar process will be enacted and communicated by 4 p.m.
3. Variables may change depending on specific days and/or situations:
 - a. Athletic teams will continue to practice unless there are extreme circumstances.

- b. Food Services will operate as best they can.
 - c. Campus entities such as the GRC, Library, and other student services will open as they are able to provide options for residential students.
 - d. Residential students are strongly encouraged to remain on campus and avoid traveling during a travel advisory, watch, or warning.
4. As conditions improve, notification will be made regarding the resumption of classes and reopening of classes. This notification will be sent via Grace Alert, Grace e-mail, and website.
5. In these situations, the safety of our employees and students is primary. Patience and discernment is requested when deciding whether or not to travel and when accommodating and communicating with commuter students.

TORNADO/STORM

1. Tornado Watch: weather conditions are favorable for tornadoes to develop. A weather watch is generally issued for a period of six (6) hours by the National Weather Service. Campus Safety will notify your Resident Directors of the watch and continue to update them regarding any changes that occur.
2. Tornado Warning: a tornado has been detected by radar or a trained weather spotter. A weather warning is generally issued for a period of one half (1/2) hour to one (1) hour by the National Weather Service. Campus Safety will notify your Resident Directors of the warning and continue to update them regarding any changes that occur. In the case of a tornado warning, residents should move as quickly and carefully as possible to the lowest level of the building and to the center of the building in which they are located. The Campus Safety Chief or a designated official will be the person to give the all clear.

Please note the following instructions to be followed during a tornado warning:

- Evacuate upper floors
- Move to the center of basement or bathroom or interior closet
- Get under a sturdy table or desk if possible
- If stuck on an upper floor go to an interior hall or stairwell
- If caught outside lie flat in a ditch
- Avoid windows and exterior walls
- Cover your head

Your shelter locations are indicated on the residence hall floor diagrams posted on the hall doors at the end of the floor.

BUILDING EVACUATION

In the event of an event where an evacuation is necessary (earthquake, fire, etc.), follow the following procedures:

- Call 911 and Campus Safety (574-269-5344) and describe the emergency or crime. Give your location and phone number.

- Follow the appropriate emergency procedures for exiting the building (posted on the back of campus doors and hallways).
- Calmly evacuate the building using the nearest exit and assist persons with special needs. Do not use elevators.
- Gather in the nearest parking lot and await assistance from Campus Safety and emergency/first responders.

APPENDIX D: TITLE IX POLICY

The new Title IX regulations became effective 8/14/20. As part of the institution's revised policy, it has detailed both a Title IX policy and a Sexual Misconduct policy, which are available in the institution's *Nondiscrimination and Equity Policy* on Grace's [website](#).

The Title IX policy that follows was revised 3/3/22.

INTRODUCTION

Members of Grace College and Seminary (Grace) have the right to be free from all forms of Sexual Harassment, which impedes the realization of the Grace's mission as an evangelical Christian community of higher education which applies biblical values in strengthening character, sharpening competence and preparing for service. All members of Grace's Community are expected to conduct themselves in a manner that maintains an environment free from Sexual Harassment. As such, Grace does not discriminate on the basis of sex and is committed to providing an educational environment free from sex discrimination.

As a recipient of federal funding, Grace is required to comply with Title IX of the Higher Education Amendments of 1972, 10 U.S.C. § 1681 et seq. (Title IX). Title IX is a federal civil rights law that prohibits Discrimination on the basis of sex — including pregnancy discrimination and Sexual Harassment — in educational programs and activities. Title IX's sex discrimination prohibition extends to claims of Discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity.

Sexual Harassment is defined broadly under this Title IX Sexual Harassment Policy (Policy). Sexual Harassment includes Sexual Assault, Sexual Harassment, Non-Consensual Sexual Contact, Non-Consensual Sexual Intercourse, Sexual Exploitation, Sexual Misconduct with a Minor, Child Molesting, and sex discrimination, as defined below. Sexual Harassment is a violation of Grace's policy, state and federal civil rights laws, and may violate state and federal criminal laws. When an allegation of Sexual Harassment is brought to an appropriate individual's attention, and a Respondent is found to have violated this policy, Grace will issue appropriate sanctions to prevent future misconduct.

Grace reserves the right to take whatever measures it deems necessary in response to an allegation of Sexual Harassment in order to protect the rights and personal safety of students, employees, and other members of the Grace Community. Such measures include, but are not limited to, modification of living arrangements, interim suspension from campus pending a hearing, and reporting the matter to local police. Not all forms of Sexual Harassment will be deemed to be equally serious offenses, and Grace reserves the right to impose different sanctions, ranging from verbal warning to expulsion, depending on the severity of the offense.

When imposing sanctions, Grace will consider the concerns and rights of both the Complainant and the Respondent.

Note: The Title IX Policy and the Sexual Misconduct Policy are related, but distinguished by jurisdictional and procedural differences and should be read together.

IMMEDIATE STEPS FOR THOSE AFFECTED BY SEXUAL ASSAULT

Grace understands that it may take time to decide whether to report an incident of sexual or physical violence to Grace and/or the police. The following suggestions to preserve evidence are offered while individuals decide whether to make a report.

Grace encourages Complainants, as soon as possible after the sexual or physical assault, to take steps to assure their safety and to preserve Evidence such as:

1. Calling 911 immediately following a sexual assault, domestic violence, dating violence, or stalking for emergency response procedures and resources.
 - a. Local individuals should call the Winona Lake Police Department (574-267-8622), the Warsaw Police Department (574-372-9511), or their local law enforcement agency.
 - b. Those not living near the Winona Lake campus should call 911 or their local law enforcement office.
 - c. Students should contact Grace's Campus Safety Office (574-269-5344) as soon as possible.
2. Requesting a forensic sexual assault nurse examination as soon as possible after the incident, but no later than 72-96 hours afterwards.
 - a. If possible, before having a forensic sexual assault nurse examination performed, avoid changing clothes, bathing, showering, using a douche, using the bathroom, brushing one's teeth, drinking liquids, washing one's hands or face, or combing one's hair.
3. Seeking medical and/or mental health help.
 - a. Medical care is recommended for preventive treatment, sexually transmitted diseases, and other health services.
 - b. The Grace Counseling and Health Center clinician or nurse, or the Dean of the Chapel and Community Life may be contacted for *confidential counseling*.
 - c. See also Local Resources – Medical Treatment for other options.

Individuals experiencing sexual violence or assault always have the option to file a police report, pursue a court-issued restraining or protective order, or request a campus-issued *No Trespass Letter* or *No Contact Directive*, but are not required to do so.

Sexual assaults, domestic violence, dating violence, and stalking should be reported to the Title IX Coordinator by the individual who experienced the offense or the responsible employee it was reported to.

If a Complainant wants the details of the incident to remain confidential on campus, then the report should be made to one of the following individuals with privileged communication: the campus' professional counselors, chaplain, campus nurse, or athletic trainers rather than the Title IX Office.

TITLE IX TERMS

The following definitions are specific to Title IX policy violations of Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking and will be applied to the investigative and determination processes associated with these complaints.

Additional definitions provided in Appendix A of this document may relate to any complaint of harassment, Discrimination, or Sexual Misconduct, including Title IX violations. In some cases, they are federal or administrative definitions used to further protect those experiencing harassment, Discrimination, and sexual or other violence and may be considered when making Title IX determinations.

ACTUAL KNOWLEDGE

Notice of Sexual Harassment or allegations of Sexual Harassment to a Grace's Title IX Coordinator or any designated official of Grace who has authority to institute corrective measures on behalf of Grace. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute Actual Knowledge. This standard is not met when the only official of Grace with Actual Knowledge is the Respondent. The mere ability or obligation to report Sexual Harassment or to inform a student or employee about how to report Sexual Harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of Grace. "Notice" includes, but is not limited to, a report of Sexual Harassment to the Title IX Coordinator. Designated officials are the Title IX Coordinator, President, and Vice President and Dean of Students.

COMPLAINANT

Any person who is reported to have experienced conduct prohibited by the Sexual Harassment or other Discrimination or harassment policy, regardless of whether that individual makes a report or participates in the review of that report by Grace, and regardless of whether that person is a member of the Grace Community.

CONSENT

Consent is clear, knowing, active (not passive), and voluntary (or affirmative, conscious) words or actions that give permission for specific Sexual Activity prior to engaging in and during an act. The following is guidance to determine consent:

- A. It is the obligation of the person initiating the sexual activity to obtain Consent.
- B. To give Consent, one must know what is being consented to, understand the scope of what is being consented to, not be a violation of public policy such as Hazing laws, include the capacity to give consent, and not be provided by one person on behalf of another.
- C. Consent cannot be given by an individual who one knows to be – or based on the circumstances should reasonably have known to be – substantially impaired (e.g., by alcohol or other drug use, unconsciousness, etc.). See Incapacitation.
- D. Consent can be given by words or actions that are unmistakable in their meaning and create mutually understandable, clear permission regarding willingness to engage in (and the conditions of) sexual activity. Relying solely on non-verbal communication before or during sexual activity can lead to misunderstanding and a violation of this policy.
- E. Withdrawal of Consent need not be a verbal withdrawal of Consent and can be manifested through conduct (i.e., crying, pulling away, pushing away, not actively participating, laying there, uncomfortable or upset facial expression).
- F. Previous relationships or prior Consent does not alone imply future consent. This includes “blanket” Consent (i.e., permission in advance for any/all actions at a later time/place). In the cases of prior relationships, the manner and nature of prior communication between the two parties and the context of the relationship may have bearing on Consent. Evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply Consent or preclude a finding of Sexual Misconduct.
- G. Silence or an absence of resistance does not imply consent.
- H. Consent to engage in Sexual Activity with one person does not imply consent to engage in Sexual Activity with another.
- I. Consent to one form of Sexual Activity does not alone constitute Consent to another form of Sexual Activity.
- J. An individual cannot Consent who has been Coerced, including being compelled by Force, Threat of force, or deception; who is unaware that the act is being committed; or who is Coerced by a supervisory or disciplinary authority.
- K. Consent may not be given by an individual who has not reached the legal age of Consent under applicable law.

DATING VIOLENCE

Violence threatened or committed by a person who is or has been in a social relationship of a romantic, sexual, dating, spousal, domestic, or other intimate relationship with the

Complainant , and, consistent with VAWA, where the existence of such a relationship shall be determined based on the statement of the Complainant and in consideration of the length of the relationship, type of relationship, and the frequency of interaction between the person involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

DECISION MAKER

The administrator(s) who oversee(s) any hearing or appeal (Appellate Decision Maker) which takes place as part of the formal resolution process and who issues sanctions when there is a finding of responsibility may also be referred to as the Adjudicator or Hearing Officer.

DOMESTIC VIOLENCE

- A. Except for the act of self-defense, conduct that would meet the definition of a felony or misdemeanor crime of violence committed by a family or household member against another family or household member,
 - i. A person with whom the Complainant shares a child in common,
 - ii. A person who is or has cohabitated with the Complainant as a spouse or intimate partner, or
 - iii. Individual similarly situated to a spouse under domestic or family violence law, or iv. Anyone else protected under the domestic or family violence law of the jurisdiction in which the offense occurred.
- B. Felony or misdemeanor crimes of violence include:
 - i. Attempting to cause, threatening to cause, or causing physical harm to another;
 - ii. Placing that person in fear of physical harm;
 - iii. Causing that person to involuntarily engage in sexual activity by Force, Threat of Force, or duress; iv. Beating, torturing, mutilating, or killing an invertebrate animal without justification with the intent to Threaten, Intimidate, Coerce, harass, or terrorize another person.
- C. An individual need not be charged with or convicted of a criminal offense to be found responsible for Domestic Violence pursuant to this policy. (IC 35-31.5-2-76)

EDUCATION PROGRAM OR ACTIVITY

Locations, events, circumstances, and operations over which Grace exercises substantial control over both the Respondent *and* the context in which the Sexual Harassment occurs. This includes conduct that occurs on Grace's property, during any Grace activity or event, or in any building owned or controlled by a student organization that is officially recognized by Grace.

