

2019

# Annual Security and Fire Safety Report



Bellarmino  
University

*This is the Annual Security and Fire Safety Report for the Bellarmine University Campus, Flynn Building and Sports Complex covering years 2016, 2017 and 2018*

## A Letter for the Director of Public Safety

Bellarmine University is a vibrant community of educational excellence and ethical awareness that consistently ranks among the nation's best colleges and universities. Our campus sits on approximately 135 acres of gently rolling terrain through which Louisville's historic Beargrass Creek flows. Bellarmine has an estimated work force of over 800 faculty and staff members, a student body of almost 3500 and numerous guests who visit the campus daily.

Bellarmine's Public Safety Coordinator is responsible for preparing the 2019 Annual Security and Fire Safety Report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This report provides information from the last three years regarding services, personal safety and security programs, fire safety, and emergency evacuation procedures at Bellarmine University as well as crime statistics that have occurred within the campus jurisdiction and those received from local police for the public areas immediately adjacent to the campus. The report also includes statistics on fire and fire alarm related incidents that have occurred on campus during the past three years.

We hope you find this report informative. Please review it carefully especially the crime and fire prevention tips included. Personal safety is a responsibility of everyone, and we need your assistance to make our campus a safe environment. We look forward to working with you in creating and maintaining a campus environment with minimal of threats to safety and property and enhancing the living, working and learning environment in and around the campus.

Sincerely,

Debbie H Fox

Director

# Table of Contents

Annual Security and Fire Safety Report .....	4
The Office of Public Safety .....	4
Personal Responsibility .....	5
Procedures for Reporting a Crime or Emergency .....	5
Daily Incident Log .....	7
Timely Warnings Procedures .....	8
Emergency Response and Evacuation Procedures .....	8
Working Relationships with State and Local Law Enforcement Agencies .....	10
Access and Security of Campus Facilities .....	10
Maintenance of Campus Facilities .....	12
Educational Programs Promoting Crime Prevention and Campus Safety Awareness.....	12
Programs to Promote Drug & Alcohol Intervention and Prevention.....	14
Sexual Discrimination & Misconduct Policy.....	14
Introduction.....	16
Scope of Policy.....	16
Options for Assistance Following an Incident of Sexual Misconduct.....	17
Title IX Coordinator.....	21
Definitions.....	22
Reporting Policies & Protocols.....	25
Inquiry Procedures & Protocols.....	31
Grievance/Adjudication Procedures.....	32
Prevention & Education.....	35
Training.....	38
Sexual Misconduct Grievance Procedures .....	41
Conduct Sanctions .....	47
Alcohol and Drug Policy .....	49
Illegal Drug Use Policy.....	52
Sex Offender Registration .....	53
Missing Student Policy .....	53
Weapons Policy .....	54

Reportable Clery Offense Definitions.....	54
Campus Security Act & Crime Statistics 2016-18.....	57
Fire On-Campus Student Housing Facilities.....	59
Policies for Fire Safety.....	60
Emergency Evacuation Guide .....	60
Evacuation Procedures .....	61
Evacuation Information for Persons with Disabilities .....	62
Procedures for Evacuating No-Ambulatory Persons.....	63
Specific Evacuation Procedures for Residence Hall.....	63
University Smoking Policy .....	65
Fire Safety Systems in Residential Facilities.....	66
Fire Incident Reports for 2016-2018 .....	66

## Annual Security and Fire Safety Report

---

The Annual Security and Fire Safety Report for Bellarmine University is prepared as part of the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act of 1990. This report includes statistics for crimes, arrests, and disciplinary referrals that occurred on campus; in certain off-campus buildings or property owned or controlled by Bellarmine University; and on public property within, or immediately adjacent to and accessible from the campus. Statistics are collected for this report from the Office of Public Safety, the Office of the Dean of Students, Human Resources, Athletics Department, Residence Hall Staff, Campus Security Authorities (CSAs) and local law enforcement agencies. Residence Hall Fire Statistics for the past three years are included in this report. The report includes institutional policies and procedures concerning campus security, Violence Against Women Act (VAWA), Title IX and Fire Safety policies.

The completed ASR is available to students, families, faculty, staff and the public by accessing the following on October 1, 2019:

Department	Web Page	Location
Public Safety	<a href="http://www.bellarmino.edu/security/">http://www.bellarmino.edu/security/</a>	Annual Security Report
Health and Safety	<a href="http://www.bellarmino.edu/about/consumer/healthandsafety/">http://www.bellarmino.edu/about/consumer/healthandsafety/</a>	Annual Security Report

The university community receives notice on how to view this report. Crime Residence Hall Fire Statistics for 2016, 2017, and 2018 are located at the end of this report.