FORMAL COMPLAINT

A complaint filed by the Complainant or Grace that triggers Grace's full investigation and hearing process under Title IX. A request for inaction does not constitute a formal complaint.

GRACE COMMUNITY

Faculty, staff, students, student employees, graduate assistants, volunteers, suppliers/contractors, and visitors.

INFORMAL RESOLUTION

Resolution facilitated through means other than the formal investigative process for Complainants and Respondents who both prefer to not go through an investigative resolution. Voluntary, Remedies-based, and structured interaction between or among affected parties, it balances support and accountability without formal disciplinary action against a Respondent.

INVESTIGATOR

An individual assigned by the Title IX Coordinator to gather information and prepare a report about the alleged Sexual Harassment. Investigators of complaints other than Sexual Harassment are also assigned by the Title IX Coordinator, but in consultation with other staff depending on the nature of the complaint.

PREPONDERANCE OF EVIDENCE

The standard of proof permitted by the Office of Civil Rights to determine that a policy violation more likely than not occurred. This standard is used to determine policy violations for both students and employees. Terms such as "guilt," "innocence," and "burden of proof" are legal terms not used in this process of determining institutional policy and conduct violations.

RECIPIENT

A post-secondary institution that receives Federal financial assistance and, therefore, is obligated to respond to allegations of Sexual Harassment consistent with Title IX's prohibition against sex discrimination.

REMEDY

Corrective or disciplinary actions or Sanctions intended to restore or preserve equal access to Grace's educational programs and activities upon finding a Respondent responsible for a policy violation. Remedies may include, but are not limited to, the same individualized Supportive Measures; however, Remedies do not need to be non-disciplinary, non-punitive, or avoid burdening the Respondent.

REPORT

The initial notice that prompts an intake assessment by the Title IX Coordinator. A report is not a Formal Complaint.

RESPONDENT

Any member of the Grace Community who is reported to have engaged in conduct prohibited by these policies.

RETALIATION

Any adverse employment or educational action taken against a person because of the person's participation in a complaint or investigation of discrimination or Sexual Harassment or other civil rights investigation.

For the purposes of this policy, Retaliation includes, but is not limited to, Intimidation, Threats, Coercion, Discrimination, or harassment by or to any Complainant, Respondent, Witness, or third party, or on their behalf.

SEXUAL EXPLOITATION

Occurs when one person knowingly and purposely takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other Sexual Harassment offenses. It includes:

- A. Engaging in voyeurism (e.g., watching private sexual activity without the consent of the participants or viewing another person's intimate parts [including genitalia, groin, breasts or buttocks] in a place where that person would have a reasonable expectation of privacy)
- B. Exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals
- C. Going beyond the boundaries of Consent (e.g., allowing third parties to observe consensual sexual activity from a hidden location [e.g., a closet] or through electronic means [e.g., live streaming of images])
- D. Invasion of sexual privacy
- E. Knowingly transmitting a sexually transmitted infection (STI) to another
- F. Non-consensual pictures, video- or audio-recording of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent
- G. Disseminating or posting images of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without Consent

- H. Possession, use, and/or distribution of alcohol or other drug (e.g., Xanax, Ambien, Benadryl, Rohypnol (“Roofies”), Ketamine, GHB, etc.) for the purpose of compromising that person’s ability to give affirmative Consent to any activity prohibited under this policy
- I. Prostituting another person

SEXUAL HARASSMENT

A. Sexual Harassment includes Sexual Assault, Non-Consensual Sexual Contact, Non-Consensual Sexual Intercourse, Sexual Exploitation, Sexual Misconduct with a Minor, Child Molesting.

- i. An employee of the Recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual’s participation in unwelcome sexual conduct (quid pro quo);
- ii. Unwelcome conduct (e.g., touching, fondling, patting, pinching or bodily contact and any other contact that creates or tends to produce a hostile environment based on an individual’s sex; indecent exposure; physical gestures; displaying sexually explicit photographs or objects that interfere with a reasonable person’s work) or comments (e.g., offensive or vulgar jokes, name-calling, comments about one’s body or sex life, stereotyping based on a person’s sex that are demeaning to women or men as a group) determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s Education Program or Activity; or
- iii. “Sexual assault” as defined in 20 U.S.C.1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).
- iv. Sexual Harassment may be conduct that is verbal, written, online and/or physical and Retaliatory harassment.
- v. Note that the Office of Civil Rights defined Sexual Harassment as giving ownership of the characterization of the experience to the Complainant. vi.

Although some offensive behavior may not meet the definition of Sexual Harassment, such behavior may nonetheless be unprofessional in the workplace, disruptive in the classroom, or violate other institutional policies and could warrant remedial actions and/or discipline according to the Sexual Misconduct Policy or employee, faculty, and student handbook and conduct policies.

SEXUAL VIOLENCE

The U.S. Department of Education Office of Civil Rights defines sexual violence as physical sexual acts perpetrated against a person's will or when a person is incapable of giving Consent (U.S. Dept. of Education, Office of Civil Rights (4/29/14). *Questions and Answers on Title IX and Sexual Violence*, p. 1).

SEXUAL ASSAULT

As defined by the Indiana Code, Sexual Assault includes the following:

A. NON-CONSENSUAL SEXUAL CONTACT

Any intentional sexual touching, however slight, with any body part or object, by any individual upon another that is without Consent and/or by Force or Coercion. Sexual contact includes: intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts or object, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth, or other orifice.

B. NON-CONSENSUAL SEXUAL INTERCOURSE

Any sexual penetration, however slight, with any body part or object, by any individual upon another that is without Consent and/or by Force or Coercion. Sexual penetration includes: vaginal penetration by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact); no matter how slight the penetration or contact.

C. SEXUAL MISCONDUCT WITH A MINOR

A person at least 18 years of age who, with a child at least 14 years of age but less than 16 years of age, performs or submits to sexual intercourse or sexual conduct, or performs or submits to any fondling or touching for the purpose of sexually gratifying either person.

D. CHILD MOLESTING

Per Indiana Code, when a person at least 18 years of age who, with a child under 14 years of age, performs or submits to sexual intercourse or sexual conduct, or performs or submits to any fondling or touching for the purpose of sexually gratifying either person. Child molesting includes incest.

STALKING

Stalking is a course of conduct, either explicit or implicit, directed at a specific person with the intent to place that person in reasonable fear of sexual battery, serious bodily injury, or death (Indiana Code 35-45-10-5); is unwelcome and would cause a reasonable person to fear for his or her safety or the safety others or suffer substantial emotional distress; or repetitive and

menacing pursuit, following, harassing, and/or interfering with the peace and/or safety of another. 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 distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Stalking includes cyber-stalking, a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.

SUPPORTIVE MEASURES

Non-disciplinary, non-punitive, individualized services offered, as reasonably available, and without fee or charge, to the Complainant and Respondent before or after the filing of a Formal Complaint or when no Formal complaint has been filed. Supportive measures for all parties are typically confidential.

TITLE IX COORDINATOR

The designated college official with primary responsibility for coordinating Grace's compliance with Title IX. This individual provides leadership for Title IX activities; offers consultation, education, and training; helps to ensure that Grace responds appropriately, effectively, and equitably to all Title IX issues; and is authorized to institute corrective actions. The Title IX Coordinator reports to the president.

TITLE IX

Title IX of the Education Amendments of 1972 states that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. Title IX violations are defined as Sexual Assault, Dating Violence, Domestic Violence, and Stalking.

TITLE IX SCOPE

Title IX protects students, employees, and third parties in connection with all academic, educational, extracurricular, athletic, and other programs of the school and from the continuing effects of Sexual Harassment in the educational setting.

POLICY DETAILS

Note: The Title IX Policy and the Sexual Misconduct Policy are related and should be read together.

I. Policy

Members of Grace College and Seminary (Grace) have the right to be free from all forms of Sexual Harassment, which impedes the realization of the Grace's mission. All members of Grace's Community are expected to conduct themselves in a manner that maintains an environment free from Sexual Harassment. As such, Grace does not discriminate on the basis of sex and is committed to providing an educational and working environment free from sex discrimination.

II. SCOPE

- A. This Policy applies to all faculty, staff, students, student employees, graduate assistants, volunteers, suppliers/contractors/vendors, and visitors involved during the investigation of reports of Sexual Harassment and applies to all stages of the process from notification to disposition of the allegation.

Complaints *only* about employees as *both* Complainant and Respondent will also be referred to the Human Resources Department for possible investigation under its Title VII policies in addition to Title IX.

B. Medium

- i. This policy applies to alleged Sexual Harassment in any medium. Sexual Harassment may manifest in many evolving forms including, but not limited to physical, verbal, and visual, whether in person or online in any format.

C. Jurisdiction

- i. Grace has a compelling obligation to address allegations and suspected instances of Sexual Harassment when it has Actual Knowledge that this policy may have been violated. Grace must inform the Respondent of the allegations and may take any further action it deems appropriate, including pursuing an investigation even in cases when the Complainant is reluctant to proceed. The Complainant will be notified in advance when such action is necessary. ii.
Grace's disciplinary response may be limited if the Respondent is a visitor or other third-party or is not subject to Grace's jurisdiction.

D. Location

- i. This policy applies to alleged Sexual Harassment that takes place in a Grace educational program or activity or as part of its operations against a person in the United States. This includes locations, events, or circumstances over which Grace exercised significant control over both the Respondent and the context in which the Sexual Harassment occurred.
 - ii. Although not considered a Title IX violation, reports of Sexual Harassment that occur in locations outside the U.S. or in locations not controlled by Grace will be investigated as part of the Sexual Misconduct Policy.
 - iii. This policy also applies to alleged Sexual Harassment that occurs off-campus, including virtual spaces, in any building owned or controlled by a student organization that is officially recognized by Grace.
 - iv. In situations not covered above, but where the Sexual Harassment undermines the security of the Grace Community or the integrity of the educational process, or poses a serious threat to self or others, other applicable Grace procedures for general misconduct may be applied.
- E. This policy is not intended for and will not be used to infringe on academic freedom or to censor or punish members of the Grace Community who exercise their legitimate First Amendment rights.
- F. Policy Maintenance
 - i. This Policy is managed by the Title IX Coordinator and Title IX Case Team.
 - ii. This Policy and the associated procedures will be revised by the Title IX Coordinator.

III. RECEIVING SUPPORTIVE MEASURES

- A. The Title IX Coordinator will discuss Supportive Measures and Resources with members of the Grace Community impacted by Sexual Harassment regardless of whether they file a Formal Complaint. They are encouraged to use those services and request additional support as needs arise.

IV. EMPLOYEES WITH AUTHORITY TO INSTITUTE CORRECTIVE MEASURES

- A. Grace designates certain employees who have the authority to institute corrective measures on its behalf. Under this policy, their knowledge of Sexual Harassment conveys Actual Knowledge to Grace.
- B. The following employees have been designated by Grace as having the authority to initiate corrective measure on its behalf:
 - i. Title IX Coordinator
 - ii. Vice President and Dean of Students

iii. President of Grace College and Seminary

- C. When one of the above employees learns of alleged Sexual Harassment, that employee should contact the Title IX Coordinator in the Title IX Office as soon as possible.
- D. All regular full- and part-time Employees of Grace have a responsibility to report knowledge of an alleged Title IX policy violation to one of the designated employees listed above. Student resident assistants and campus safety officers also have a responsibility to report to a designated official as part of their obligation by the institution to report other instances of misconduct that violate Grace policies.
- E. Employees may have additional reporting obligations provided by law.

V. EMPLOYEE DUTY TO REPORT

All Grace employees have reporting responsibilities to ensure that Grace can take appropriate action.

- A. All regular full-time and part-time Grace employees, except those exempted by legal privilege of confidentiality or expressly identified as a confidential reporter, have an obligation to report incidents of Sexual Harassment. This obligation applies to student employees who are resident assistants and campus safety officers unless outside the term(s) in which they are officially working.
- B. Any employee who receives a disclosure of Sexual Harassment (which includes Sexual Assault) or becomes aware of information that would lead a reasonable person to believe that a Sexual Harassment may have occurred involving anyone covered under this Policy, must report all known information immediately. These individuals must report the incident within five workdays of becoming aware of such information.
- C. Employees are not required to report disclosures of information regarding Sexual Harassment pursuant to this policy in the following circumstances, unless an individual covered under this policy is implicated or the individual is explicitly seeking assistance from Grace:
 - i. At public survivor support events including, but not limited to: “Take Back the Night,” candlelight vigils, protests, and survivor speak-outs; ii. To student resident assistants and campus safety officers outside the term(s) in which they are officially working; or
 - iii. During an individuals’ participation as a subject in an Institutional Review Board (IRB)-approved human subjects research protocol.
- D. Contacting the Title IX Coordinator to share all known information will satisfy the employee duty to report.

- E. Employees, including those with privileged communication, may have additional reporting obligations provided by law and/or other Grace policies.
- F. Corrective action may be taken against any individual who has a duty to report and who fails to respond in a manner consistent with the provisions of applicable laws, regulations, policies, and procedures.
- G. The following categories of employees are exempt from the duty to report Sexual Assault, Sexual Misconduct and other Sexual Harassment, due to their legal or professional privilege of confidentiality or their designation by Grace as a confidential reporter:
 - i. Professional and pastoral counselors
 - a) A professional counselor is a person whose official responsibilities include providing mental health counseling to students at Grace and who is functioning within the scope of that license or certification and their university employment.
 - 1. This definition applies even to professional counselors who are not employees of Grace but are under contract to provide counseling at Grace.
 - 2. This also includes an individual who is not yet licensed or certified as a counselor but is acting in that role under the supervision of an individual who is licensed or certified (e.g., a graduate counselor trainee acting under the supervision of a professional counselor at Grace).
 - b) A pastoral counselor is 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 is functioning within the scope of that recognition and their role at Grace.
 - c) In this context, the campus chaplain who is functioning as a pastor in a local church attended by Grace students or a campus counselor who is also working as a part-time instructor would not be exempt from the reporting obligations in those specific roles.
 - ii. Other employees with a professional license requiring confidentiality who are functioning within the scope of that license or certification and their Grace employment.
 - iii. Administrative staff who provide assistance in the health and counseling center such as front desk workers.
 - iv. At Grace, therefore, the following employees are exempt from the duty to report Sexual Harassment:
 - a) Professional counselors employed or interning in the Grace College Health and Counseling Center

- b) Administrative staff in the Grace College Health and Counseling Center
 - c) Grace College Dean of Chapel and Community Life (chaplain)
 - d) Grace College campus nurse
 - e) Grace College athletic trainer
- v. Individuals who do not live locally but desire confidential guidance and support may contact the director of Grace's counseling center for assistance in seeking confidential resources.
 - vi. Because content of discussions with confidential resources is not reported to the Title IX Office, such discussions do not serve as notice to Grace College to address the alleged Sexual Harassment.
 - vii. Confidential sources as noted above should inform students of their right to file both a Title IX complaint with Grace and a separate complaint with local law enforcement. In addition to informing students about campus resources for counseling, medical, residence life, and academic support, these individuals should also indicate that they are available to assist students in filing such complaints. They should also explain that Title IX includes protections against Retaliation, and that school officials will not only take steps to prevent Retaliation, but also take strong responsive action if it occurs.
 - viii. In order to identify patterns or systemic problems related to Sexual Violence, Grace collects aggregate data only about Sexual Violence incidents from confidential sources. These sources report only limited, general information permitted by the individual about these incidents such as the nature, date, time, and general location of the incident. Confidential sources take care to avoid reporting personally identifiable information about a student and should consult with students regarding what information needs to be withheld to protect their identity.

VI. REPORTING ALLEGATIONS OF SEXUAL HARASSMENT

- A. Although there is no time limit to making a report of Sexual Harassment, in order to preserve Evidence, maximize Grace's ability to conduct a prompt, fair, and thorough investigation, provide Remedies and Supportive Measures, determine any disciplinary action, and prevent further harm to those at risk, individuals are encouraged to report alleged Sexual Harassment immediately to the Title IX Office.
- B. Any person may report Sexual Harassment. By way of example, this includes:
 - i. Students
 - ii. Employees

iii. Parents iv. Any Grace Community member or other individual who is directly involved in, observes, or reasonably believes that Sexual Harassment may have occurred. C. Reports can be made to the Title IX Coordinator in the following ways:

- i. In-Person: Carrie Yocum, McClain 102 (office)
- ii. Email: yocumca@grace.edu
- iii. Phone: 574-372-5100 x6491
- iv. Mail: Carrie Yocum

Grace College and Seminary
200 Seminary Drive
Winona Lake, IN 46590

D. Making a report to Grace and to law enforcement are mutually exclusive events. Making a report to Grace does not preclude the individual from filing a report of a crime with law enforcement nor does it extend time limits that may apply in criminal processes. Filing a report with law enforcement is not a prerequisite of making a report to Grace; however, individuals may request assistance from the Title IX Coordinator or designee to notify law enforcement.

- i. Grace may independently notify law enforcement, however, if it determines that the physical health or safety of the Complainant or Respondent, Witnesses, or the Grace Community are at risk regardless of whether the Complainant notifies law enforcement.
- ii. If the Complainant makes a police report, the Title IX office may choose to not wait on the outcome of a police or criminal investigation to complete its own investigation.

E. Grace will investigate, to the greatest extent possible, anonymous or confidential reports of conduct violating this policy.

VII. AMNESTY FOR COMPLAINANT AND WITNESSES

A. The health and safety of the Grace Community is of utmost importance. Grace understands that sometimes reports of Sexual Harassment include the admission of the use of drugs and/or alcohol (either voluntary or involuntary) or other conduct violations by some or all of the parties involved, including Witnesses, at the time of the reported misconduct and that individuals may be hesitant to report this use for fear of consequences for their own behavior.

- i. Students: Although other conduct and community lifestyle violations are not condoned by the college, reporting Sexual Assault or interpersonal violence is strongly encouraged despite the possible admission of drug and/or alcohol use; therefore, any person who, acting in good faith, discloses any incident or knowledge of Sexual Harassment involving alcohol use, drug use, consensual sexual activity at or near the time of the report, or prior consensual sexual

activity to one of the institution's designated officials will not be subject to disciplinary action for violations of its conduct and community lifestyle policies occurring in connection with the report, provided that behavior did not and does not place the health or safety of another at risk.

- a. The institution may respond educationally, developmentally or with other Remedies rather than with a disciplinary response to the use of drugs and/or alcohol or other community lifestyle violations.
 - ii. *Employees:* Grace reserves the right to determine whether to pursue a policy violation by employees other than the Respondent; therefore, employees may be hesitant to report Sexual Harassment or Discrimination they have experienced. In order to encourage reports, Grace may choose to deal with these policy violations in ways other than corrective action up to an including termination, such as through educational, supervisory, or developmental sanctions.
- B. If there are situations of cross-complaints, Grace reserves the right to impose disciplinary sanctions to one or both parties found responsible for policy violations. Drug, alcohol, or other conduct policy violations, however, will always be considered when sanctions are determined for any Respondent found responsible for the Sexual Misconduct. The use of drugs, alcohol, or related substances is not an acceptable defense to a report filed under this policy.

VIII. CONFIDENTIALITY AND REQUESTS FOR INACTION

- A. Grace recognizes the importance of confidentiality and privacy. Information received in connection with the reporting, investigation, and resolution of allegations will be treated as private to the extent possible and will only involve individuals whom Grace determines are necessary to conduct an appropriate investigation resolution processes, to provide assistance and resources to parties, to perform other appropriate Grace functions, or when Grace is required to provide information under the law.
- B. See the Resources section for a list of confidential support, non-confidential support, and medical resources.
- C. If an incident is disclosed or reported to Grace and the individual requests that no investigation be conducted or disciplinary action be taken, the Title IX Coordinator or designee will explain that Grace prohibits Retaliation and explain the steps Grace will take to prevent and respond to Retaliation if the individual participates in a resolution process. The Title IX Coordinator or designee will evaluate the request to determine whether Grace can honor the request while still providing a safe and nondiscriminatory environment.
- D. A decision to proceed despite an individual's request not to will be made on a case-by-case basis after an individualized review, and the Complainant will be notified if such a

decision is made. If Grace proceeds with an investigation, the Complainant is under no obligation to proceed as a part of the investigation.

- i. In granting requests for inaction, Grace will take steps to reduce the effects of the alleged Sexual Harassment and prevent its recurrence without initiating formal action against the alleged Respondent or revealing the identity of the Complainant. Examples include providing increased monitoring, supervision, or security at locations or activities where the misconduct reportedly occurred; providing training and education materials for students and employees; revising and publicizing the school's policies on Sexual Harassment; and conducting climate surveys regarding Sexual Harassment.
- E. Every reasonable effort will be made to maintain the privacy of all parties involved in the investigative process; however, the Complainant and Respondent will be advised of the Witnesses interviewed during a formal resolution process.
- F. Information released to the reporting or responding party in response to a request to inspect their educational record will include the redaction of the personally identifying information of other Grace students who participated in the investigative process.
- G. All individuals involved in the process should observe the same standard of discretion and respect for everyone involved in the process.
- H. Whether the Complainant or the Respondent, Grace's primary relationship is to the student and not to the parent so will maintain the privacy of the student unless that student gives written permission to disclose information. In the event of major safety, medical, disciplinary, or academic jeopardy, however, students are strongly encouraged to inform their parents. Grace will inform or communicate with parents about the details of the claims made by or against their student when that student gives written permission to do so or in a life-threatening situation as permitted by FERPA. Additionally, any email contact the Title IX Office has with a parent or guardian includes the student as well.

IX. RETALIATION

- A. Retaliation is prohibited by Grace policy and law. Grace will not tolerate Retaliation in any form against any individual who makes an allegation, files a report, serves as a Witness, assists a Complainant, or participates in an investigation of discrimination or harassment.
- B. Retaliation is a serious violation that can subject the offender to discipline, up to and including termination of employment and/or suspension or dismissal of a student, independent of the merits of the underlying allegation.
- C. Allegations of Retaliation should be reported to the Title IX Coordinator.
- D. See the procedure for investigating complaints of Retaliation within this manual.

X. INVESTIGATION AND RESOLUTION OPTIONS

A. Initial Assessment

- i. The Title IX Coordinator or designee reviews all reports of Sexual Harassment under this policy for an initial assessment of the reported information. The available resolution options will be guided by the availability of information or evidence suggesting that a policy violation may have occurred; Grace's obligation to investigate and provide appropriate Remedies to eliminate, prevent, and address the effects of the prohibited conduct; and the desire of the Complainant to participate in an investigation or other resolution.
- ii. Upon completion of an initial assessment, the Title IX Coordinator or designee will determine the available options for resolution and will communicate the options to the parties.

B. Informal Resolution

Informal resolution may be utilized in some circumstances if Grace deems appropriate and both parties agree to it.

C. Investigative Resolution

The Title IX Office may resolve a report of Sexual Harassment through investigative resolution when the alleged Sexual Harassment, if true, would be prohibited under applicable Grace policy. In instances when informal resolution is inappropriate, when the party requests, or when Grace requires formal investigation, Grace will consider the concerns and rights of all parties and provide a prompt, fair, impartial, and equitable process.

- D. Typically, Informal and Formal investigative resolutions are concluded within 60 days, but may be delayed due to institutional breaks, availability of witnesses, or for other good cause reasons and for which an extension may be necessary. Written notification of delays will be provided to both the Complainant and the Respondent.

XI. REMEDIES

- A. When Grace makes a finding of a policy violation, it will take steps, whether individual or systemic, to stop the alleged Sexual Harassment, prevent its recurrence, and remedy the discriminatory effects on the Complainant and others as appropriate.

B. Corrective Actions/Sanctions

- i. Grace reserves the right to take whatever measures it deems necessary in response to a report of Sexual Misconduct in order to protect the rights and personal safety of students, employees, and others in the Grace Community. Sanctions are designed to stop the misconduct, prevent its recurrence, and provide Remedies and supports within the mission of Grace College and Seminary and its Title IX obligations.

- ii. Not all forms of Sexual Harassment are deemed equally serious offenses and Grace reserves the right to impose different Sanctions up to and including expulsion (students) or termination (employees) depending on the severity of the offense.
- iii. When the Respondent is a student, potential sanctions include formal reprimand, disciplinary probation, suspension, dismissal, and other appropriate educational sanctions.
 - a) Student employees may be subject to corrective action and sanctions under student and/or employee policies depending on the nature of the case. For instance, a student employee who is dismissed from Grace may also be subject to employment termination or other corrective actions.
 - b) In determining sanctions for any person found responsible for violating this policy of Sexual Harassment, the following are typically considered:
 - Nature, severity, and violence of conduct at issue
 - Impact on Complainant
 - Impact on the institution and community
 - Patterns of behavior, such as any previous, relevant disciplinary violations at Grace or criminal convictions
 - Whether the Respondent has accepted responsibility
 - Maintenance of a safe, responsive environment conducive to learning and working
 - Protection of the Grace Community
 - Any other mitigating, aggravating, compelling or relevant factors
 - c) Upon finding a Respondent responsible for a policy violation, Sanctions that may be issued include but are not limited to the following, which may be interim or long-term and/or individualized depending on individual student or employee circumstances:

STUDENT SANCTIONS

- Verbal warning
- Sanction or warning letter
- Disciplinary probation
- Educational sanctions, such as writing a paper
- Letter of apology
- Student Growth Contract
- Community or target restitution
- Off-campus community service
- Restriction of campus privileges (e.g., open dorm restrictions)
- Institutional sanctions (e.g., restricted from commencement)
- No contact directive (temporary, time-specific, or indefinite)

- Required training or education
- Required mentoring or accountability
- Required counseling or substance abuse assessment
- Academic rescheduling
- Residential re-location
- Rescheduling or termination of campus employment
- Campus separation directive or no trespass letter
- Disciplinary probation
- Suspension (or deferred suspension)
- Specific re-admission requirements
- Transcript notation
- Expulsion
- Other actions or restrictions
 - iv. When the Respondent is an Employee, corrective actions may be taken pursuant to the institution's Corrective Action/Work Rules Policy, Student Employment Discipline and Termination Policy, and/or Faculty Termination and Non-Renewal of Employment Policy. Disciplinary corrective actions include coaching, development plans, reduction in supervisory duties and leadership responsibilities, changes in salary, termination, and other appropriate corrective actions.
 - v. Sanctions include but are not limited to the following, which may be interim or long-term and/or individualized for employees depending on their particular circumstances:

EMPLOYEE SANCTIONS

- Verbal warning
- Sanction or warning letter
- Performance improvement plan
- Community or target restitution
- No contact directive (temporary, time-specific, or indefinite)
- Required training or education
- Required coaching, mentoring or accountability
- Required counseling or substance abuse assessment
- Reduction in supervisory and leaderships responsibilities •
Reassignment of supervisor or reporting structure
- Reassignment or rescheduling of work, hours, and/or location
- Restrictions on conditions of teaching, advising, or mentoring
- Paid or unpaid administrative leave
- Campus separation or no trespass letter

- Changes in salary
- Report to funder about violation of Sexual Harassment policy
- Deferred or denied promotion
- Demotion
- Loss of annual pay increase
- Suspension with pay
- Suspension without pay
- Termination
- Other actions or restrictions

C. Any corrective actions or sanctions will not take effect until any appeals have been completed.

D. Interim Supportive Measures

- i. Supportive Measures will be made available to both the Complainant and Respondent whether or not a Formal Complaint is filed or a report made to law enforcement to ensure equal access to Grace's education and employment programs and activities. The Title IX Coordinator or designee will conduct an individualized assessment and will review requests from the Complainant and Respondent to determine Supportive Measures that are appropriate and reasonably available at no cost to the Complainant or Respondent. Supportive Measures may include, but are not limited to:
 - a) Referral to campus and community resources for victim advocacy, counseling, health services, confidential sources, legal assistance, immigration assistance, disability services
 - b) Extensions of deadlines, petitions, and other academic-related adjustments
 - c) Modification of work or class schedules
 - d) Campus escort or transportation situations
 - e) Mutual no contact directives
 - f) Changes in work or housing locations
 - g) Change in reporting relationship
 - h) Consideration of leave requests
 - i) Increased security and monitoring of certain areas of campus
 - j) Other similar measures if the changes are reasonably available

- ii. Pending action on the notices of possible violations, Grace does not automatically alter the status of the Respondent, including his/her right to be present on campus, attend classes, or report to work.
 - a) A Respondent who is an Employee at Grace can be put on administrative leave during the period of any investigation
 - b) A Respondent who is a student at Grace may be removed from educational activities following an individualized safety and risk analysis that determines the Respondent poses an imminent threat to the physical health or safety of anyone due to the allegations made. If a student is removed from educational activities in this way, he/she has the right to challenge the determination of the safety and risk analysis immediately following removal. Emergency removal may be considered even if no grievance process is pending.
 - c) Non-student employee Respondents may be placed immediately on administrative leave.
- iii. The Title IX Coordinator or designee will coordinate the provision of interim Supportive Measures. Parties will not be required to arrange such measures by themselves but may need to participate in communication with supervisors, faculty, and other Grace employees with a need to know.
- iv. Grace will maintain as confidential any Supportive Measures provided to the Complainant or Respondent to the extent that maintaining such confidentiality would not impair the ability of Grace to provide the Supportive Measures.

E. Other Remedial Measures

- i. When Grace is unable to proceed with investigative resolution, such as lack of information in the report or request by the Complainant that an investigation not move forward, Grace may take other remedial measures as appropriate to Remedy the effects of the alleged Sexual Harassment and/or prevent its recurrence. Remedial measures may also be implemented when it is determined that inappropriate behavior occurred, but that the behavior did not rise to the level of a policy violation.
- ii. Remedial measures may include and are not limited to:
 - a) Providing training on Sexual Harassment;
 - b) Increasing security in a designated space;
 - c) Changing policy or procedure; and
 - d) Conducting climate checks.

F. Campus Directives and Protective Orders

Grace does not issue protective orders; however, it does issue no-contact and campus separation directives and no-trespass letters, all of which may be initiated by student affairs, campus safety, or the Title IX Office. No-trespass letters issued by Grace are delivered by local law enforcement to the recipient.

Complainants may seek an order of protection, restraining order, or other similar lawful court order, but is not required to do so. Grace or the local victim's service center can assist parties in understanding their legal options. Information can be requested from Grace's campus safety or Title IX offices. Grace will comply with and enforce lawful protective orders.

XII. FALSE ALLEGATIONS

- A. It is a violation of this Policy for anyone to make a false allegation of Sexual Harassment. The absence of a finding of a policy violation is not equivalent to finding that the Complainant acted in bad faith.
- B. Individuals who knowingly or with malicious intent provide false information when reporting Sexual Harassment or during an investigation of Sexual Harassment may be subject to disciplinary action consistent with the student, Employee, and faculty handbooks, up to and including suspension, dismissal, or expulsion from Grace.

XIII. PROCESS ABUSE

- A. No member of the Grace community may:
 - i. Obstruct, prohibit, exert improper influence over, or interfere with any individual making a report, participating in a process, or carrying out a responsibility covered by this Policy;
 - ii. Make, in bad faith, materially false statements in or related to a process covered by this Policy;
 - iii. Disrupt or interfere with the orderly conduct of any proceeding conducted under this Policy; or
 - iv. Fail to comply with any directive, sanction, or corrective action issued pursuant to this Policy.

XIV. VENDORS

- A. When Sexual Harassment cases include Respondents who are vendors or other business associates of Grace, the institution reserves the right to end or alter such business relationships in order to protect the safety of the Grace Community.

XV. REQUESTS FROM ANOTHER INSTITUTION

- A. If a student is found responsible for violating this Policy and applies to transfer to another institution, as permitted by the FERPA, Grace may disclose, without that

- B. student's consent, from the student's education records the final results of a disciplinary
- C. proceeding related to a crime of violence or non-forcible sex offense.
- D. Typically, Grace first seeks to obtain the consent of the student before releasing this information, but may release information without the student's consent after evaluating the nature and seriousness of the violation using the factors discussed previously in the "Remedies" section. Further, Grace typically releases this information in response to a request from the other institution, but may initiate this release if the community risk factors warrant it and Grace is aware of the other institution.
- E. As permitted by FERPA, the disclosure of the final results includes the name of the Respondent, the violation committed, and any Sanction imposed against the
- F. Respondent unless the Respondent consents to additional disclosures. "Sanctions" are defined as consequences and disciplinary action taken by the institution including the date of its imposition and duration. "Disclosure of the violation committed" means the policy or code sections violated and essential findings supporting the conclusion that the policy was violated.
- G. The disclosure will not include the name of any other student, including a Complainant, bystander, or Witness, without the written consent of that other student.

XVI. TRAINING

- A. All faculty, staff, student employees, graduate assistants, and students are required to take annual online training as directed by Grace on topics such as diversity, sensitivity, bullying, substance abuse, and violence in the workplace; Title IX, Sexual Misconduct, and Sexual Violence; community lifestyle expectations; and institutional policies and procedures about how and when to make a report about Sexual Harassment and other Sexual Misconduct.
- B. Additionally, the Title IX Coordinator, Investigators, and Decision Makers engage in continuing education and attend annual training that includes topics such as the law, best practices, investigation skills and considerations, and trauma-informed interviewing.
- C. Various segments of the institution may also receive supplemental, in-person training, such as athletics, confidential sources, resident directors, campus safety staff, and faculty related to their specific roles on campus. In addition to their own mandatory harassment training, Grace's on-campus vendors are also trained about the Title IX process at Grace.
- D. Students and student leaders are educated annually to promote the awareness of Sexual Assault and Sexual Misconduct, including those that are the subject of this Policy; how to report such offenses; and how to provide support to a student who has experienced a physical or sexual offense. All incoming students are assigned online training regarding Sexual Harassment and related topics in the Freshman Foundations course. Additionally, campus leaders, such as RAs and Growth Group leaders, also receive training by the Title IX Office.

- E. This and related policies are published on the institution's website and available to the campus community and the public. They are also available on the campus portal.

PROCEDURE

I. Initial Assessment

- A. Upon receiving a report, the Title IX Coordinator will provide information to the Complainant on their rights and options, including the availability of Supportive Measures, the right to file a Formal Complaint, and how to file a Formal Complaint either through an individual meeting or a written statement. Grace will be limited in its ability to formally investigate anonymous complaints.
- B. The Title IX Coordinator or designee reviews all reports of Sexual Harassment under this Policy for an initial assessment of the reported information. Available resolution options will be guided by the availability of information and evidence suggesting that a policy violation may have occurred; Grace's obligation to investigate and provide appropriate remedies to eliminate, prevent, and address the effects of the prohibited conduct; and the availability or desire of the Complainant to participate in an investigation or other resolution.
- C. Upon completion of an initial assessment, the Title IX Coordinator or designee will determine the available options for resolution and will communicate these options to the parties.
- D. If the Complainant or Grace elects to file a Formal Complaint, the Title IX Coordinator will provide written notice to the Respondent within ten days including:
 - i. The actual allegations of facts that constitute Sexual Harassment and any Evidence that supports this; ii. That there is a presumption of not responsible in their favor;
 - iii. That all parties are entitled to an advisor of their choice; iv. That all parties can inspect and review evidence; and,
 - v. Information regarding any code of conduct provisions that prohibit false statements made in bad faith.
- E. The Title IX Coordinator may consolidate Formal Complaints as to allegations of Sexual Harassment against more than one Respondent or by more than one Complainant against one or more Respondents where the allegations arise out of the same facts or circumstances.
- F. The Title IX Coordinator will send a supplemental notice to the parties whose names are known if, during the investigation, it is determined that allegations about the Complainant or Respondent not included in the original notice will be investigated (e.g., a new date or new allegation).

II. DISMISSAL OF A COMPLAINT

- A. In the event that prior to, or in the course of, an investigation, Grace determines that the allegations fail to meet the definition of Sexual Harassment or did not occur while in the United States and under Grace's educational program or activity, the investigation and Formal Complaint will be dismissed.
- B. Grace reserves the right to dismiss the Formal Complaint and stop the investigation if:
 - i. The Complainant notifies the Title IX Coordinator in writing that they wish to withdraw their Formal Complaint;
 - ii. The Respondent is no longer enrolled in or employed by Grace; or iii. Specific circumstances prevent the school from gathering sufficient evidence to reach a determination about allegations (e.g., there is no Complainant, lack of participation in the investigative process by parties or Witnesses or the passage of time).
- C. Formal Complaints that are dismissed may still be resolved through the Sexual Misconduct investigation procedures described elsewhere in this manual.
- D. If Grace dismisses the Formal Complaint for any reason, either party may appeal the decision as outlined in this policy's appeals process.
- E. Written notification of the reason for the dismissal will be sent to both parties.

III. INFORMAL RESOLUTION

- A. Informal resolution may be utilized in some circumstances if a Formal Complaint is filed.
- B. The use of an informal resolution process is limited in a number of ways:
 - i. Informal resolution is unavailable if the Respondent is an Employee of Grace.
 - ii. Informal resolution may only be used if any and all parties to an investigation agree to it.
 - iii. Informal resolution may not be appropriate as determined by Grace, including but not limited to, the following circumstances:
 - a) Other complaints about the same individual
 - b) History of violence from arrests/records from a previous school
 - c) Further violence threatened by the Respondent
 - d) Increased risk of additional violence under similar circumstances, such as a pattern of violence at a given location, at the same event, or with a certain group
 - e) Whether Sexual Violence was perpetrated with a weapon
 - f) Age of the Complainant or Respondent

g) Ability to provide a safe and nondiscriminatory environment for the Grace Community

- C. In all cases, Grace will inform the parties of the right to end the informal resolution process at any time. If a party chooses to end the informal resolution process, Grace will inform the Complainant of options, including the option to begin the investigative resolution process.
- D. Grace will provide a facilitator, mediator, or decision-maker that is free from conflicts of interest and has received special training in order to facilitate resolution of the Formal Complaint.
- E. Informal resolution can take any form that the parties agree upon. The Title IX Coordinator or designee will work with the parties to develop a form of resolution that adequately resolves the needs of the parties. The Complainant will not be required to resolve the conflict directly with the Respondent but may do so if both parties agree in writing. Possible forms of Informal Resolution include:
 - i. Facilitated Dialogue: A structured and facilitated conversation between two or more individuals, including, but not limited to the Complainant and the Respondent, which allows for voices to be heard and perspectives to be shared. Depending on stated interests, participants may work towards the development of a shared agreement.
 - ii. Shuttle Mediation: An indirect version of the facilitated dialogue.
 - iii. Restorative Justice: A facilitated, cooperative interaction between the Complainant, Respondent, and/or other parties to restore the harm caused by prohibited conduct and which leads to transformation in people, relationships, and community. In general, it involves active responsibility and making amends.
 - iv. Administrative decision, most typically by student affairs, vice president of administration and compliance, or human resources.
 - v. Written communication shared through the facilitator.
 - vi. Respondent acceptance of responsibility and/or voluntary, permanent campus separation
- F. Depending on the type of informal resolution chosen, it may be possible for a Complainant to maintain anonymity throughout the informal resolution process.
- G. As part of the resolution process, additional measures (including, but not limited to educational programming, training, regular meetings with an appropriate campus staff or resource, extensions of no contact directives, or counseling sessions) may be agreed upon.

IV. FORMAL RESOLUTION & HEARINGS

- A. The Title IX Office may resolve a report of Sexual Harassment through its formal resolution process when the alleged Sexual Harassment, if true, would be prohibited under applicable Grace policy. In instances when informal resolution is inappropriate, when any party requests, or when Grace requires formal investigation, Grace will consider the concerns and rights of all parties and provide a prompt, fair, impartial, and equitable process.
- B. Investigation
 - i. Following the filing of a Formal Complaint, an Investigator will be assigned to the case by the Title IX Coordinator. During the investigation, the Investigator will seek to meet separately with the Complainant, Respondent, and any relevant Witnesses who may have information relevant to the incident. The Investigator may also gather or request other relevant information or Evidence when available and appropriate. Both the Complainant and Respondent will be asked to identify Witnesses and provide other relevant information in a timely manner to facilitate prompt resolution of the case. All investigations are done by a member of the Title IX Office.
 - ii. Although both the Complainant and Respondent are advised to participate in the investigation process to enable a fair and equitable resolution to any case, neither the Complainant nor the Respondent are required to participate in the investigation process.
 - iii. Formal Complaints of Sexual Harassment may be consolidated were the allegations to arise out of the same facts or circumstances.
 - iv. During the investigation process, parties have an equitable right to:
 - a) Receive notice of the allegations before participating in an interview with sufficient time to prepare for meaningful participation;
 - b) A process with reasonably prompt timeframes, with extensions for good cause, as described in the Procedure section below;
 - c) Present relevant information to the Investigator, including evidence and witnesses;
 - d) Receive timely and equal access to any relevant information, documentation, and evidence gathered during the investigation;
 - e) Have an advisor of their choosing, or through appointment by Grace, including an attorney, advocate, or other support person who is not a potential Witness in the investigation or could otherwise compromise the investigation, who provides support throughout the formal resolution process, including being present for any meetings or hearings; and

- f) Investigators who are adequately trained to investigate cases of alleged Sexual Harassment, are familiar with applicable policies and procedures, and who do not have an actual conflict of interest or actual bias for or against either party.
- v. Grace must provide a written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings to all parties whose participation is invited or expected with sufficient time for the party to prepare to participate.
- vi. Grace will not restrict the ability of a Complainant or Respondent to discuss the allegations under investigation or to gather and present relevant evidence.
- vii. Credibility determinations will not be based on a person's status as a Complainant, Respondent, or Witness.
- viii. Following the completion of the investigation, the Investigator will complete an investigative report on the allegations contained in the Formal Complaint. Before the report is finalized, the Investigator will send to each party and their advisors an electronic or hard copy of all evidence that is directly related to the allegations. Grace must include all Evidence directly related to the allegations, even if the Investigator does not intend to rely on that Evidence in making a determination of responsibility. The parties then have at least ten days to provide a written response, which the Investigator will consider before finalizing the investigative report. The finalized report is then circulated for no less than ten days before a hearing is held.

C. Hearings

- i. All hearings are overseen by a Decision Maker(s). All Decision Maker(s) have received special training on how to be impartial and are assigned to cases by the Title IX Coordinator to avoid any bias and present an objective analysis of the evidence. In no case is the Investigator for a given case also the Decision Maker(s).
- ii. The Respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the end of the investigation and hearings.
- iii. The Decision Maker(s) will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding the privilege has waived it.
- iv. Credibility determinations may not be based on a person's status as a Complainant, Respondent, or Witness.

- v. Hearings are not legal proceedings and do not follow courtroom procedure or the formal rules of evidence. During any hearings, each party must have an advisor present to ask questions to the other party. This advisor does not need to be licensed to practice law and may be a person of the party's choice or, if they do not have an advisor, Grace will provide an advisor for them.

D. Questioning & Cross-Examinations

- i. The Decision Maker(s) may question individual parties and Witnesses.
- ii. Parties will have the opportunity to cross-examine the party or Witness, including questions challenging credibility. Parties may never ask questions directly, and questions must be asked to the other party through the use of a party's Advisor. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by at the live hearing. All questions asked must be relevant. Any questions determined not to be relevant by the Decision Maker(s) are not required to be answered.
- iii. If a party or witness is absent from the live hearing or refuses to answer cross-examination or other questions, the Decision Maker(s) may rely on any statement of that person in reaching a determination of responsibility if deemed reliable and relevant by the Decision Maker and not otherwise subject to exclusion under this policy. The Decision Maker may, therefore, consider the statements of persons who were not present at the hearing, or persons who were present at the hearing but who were not subject to facilitated question and answer. This includes, but is not limited to, opinions and statements in police reports or other official reports, medical records, court records and filings, investigation notes of interviews, emails, written statements, affidavits, text messages, social media postings, and the like. This includes, but is not limited to, opinions and statements in police reports or other official reports, medical records, court records and filings, investigation notes of interviews, emails, written statements, affidavits, text messages, social media postings, and the like. The Decision Maker(s) may not draw an inference about the determination regarding responsibility based solely on a party's or Witness' absence from the live hearing or refusal to answer cross-examination or other questions.
- iv. If, at any point during the hearing, the Decision Maker(s) determines that unresolved issues exist that could be clarified through additional investigation time, the Decision Maker(s) may suspend the hearing and reconvene it in a timely manner that accommodates further investigation.
- v. Hearings may be conducted in-person or virtually through the use of technology at Grace's discretion; however, if either the Complainant or Respondent asks to be in separate rooms, Grace must grant this request and provide appropriate technology to allow for simultaneous participation.

- vi. All hearings will be memorialized through an audio or audiovisual record or transcript of the live hearing. The recording or transcript will be made available for parties to inspect and review following their completion.

E. Resolution

- i. The Decision Maker(s) will communicate his or her decision to both parties, concurrently. The Decision Maker(s) will communicate the decision in writing as soon as possible after the hearing. In all cases, the Decision Maker(s) will send the parties a final outcome letter within ten days of the conclusion of the hearing. The Decision Maker(s) forms all conclusions by examining all Evidence from the investigation and the hearing. Their conclusion is based on the Preponderance of Evidence standard: If the Evidence indicates that it is more likely than not that Respondent committed the alleged act(s), then Respondent will be found responsible for violating this policy.
- ii. The Decision Maker(s)'s written decision must include the following information:
 - a) Identification of the allegations potentially constituting Sexual Harassment;
 - b) A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and Witnesses, site visits, methods used to gather other Evidence, and hearings held;
 - c) Findings of fact supporting the determination;
 - d) Conclusions regarding the application of Grace's code of conduct to the facts;
 - e) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary Sanction imposed upon the Respondent, and whether remedies designed to restore or preserve equal access to Grace's Education Program or Activity will be provided; and
 - f) The procedures and permissible bases for either party to appeal.

Outcome letters will maintain as confidential any accommodations or protective measures provided to the Complainant to the extent that maintaining such confidentiality does not impair the ability of the institution to provide the accommodations or protective measures.

- iii. In making a final determination, findings of responsibility for each allegation are determined in the following ways:
 - a) Substantiated: It is more likely than not that the Respondent is responsible for violating the policy.

- b) Unsubstantiated: There is insufficient Evidence to conclude that it is more likely than not that the Respondent is responsible for violating the Policy. A finding that the allegation is unsubstantiated does not indicate that the complaint was improper, knowingly false, or not made in good faith.
- iv. Making a final determination and any associated sanctions is dictated by individual circumstances such as whether the Respondent is a student or Employee, the Decision Maker(s) may consult with other Grace officials, such as the Title IX Coordinator, VP and Dean of Students, President, or the Respondent's supervisor.

V. NOTIFICATION OF NEXT OF KIN

Upon written request, Grace will disclose to the next of kin the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or a nonforcible sex offense if the Complainant (student) is deceased as a result of the crime or offense.

VI. APPEALS PROCESS

A. If either party disagrees with the outcome of the Decision Maker(s)'s determination, they may file a written appeal with the Title IX Coordinator within ten days of receiving the Decision Maker(s)'s written decision. B. Appeals may be filed due to:

- i. A procedural irregularity that affected the outcome.
- ii. New Evidence being discovered that was not reasonably available at the time of the determination or dismissal.
- iii. An actual conflict of interest or actual bias for or against complainants or respondents generally or the individual Complainant or Respondent that affected the outcome of the matter of the Investigator(s) or Decision-Maker(s).

C. The appeal Decision Maker, who is not the Title IX Coordinator or the Investigator, will examine all evidence in order to determine if the appeal has merit. The appeal Decision Maker will make an unbiased, objective conclusion as to the appeal's merit, issue a written decision describing the result of the appeal and the rationale for the result, and will provide the written decision simultaneously to both parties within five days of the written appeal. The appeal Decision Maker's decision will be final.

VII. RECORDKEEPING

A. Grace shall maintain all records relating to Formal Complaints of Sexual Harassment, as well as all training materials used under this Policy, for seven years.

TITLE IX OFFICE

The Title IX Office is comprised of a Coordinator, Investigators, Decision Makers, and advisors who receive annual training on issues related to Sexual Assault and Misconduct and how to conduct investigations and hearings in ways that protect the parties involved and promote accountability. The Title IX Coordinator is a designated Grace employee with primary responsibility for coordinating Grace's compliance with Title IX. This individual provides leadership for Title IX activities; offers consultation, education, and training; and helps to ensure that Grace responds appropriately, effectively, and equitably to all Title IX issues.

Title IX Coordinator
Carrie Yocum
yocumca@grace.edu
574-372-5100 x6491
McClain 102 (office)
Grace College and Seminary
200 Seminary Drive
Winona Lake, IN 46590

If any of the parties involved raise issues related to potential conflicts of interest of any Investigator, advisor, Decision Maker, or appeal panel member, this conflict should be reported to the Title IX Coordinator. If the Title IX Coordinator is the person alleged to have a conflict of interest, the report may be filed with Grace's president, who will appoint another individual.

Dr. Drew Flamm, President
flammar@grace.edu 574-
372-5100 x6391
Grace College and Seminary
200 Seminary Drive
Winona Lake, IN 46590

OFFICE OF CIVIL RIGHTS

Call the Office for Civil Rights (OCR) at 1-800-421-3481 to report any educational Discrimination on the basis of race, sex, disability, etc., request information on civil rights compliance programs, procedures for filing Discrimination complaints, or access to civil rights regulatory and policy documents.

Contact information and inquiries may also be obtained on the OCR web page of the U.S. Department of Education. The OCR office for Indiana is located at: Chicago Office:

Office for Civil Rights
U.S. Department of Education
John C. Kluczynski Federal Building

230 S. Dearborn Street, 37th Floor
Chicago, IL 60604
Telephone: 312-730-1560
FAX: 312-730-1576; TDD: 800-877-8339
Email: OCR.Chicago@ed.gov

RESOURCES AND SUPPORT ON- AND OFF-CAMPUS

Grace’s Health and Counseling Center, located in the Gordon Health and Wellness Center, provides counseling, support, and assistance for students who experienced conduct that is the subject of this Policy regardless of whether the incident happened on campus, was perpetrated by another Grace student or Employee, or whether a they choose to make a Formal Complaint or participate in the investigative process.

The institution’s counseling center provides direct counseling support to local students who experienced Sexual Misconduct or to others who are local and affected by the conduct. The health center provides nursing services including assessment, triage, and referral for health and medical needs resulting from Sexual Assault.

In addition, the Grace Health and Counseling Center provides more information about local resources for students and witnesses attending the Winona Lake campus and assists in making referrals for employees or commuter, online, and other Grace students who desire counseling, support, or information in their local communities.

Local, off-campus advocates are available at the Winona Lake Police Department or the prosecuting attorney’s office in Warsaw, Indiana. They offer assistance in a crisis, information and referrals, and personal advocacy to those who experience or are affected by violent crimes.

Written information is available upon request from the Title IX Office for students and employees about counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other service services available at Grace and in the community.

SAFETY AND LAW ENFORCEMENT

Grace College Campus Safety (McClain)	574-269-5344
Winona Lake Police Department	911 or 574-267-8622
1310 Park Ave, Winona Lake, IN 46590	
Warsaw Police Department	911 or 574-372-9511
2191 Ft Wayne St, Warsaw, IN 46580	
Kosciusko County Sheriff’s Department	574-267-5667
221 West Main St, Warsaw, IN 46580	

GRACE COLLEGE – HEALTH AND MENTAL HEALTH

Grace College Counseling Center* (GHWC)	574-372-5100 x6472
Grace College Athletic Trainer*	574-372-5100 x6275

Grace College Counselor* (GHWC).....	574-372-5100 x6774
Grace College Director of Counseling* (GHWC)	574-372-5100 x6069
Grace College Health Center* (GHWC)	574- 372-5100 x6472
Grace College Employee Assistance Program (Bowen Ctr)	1-800-342-5652
Grace College Nurse* (GHWC).....	574-372-5100 x6426 Grace
College RD on call (cell phone) 574-635-5737	
Grace College Student Disabilities Services	574 372-5100 x6423

GRACE COLLEGE – STUDENT ASSISTANCE

Grace College Academic Support Services Coordinator	574-372-5100 x6427
Grace College Chaplain*	574-372-5100 x6284
Grace College Designated School Officer (I-20s)	574-372-5100 x6139
Grace College Financial Aid Office	574-372-5100 x6162
Grace College Residence Life Director.....	574-372-5100 x6473
Grace College Student Diversity and Inclusion Assoc Dean ..	574-372-5100 x6477

**Please note* these are confidential sources on campus. Unlike other employees who are mandatory reporters, confidential resources are not required to report to the Title IX Office any cases of suspected sexual assault or misconduct.

LOCAL ASSISTANCE – MEDICAL TREATMENT

Ft. Wayne Sexual Assault Treatment Center hotline	260-423-2222
1420 Kerrway Ct, Fort Wayne, IN 46805 - Patient Resources	
Kosciusko Community Hospital	574-267-3200
2101 East DuBois Drive, Warsaw, IN 46580	
Lutheran Health Network	574-269-8338
1210 Provident Drive, Warsaw, IN 46580	
Parkview Hospital – Warsaw	574-372-0000
1355 Mariners Drive, Warsaw, IN 46582	

LOCAL ASSISTANCE – MENTAL HEALTH COUNSELING

Grace College Employee Assistance Program (Bowen Ctr)	800-342-5652
Bowen Center – 24-hour emergency service	800-342-5653
Bowen Center – Warsaw	574-267-7169
850 North Harrison, Warsaw, IN 46580	

AREA ASSISTANCE – VICTIM SERVICES

Beaman Home – Warsaw	877-725-9363
603 Parker St, Warsaw, IN 46581	
Center for Nonviolence	260-456-4112
235 W. Creighton Ave., Ft. Wayne, IN 46807	
Ft. Wayne Sexual Assault Treatment Center hotline	260-423-2222

2270 Lake Ave #201, Fort Wayne, IN 46805 ([Patient Resources](#))

Rape Crisis Hotline, Ft. Wayne Women's Bureau 888-311-7273

Victim Advocate – Winona Lake Police Department (desk) 574-385-2323

1310 Park Avenue, Winona Lake, IN 46590

Victim Assistance Program (prosecutor's office) 574-372-2419

121 North Lake Street, Warsaw, IN 46580

HOTLINES AND RESOURCES – NATIONAL

Domestic Violence (TTY and Spanish).....1-800-799-SAFE (7233)

Sexual Assault (RAINN) 1-800-656-HOPE (4673)

Substance Abuse (SAMHSA – English and Spanish).....1-800-662-HELP (4357)

Suicide Prevention (TTY and Spanish).....1-800-273-TALK (8255)

For a comprehensive list of national resources for Sexual Assault survivors and their loved ones, click [here](#) for the following:

1. General information for victims
2. Child abuse and sexual abuse
3. Domestic, dating, and intimate partner violence
4. Incest
5. Stalking
6. Survivors with disabilities
7. College students
8. Male survivors of sexual assault
9. LGBTQ survivors
10. Human trafficking
11. Military resources
12. Legal resources
13. Medical and physical health
14. Mental health
15. Suicide and self-harm
16. Sexual assault prevention
17. International or Americans abroad

APPENDIX E: HARASSMENT AND DISCRIMINATION TERMS

The following definitions relate to any complaint of harassment, Discrimination, or Sexual Misconduct. In some cases, they are federal or administrative definitions used to further protect those experiencing harassment, Discrimination, and sexual or other violence and may be considered when making Title IX determinations.

Terms specific to Title IX violations of Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking are defined in the Title IX Policy and will be applied to the investigative and determination processes associated with these complaints.

Age of Consent

The age of consent in Indiana is 16; however, Indiana has a “Romeo and Juliet law” that permits 14 and 15- year-olds to engage in non-forced sexual activity with peers who are under the age of 21 and no more than 4 years older than themselves (Indiana Code 35-42-4-9).

Age Discrimination Act of 1975

The Age Discrimination Act prohibits Discrimination on the bases of age in programs or activities receiving Federal financial assistance. Specifically, that no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to Discrimination under any program or activity receiving Federal financial assistance. The Act, which applies to all ages, permits the use of certain age distinctions and factors other than age that meet the Act's requirements. The Age Discrimination Act is enforced by the Civil Rights Center, which administers and enforces policies of the Department of Labor.

Assault

An intentional act that causes someone to have reasonable fear of imminent bodily harm. For cases involving actual bodily harm, see “Battery.” Aggravated assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Physical assault will be addressed under the Title IX Policy if it involves sexual or gender-based harassment, Dating or Domestic Violence or is part of a course of conduct under the “Stalking” definition.

Battery

Intentional and wrongful physical contact with a person causing injury or offensive touching. Battery includes rape, whether or not accompanied by force, “date rape” or “acquaintance rape.” (See also “Domestic Battery”).

Bias

Bias refers to language and/or behaviors that explicitly or implicitly target individuals or groups because of, but not limited to, others’ actual or perceived identity (e.g., color, disability, ethnicity, gender, gender identity and expression, national origin, race, religion, sexual orientation, national origin, age, marital status, personal appearance, sexual orientation, family responsibility, matriculation, or political affiliation).

Bias incidents may be a single or ongoing instance of behavior, action, or practice that marginalizes, mocks, demeans, intimidates, or Threatens individuals or groups based on their actual or perceived membership in a protected class.

The expression of an idea or point of view may be offensive or inflammatory to some, but may not necessarily be a bias-related incident. Grace values freedom of expression and the open exchange of ideas and, in particular, the expression of controversial ideas and differing views is a vital part of academic discourse. While this value of openness protects controversial ideas, it does not protect harassment or expressions of bias or hate aimed at individuals who violate the expectations of conduct by employees and students.

Bullying

Overt, unwanted, repeated and/or severe, aggressive behavior intended to harass, ridicule, humiliate, intimidate, control or diminish another person physically or mentally, or cause harm to the individual or bystanders, and that is not speech or conduct otherwise protected by the First Amendment. It causes harm and may include aggressive communication, humiliation, or manipulation as well as isolation, dehumanization, and disempowerment. Bullying creates an objectively hostile environment that:

1. Places the other person in reasonable fear of harm,
2. Has a substantially detrimental effect on the other person's physical or mental health,
3. Has the effect of substantially interfering with the other person's academic performance or work, *OR*
4. Has the effect of substantially interfering with the other person's ability to participate in or benefit from the institution's educational programs.

Bullying is *not* interpersonal conflict, disagreements, misunderstandings, incivility, rudeness, or unprofessionalism (cf. IC 21-39-2-2.1).

Bystander

A person present at an event or incident who does not participate, but can take positive action to prevent or intervene as it is happening or after it occurs.

Coercion

Coercion is the implicit or explicit application of pressure that unreasonably interferes with one's ability to exercise free will. This includes intimidation, implied threats, cajoling, or unreasonable pressure for sexual activity or to compel someone to do something against their will by the use of psychological pressure, physical force, or threats of severely damaging consequences, including undue inducement or any form of force, fraud, constraint, deceit, or duress (cf. IC 16-41-6-2). Decisions to not participate in a form of sexual intercourse or sexual contact, to stop participating, or to not go beyond a certain sexual interaction is coercive if the pressure is unreasonable. In determining whether coercion was used, the institution will consider the frequency, duration, and intensity of the pressure and the degree of isolation of the person being pressured. Coercion is more than an effort to persuade or attract another

person to engage in Sexual Activity. Coercive behavior differs from seductive behavior based on the degree and type of pressure someone used to obtain consent from another.

Disability Harassment

The U.S. Department of Education defines Disability Harassment as unwelcome conduct based on a student's actual or perceived disability. Disability Harassment can take many forms, including slurs, taunts, stereotypes, or name-calling, as well as disability-motivated physical threats, attacks, or other hateful conduct. It includes Intimidation or abusive behavior based on disability that creates a hostile environment by interfering with or denying an individual's participation in or receipt of benefits, services, or opportunities in the institution's educational or employment programs.

Disciplinary Probation

As defined by the *Student Handbook*, a conditional student status for a designated time period during which additional violations of community life standards will be treated more severely. Specifics associated with disciplinary probation are outlined in the handbook.

Discrimination

An unlawful distinction, preference, or detriment compared to others who are similarly situated. Unfavorable treatment or actions (harassment) that deprive other members of the Grace Community of educational, program, service, or employment access, benefits, or opportunities on the basis of race, color, national origin, age, sex, disability, or other legally protected category.

Domestic Battery

A person commits domestic battery if they knowingly or intentionally (IC 35-42-1-3):

1. Touch 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, OR
3. Cause bodily injury.

Employee

For the purposes of Duty to Report policies, an "Employee" is defined as regular full-time and part-time employees of Grace Schools. Student employees may be subject to employee Sanctions if found responsible for a policy violation.

Evidence

Information upon which a reasonable individual might rely when investigating responsibility for a policy violation. Evidence may include clothing, sheets, or other materials; copies of texts, images, or other content from social media accounts; surveillance camera footage;

photographs and documents; audio or video recordings including voice mail messages; other physical Evidence; or relevant information that will help with the investigation of the complaint.

Equity

The quality of being fair or impartial.

Force

Violence, Threats, compulsion, Physical Violence, or constraint exerted by any means that overcomes free will, overcomes resistance, or produces Consent. Sexual Activity that is Forced is by definition non-consensual, but non-consensual Sexual Activity is not by definition Forced.

Formal Investigation

The process by which Investigators conduct interviews, collect Evidence and information, and typically implement safety measures related to reports that may result in a conclusion of a policy violation and Sanctions. These investigations include those related to Title IX violations of Dating or Domestic violence, Sexual Assaults, or Stalking; reports of a Discriminatory or hostile environment; or reports that pose serious risk to the Complainant or Grace Community, but may occur in other situations as determined by the Title IX Office or other Investigator.

Gender-Based Harassment

The U.S. Department of Education defines Gender-Based Harassment as unwelcome conduct based on an individual's actual or perceived sex. It includes slurs, taunts, stereotypes, or name-calling, as well as gender-motivated physical Threats, attacks, or other hateful conduct.

Hate Crimes

As of this current version of the *Nondiscrimination and Equal Opportunity Policy*, the State of Indiana does not have a Hate Crimes law. Federal law mandates, however, that colleges annually report certain crimes that occur on campus or near campus (i.e., *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* or "Clery Act," signed in 1990, is a federal statute codified at 20 U.S.C. § 1092, with implementing regulations in the U.S. Code of Federal Regulations at 34 C.F.R. 668.46.).

These crimes must be reported as Hate Crimes if there is evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity or disability. Hate Crimes that are reported through this federal process are murder, sex offenses (both forcible or nonforcible), robbery, aggravated assault, burglary, motor vehicle theft, manslaughter (negligent and non-negligent), arson, larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property.

Hazing

Forcing or requiring another person, with or without the Consent of the other person, and as a condition of association with a group or organization, to perform an act that creates a substantial risk of bodily injury (cf. IC 35-42-2-2.5), psychological harm or social ostracism when related to admission into, initiation into, pledging of, affiliating with, or joining any group, club, or activity.

Hostile Environment Caused by Sexual Harassment

The U.S. Departments of Education and Justice defines a Hostile Environment as an occurrence where “there was harassing conduct that was sufficiently serious – that is, sufficiently severe or pervasive – to deny or limit a student’s [or employee’s] ability to participate in or benefit from the school’s program based on sex.”

In determining whether this denial or limitation has occurred, Grace will consult the following subjective and objective perspectives provided by the U.S. Department of Education:

1. The type of harassment (e.g., whether it was verbal or physical)
2. The frequency and severity of the conduct
3. The age, sex, and relationship of the individuals involved (e.g., teacher-student, or student-student)
4. The setting and context in which the harassment occurred
5. Whether other incidents have occurred at the college
6. Other relevant factors (University of Montana OCR Resolution letter)

Sexual Assault (Non-Consensual Sexual Contact, Non-Consensual Sexual Intercourse), Sexual Exploitation, Dating Violence, Domestic Violence, or Stalking indicates that a hostile environment requiring institutional response under Title IX has occurred.

Incapacitation

An inability to Consent, such as due to the use of drugs or alcohol, involuntary physical restraint, when a person is asleep or unconscious or is unaware that activity of a sexual nature is taking place, or because of an intellectual or other disability that prevents the individual from having the capacity to give Consent. Incapacitation is determined by a person’s decision-making capacity, awareness of consequences, and ability to make informed, rational judgments.

1. When in doubt, individuals should assume that the other person is incapacitated and unable to give consent.
2. Consent cannot be given by an individual who one knows to be – or based on the circumstances should reasonably have known to be – substantially impaired (e.g., by alcohol or other drug use, unconsciousness, etc.).
3. Substantial impairment is a state when an individual cannot make rational, reasonable decisions because they lack the capacity to give knowing Consent

(e.g., to understand the “who, what, when, where, why, or how” of their sexual interaction).

4. This also covers individuals whose substantial impairment results from other physical or mental conditions including mental disability, sleep, involuntary physical restraint, or from the consumption of alcohol or other drugs.
5. Being impaired by alcohol or other drugs will never function as a defense for any behavior that violates any of this Policy.
6. Being impaired by alcohol or other drugs is never a defense to any violation of this policy.

In evaluating cases of Incapacitation, the institution will ask whether the person initiating any type of Sexual Activity knew that the other party was Incapacitated and, if not, whether a reasonable person based on similar circumstances have known the other person was substantially impaired. If the answer is “yes” to either question, then Consent was absent and the conduct is likely a violation of this policy.

Intent

That which is done for the purpose of causing a particular result or with the knowledge that the result is likely to occur. The individual does not have to want the result to occur if he/she is, or should be under all the circumstances, aware that the result is likely to occur.

Intimidation

Communication of a Threat to another person, with the Intent that the other person engage in conduct against the other person’s will or that the other person be placed in fear of Retaliation for a prior lawful act (cf. Indiana Code 35-45-2-1). Implied Threats or acts that cause another to reasonably fear harm. A person’s size alone does not constitute Intimidation; however, a person’s size may be used in a way that constitutes Intimidation (e.g., blocking an exit).

Institutional Sanctions

Sanctions consistent with the conditions of a student’s disciplinary probation (e.g., loss of leadership positions) as well as others such as loss of honors society membership, prohibiting applying for campus employment positions of authority, not walking in commencement, or not providing letters of reference. Disciplinary probation is described further in the *Student Handbook*. Commensurate institutional Sanctions may be applied to Employees based on individual circumstances.

Other Misconduct

The following misconduct violates institutional student and employment policies if severe and pervasive enough to cause an adverse effect on employment or education on the basis of any protected characteristics.

- A. Discrimination

- B. Hazing
- C. Threatening physical violence
- D. Causing physical harm
- E. Extreme verbal abuse
- F. Hate speech or actions
- G. Bullying/cyberbullying
- H. Vandalism
- I. Destruction of/damage to property
- J. Intimidation
- K. Conduct that may endanger the health or safety of others

Physical Violence

One person exerting control over another person through the use of physical Force. Examples include hitting, punching, slapping, kicking, restraining, choking, and brandishing or using any weapon.

Privileged Communication and Confidential Sources

Privileged and confidential communication about Title IX and Sexual Misconduct matters lies with the following Grace employees:

- A. Licensed counselors or interns supervised by one in the Grace College Health and Counseling Center
- B. Administrative staff in the Grace College Health and Counseling Center
- C. Dean of the Chapel (campus chaplain)
- D. Campus nurse
- E. Grace College athletic trainers

Confidentiality only extends to these employees when they are functioning in the role for which they were hired, not when they are in another capacity (e.g., when the campus chaplain is teaching a course as a faculty member). Other faculty and staff with similar credentials do not have privileged communication related to Title IX and Sexual Misconduct complaints because they were not hired to fulfill the role for which they are credentialed.

There are some situations in which even those with privileged communication may be required by law to bring certain matters to the attention of law enforcement. For example, counselors are required by law to report when an individual is a threat to harm himself/herself/others, including suicidal and homicidal thoughts and child or sexual abuse.

Protected Characteristics

Race, color, national origin, age, sex, or disability in the administration of Grace's educational, scholarship, and loan policies. Race, color, sex (except when it is a bona fide occupational qualification), pregnancy, age, ancestry, national origin, disability, citizenship status, military status, genetic information or other protected class in administration of Grace's employment policies.

Responsibility

An act for which someone is determined to be accountable, to blame, or to have caused harm for something.

Sanctions

Consequences or disciplinary action, including date of its imposition and its duration, taken by the institution for actions not in accordance with its student and employee policies and standards.

Section 504 of the Rehabilitation Act of 1973

A federal law enforced by the Office of Civil Rights designed to protect the rights of individuals with disabilities in programs and activities that receive Federal financial assistance from the U.S. Department of Education (ED). Section 504 provides: "No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. . ."

Sexual Activity

Sexual touching of body parts that is intimate in nature. Sexual Activity by definition is not Sexual Assault, but Sexual Assault necessarily involves Sexual Activity.

Sexual Misconduct

A broad term encompassing an array of improper sexual behavior, including unwelcome behavior of a sexual nature that does not otherwise meet the definition of Sexual Harassment. Although not necessary components of Sexual Misconduct, it may be committed without Consent, by the use of Intimidation or manipulation, or when there is some aspect of personal power or authority that makes it inappropriate. Unlike the definition of Sexual Harassment, it may be severe, pervasive, or objectionably offensive. Sexual Misconduct consists of a range of statements, behavior, or attempted behavior.

Threats

Words or actions that would compel a reasonable person to engage in unwanted sexual or other activity. Examples include Intimidation, causing physical harm, extreme abuse, revealing private information to harm a person's reputation, or other conduct that threatens or endangers the health, safety, academic, or economic well-being of another person.

Unconscious Bias

Social attitudes or stereotypes about certain groups of people that affect understanding, actions, and decisions and are formed outside conscious awareness. Implicit social cognition.

Violence Against Women Act (VAWA)

A broad-based law formulated in 1994 in response to the increasing violence against women in America, notable for calling attention to the issues of Sexual Assault, Dating Violence, Domestic Violence, and Stalking.

Witness

Someone asked to participate in the investigation such as Bystanders who directly observed the situation reported by the Complainant; someone who witnessed, interacted with, or provided assistance to the Complainant or Respondent soon after the event; someone with priority knowledge about the situation but who may not have been directly present; or others with information necessary to Investigators to document and/or fully understand the complaint.

APPENDIX F: SUMMARY OF SAFETY TRAINING

Grace provides online and other training to its employees and students. Its primary partners/vendors, Aramark and Sodexo, also provide corporate training to their employees on similar topics as well as those related to the safety practices specific to their roles. Additionally, Aramark and Sodexo employees typically attend a group training session on sexual misconduct with the Grace Title IX Coordinator.

The following are examples of the training topics for Grace employees and students. Additional, role-specific training is also assigned to targeted groups of employees and students depending on the nature of their work.

Athletics, Campus Safety, RAs/RDs, Arts & Sciences employees

(those at higher risk of exposure)

- Bloodborne Pathogen Exposure Prevention Mandatory

Campus Safety, including student workers

- Active Shooter
- Campus Security Authority
- Community Lifestyles Expectations
- Customer Service Overview
- First Aid
- Title IX and Sexual Misconduct
- Student Handbook
- Workplace Violence

Athletics

- Title IX and Gender Equity in Athletics
- Title IX and Sexual Misconduct
- Bloodborne Pathogen Exposure Prevention
- Athletic Liability
- Clery Act Overview
- Campus SaVE Act
- Drug Free Workplace

Drivers

- Defensive Driving
- Distracted Driving (assigned as needed)

Employees - All

- Drug Free Workplace
- Workplace Bullying
- Workplace Violence
- Title IX and Sexual Misconduct
- Campus SaVE Act
- First Aid
- Active Shooter

Supervisors

- Sexual Harassment: Policy and Prevention
- Legal Obligations as a Supervisor (workshop)

Students - Incoming

- Grace College Policies
 - Sexual Harassment and Misconduct Policy
 - Student Handbook
 - Grace College Substance Abuse Policy
- Diversity Awareness for Students
- Active Shooter Awareness
- Campus SaVE Act for Students - Sexual Violence Awareness
- Alcohol Awareness for Students
- Bystander Intervention for Students

RA Training

- Sexual Harassment and Misconduct policy training
- How to Use a Fire Extinguisher
- General Safety Training from Campus Safety
- Bloodborne Pathogens

APPENDIX F: EMERGENCY RELOCATION PROCEDURES



EMERGENCY PROCEDURES

Life-Threatening Emergencies: Call 911 • All Emergencies: Call Campus Safety 574-269-5344

Your Location: Winona Lake Campus - McClain Hall / 601 Connection Circle / Winona Lake, IN 46590

Your Fire Evacuation Site: Assemble on the lawn north of McClain towards the Orthopedic Capital Center.

Your Severe Weather Shelter: Assemble in the basement corridors, restrooms and auditorium away from windows and outside walls.

First Aid Box Location: On the second floor by room 108.

AED Location: In the Campus Safety Office

MEDICAL EMERGENCY

In the event of a serious injury or life-threatening situation:

- Call 911 immediately
- Call Campus Safety at 574-269-5344 so they can direct emergency services to your location.
- Do not move the person unless his/her life is in danger in the existing location. Administer first aid/CPR if you are trained.

HAZARDOUS MATERIALS

- Evacuate the building or area, assisting persons with disabilities or special needs.
- Call 911 and Campus Safety at 574-269-5344.
- Do NOT use light switches, cell phones, or anything else that could cause a spark.
- Do not reenter the building until an "all clear" is given.

EVACUATION INFORMATION

- Call 911 and Campus Safety at 574-269-5344.
- Describe the emergency (fire, crime, etc.).
- Give location of emergency and your phone number.
- If possible, without endangering yourself, observe and report the situation. The observations you make may be crucial to responding emergency personnel.
- Follow the appropriate emergency procedures as outlined.

CAMPUS CRISIS (ACTIVE SHOOTER) STRATEGY

Develop a "Survival Mindset"

When faced with the possibility of an active shooter or similar threat, a predetermined mindset will help you take rapid, effective actions. The three options (in order of preference) when hearing gunshots or explosions:

- **Run!** Immediately move away from the assumed danger. Once you have relocated to a safer area, call 911 (don't assume someone else has made this call already).
- **Hide!** If you are unable to leave your office suite or building quickly find a secure place to hide and turn out the lights. If possible secure your location with locked doors and furniture in front of doors to keep the shooter out. If you are with a group of people, spread out to avoid becoming cornered.
- **Fight!** Assume the shooter's intentions are lethal and do whatever it takes to stop him/her and survive. If possible, work with others and use improvised weapons to overcome the shooter.

FIRE

- Activate the nearest fire alarm pull station.
- Evacuate the building, assisting people with disabilities or special needs.
- Close the doors as you leave.
- Call 911 and Campus Safety at 574-269-5344.
- Calmly evacuate the building using the nearest exit.
- Do not use elevators.
- Gather in the fire alarm location.

SUSPICIOUS PERSON/SUSPICIOUS OBJECT

- Do not confront the person physically or block the person's access to an exit.
- Call Campus Safety at 574-269-5344. Provide as much information as possible about the person and his/her direction of travel.
- Do not touch any item or device that is suspected to be a bomb or explosive device.
- Notify the Winona Lake Police Department by using a land line phone at "911". Cell phone calls are not recommended.
- Notify Campus Safety immediately at 574-269-5344.

TORNADO/SEVERE WEATHER

- Weather emergencies will be communicated initially through the GraceAlert notification system.
- When sirens or other notification occurs move to a severe weather shelter area.
- Assist people with disabilities or special needs.
- Stay away from windows and skylights and make sure all doors are closed.
- Wait for the official "all clear" to return to other campus areas.

GRACE ALERT SYSTEM

In the event of inclement weather, emergency, crisis or active shooter, the GraceAlert notification system will communicate the critical information to the campus.

- The initial communication will give warning to all campus with information that is known, especially the location of the crisis.
- Updates will be sent if relevant information or warnings emerge.
- An "ALL CLEAR" will be sent only after approval from the police.
- Upon giving an all clear, an appropriate location would be designated as the official gathering place for all of campus.

POWER OUTAGE

In the event of a mechanical or utility failure:

- Notify Campus Safety at 574-269-5344 of the utility failure and location.
- Wait for instructions from college authorities if it is going to be an extended outage.
- Prepare for timely warning and emergency notification.

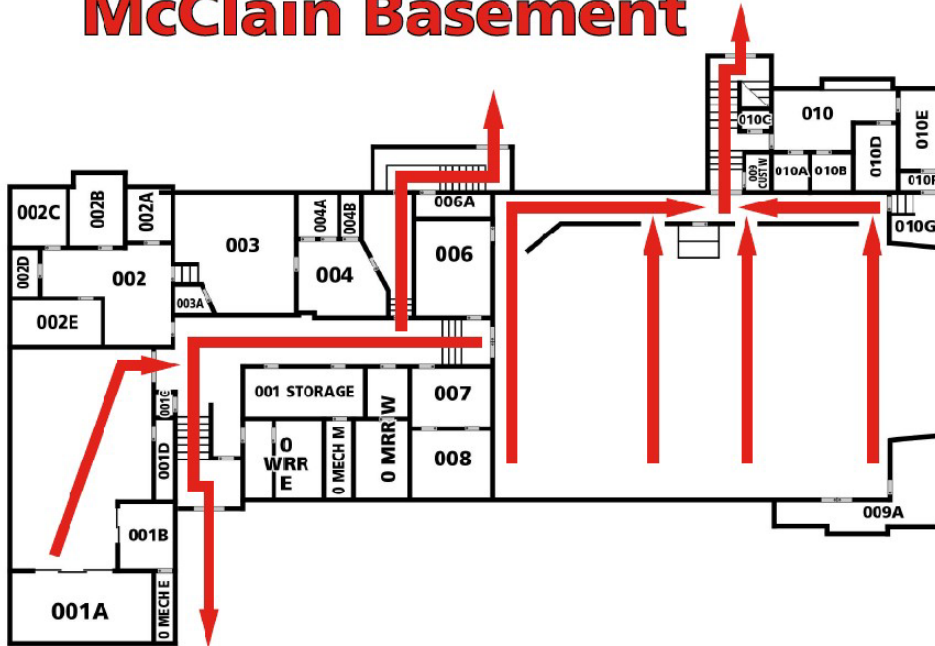
Please do not remove or cover this important information.

APPENDIX G: FIRE EVACUATION ROUTES



EMERGENCY EXIT

McClain Basement



Revised 5/17

APPENDIX H: FIRE STATISTIC DEFINITIONS

- **Fire:** Rapid oxidation of combustible material accompanied by heat, light and smoke of combustible material, which is found outside of its normal appliance, whether or not it is extinguished prior to arrival of emergency services.
- **Fire-related Deaths:** Number of persons who were fatalities because of a fire incident, including death resulting from a natural or accidental cause while involved in fire control, attempting a rescue, or persons escaping from the fire scene (an individual who dies within one (1) year of injuries sustained as a result of a fire).
- **Fire-related Injuries:** Number of persons receiving injuries from fire-related incidents, including an injury from a natural or accidental cause who received medical treatment at a local medical facility. This includes first responders attempting to control the fire, attempting a rescue, or persons escaping from the fire scene. Persons may include students, faculty, staff, visitors, firefighters, or any other individuals.
- **Estimated U.S. Dollar Loss Related to Fire Incidents:** Estimated total U.S. dollar loss of both contents and structure or property destroyed because of a fire incident, not loss of business.
- **Evacuation Procedures Posted:** When a fire alarm is activated, evacuation is mandatory. DO NOT use elevators; evacuate the building using the nearest available exit and proceed to a point a minimum of 100 feet from the building to begin an accountability and assessment process.
- **Fire Alarms Monitored by Contracted Alarm Monitoring Company:** Fire alarms are monitored 24 hours a day, seven days a week, 52 weeks a year by a contracted monitoring service.
- **Fire Safety Training Programs Delivered:** Number of training programs delivered by Fire and Emergency Services or other responsible persons of authority within the College to occupants of residence halls, concerning fire prevention and preparedness.
- **Buildings Equipped with Fire Alarm Systems and Smoke Detectors:** Buildings that have functional fire alarm systems and smoke detectors installed. Please note, all residence halls are equipped with a functional fire alarm system and smoke detectors.
- **Buildings Protected with Automatic Sprinkler System Throughout:** Indicates an automatic sprinkler system protects all areas of a building.
- **Fire Drills:** The number of supervised scheduled drills or actual events at campus residence halls, that are facilitated and certified by Public Safety in cooperation with assigned College building personnel and at times with Manheim Township Fire Rescue. A minimum of one (1) drill is conducted throughout the year to familiarize students, faculty and staff with emergency procedures and individual roles.

APPENDIX I: ATHLETIC DEPARTMENT ALCOHOL AND SUBSTANCE ABUSE ADDENDUM

August 1, 2014

Student Athletes are under the authority and guidance of their head coaches during their time as an athlete at Grace College. Student athletes are held accountable to the entire student life covenant and in addition to as a student athlete they are held to a higher standard. Student athletes regardless of age during their time as a student athlete are not allowed to consume alcohol at any time. The athletic department supports the full development of all student athletes and believes that alcohol does not support the full development of an athlete, further it does not support the highest level of physical development & potential achievement for a student athlete. Student athletes traveling on team mission trips, or who are participating in Go Study or Go Exchange programs, are to be under the athletic department community lifestyle statement for the duration of the trip. Student athletes who are 21 or older and are a member of a Grace athletic program are encouraged to communicate with their head coach regarding any specific summer trip, job or individual experience that needs to be discussed regarding alcohol being present at an event.

The success of any operation requires teamwork and cooperation. Teamwork includes working by a common set of work rules and standards. You are expected to conduct yourself at all times in a manner that promotes the health and safety of all members of your athletic program. You should protect the integrity of the players, coaches and team at all times. This guideline is an example of our desire as an athletic department to build champions of character and assist achieving the highest level of athletic performance & growth while playing for Grace College. New guidelines may be established whenever necessary.

DISCIPLINE INFORMATION

Student athletes who violate the tobacco, alcohol and substance use policy will be disciplined both by student life and the athletic department who work in conjunction together.

1. **First Offense:** 2 game suspension (based on the number of games scheduled for the season), mentorship by a coach, teammate, faculty, or member of the community agreed upon by the coach, athletic director and dean of students. The student will also fulfill additional expectations set forth by the coach and student life. A meeting with the coach, athletic director and student will take place and parents will be informed.
2. **Second Offense:** Half of the athletic season suspension (based on the number of games schedule for the season) and temporary dismissal from the team or practice is possible. The student will also fulfill additional expectations set forth by the coach and student life. A meeting with the coach, athletic director and student will take place and parents will be informed.

3. **Third Offense:** Dismissal from the team for 1 year and potential dismissal from Grace College.

APPENDIX J: GRACE COLLEGE BUILDINGS

BUILDINGS OWNED OR CONTROLLED BY GRACE COLLEGE	
Residential Buildings	Administrative Buildings
Alpha	Billy Sunday Home
Beta	East Hall
Boyer apartments	Gordon Health and Wellness Center (GHAWC)
Encompass	King’s Highway Offices
Gamma C	Maintenance/Grounds
Indiana Hall	Manahan Orthopedic Capital Center (MOCC)
Kauffman	McClain
Kent	Miller Athletic Complex
Lamp Post	Morgan Library
Lancer Lofts	Mount Memorial
The Lodge	President’s Guest House
Oak Hill Apartments	Philathea
Omega	Physical Plant
Westminster	Science Center
Off-Campus Grace Residences¹	William Male Building
IHOP	Winona Heritage Room

¹ Note: Grace owned and controlled buildings within Clery geography, but not residence halls.

Dr. Grill House	Oak Hill offices
West	
LaMasia	