## The Office of Public Safety

---

The mission of Bellarmine University's Office of Public Safety is to ensure a safe living, working and learning environment while being sensitive to the needs of a diverse community. We are committed to achieving the highest standards of professionalism and customer service while being dedicated to fostering cooperative relationships with the Bellarmine community. We are committed to continually striving for excellence through professionalism, collaboration through understanding the needs of the community and exceeding their expectations. Our goal is to become an elite community-based public safety department in higher education.

The Office of Public Safety provides security services to the university in order to maintain a safe environment. Public Safety operates 24 hours a day, 7 days a week, monitoring the campus through a series of automobile and foot patrols and through the video surveillance system. The Office of Public Safety has a security force of up to 18 non-sworn personnel trained to administer CPR and first aid including the use of defibrillators stationed in campus buildings and in the security vehicle.

If you have any questions regarding security at Bellarmine University or need to reach someone, please feel free to call us at 502-272-7777 or send an email to [security@bellarmine.edu](mailto:security@bellarmine.edu).

Our physical address:  
2001 Newburg Road  
Centro Hall, Room CNTH 054  
Louisville, KY 40205

## **Personal Responsibility**

---

The cooperation and involvement of the Bellarmine community themselves in a campus safety program is necessary. It is important that you must assume responsibility for your own personal safety and the security of your personal belongings by taking simple, common sense precautions. For example, although we have a well-lit campus, students may feel comfortable traveling in pairs or using the Office of Public Safety's Escort Service at night. Always keep residence hall room doors locked.

Secure your personal items. Secure your bicycles in the bicycle rack with a sturdy lock; the U-Lock type is highly recommended. If you have a car, always keep it locked; secure valuables in the trunk. You should report anything suspicious or any unusual incidents to a Public Safety Officer immediately.

## **Procedures for Reporting a Crime or Emergency**

---

All students, faculty and staff members within the Bellarmine community are strongly encouraged to report all crimes and safety related issues promptly and as detailed as possible to the Office of Public Safety. It is important to report these crimes for investigations, making necessary timely warnings to the campus community or if assistance is needed from local law enforcement agencies and other first responders. For emergencies, dial 911 then contact the Office of Public Safety on campus telephones at the four-digit number 7777. Off campus, callers can reach The Office of Public Safety at 502-272-7777. To report a crime in person, the Office of Public Safety is located on the ground floor of the Centro Treece Hall in CNTH-054.

Information from crimes reported are used for Bellarmine's annual statistical disclosure of the Clery Act and may be the basis for issuing a campus alert. Crimes may also be reported to the Office of the Dean of Students and Student Affairs. The campus is equipped with eleven outdoor emergency blue phones that are programmed to call the Office of Public Safety automatically when activated. Pressing the red button initiates an emergency call. Public Safety completes monthly testing of the emergency blue phones.

Courtesy phones are in the lobby or inside public areas of most university buildings. Students and employees can use these accessible telephones to call the Office of Public Safety.

The Bellarmine community is also encouraged to download the mobile app 'LiveSafe' that allows users to communicate with the Office of Public Safety through real-time interactions including location-tagged text, calls, photos and videos. LiveSafe also provides emergency protocols and procedures.

In addition, you may report a crime or incident to a Campus Security Authority (CSA). A CSA is any official of the institution who has a significant responsibility for student and campus activities, including student conduct and student housing. This list below of CSAs is subject to modification and is not intended to be all-inclusive due to changes in titles and responsibilities within the university and serves as an example.

- University President
- Provost and Assistant Provost
- Vice Presidents, Associate Vice Presidents and Assistant Vice Presidents
- Deans and Assistant Deans
- Public Safety Department Officers, Sergeants and Administration Officials

- Residence Hall Director, Residence Assistants and Security Staff for Housing
- Director, Assistant Director, Coaching Staff and Athletic Trainers;
- Advisors for Student Organizations
- Advisors and Assistant Advisors for Academics
- Members of the Student Conduct

CSAs must immediately notify the Public Safety Coordinator of any crimes reported to them while acting in the capacity as a CSA even if the crime has already been reported to law enforcement. Reports from CSAs are included in the annual statistical disclosure, the campus crime log and may be the basis for a campus alert, including a Timely Warning or Emergency Notifications.

In accordance with our Mandatory Reporting requirements, all CSAs are additionally required to report any instances of sexual assault, dating violence, domestic violence or stalking. Reports of this nature can be made to Public Safety, Title IX Coordinators or the Dean of Students office, by phone, email or in person.

The Office of Public Safety acknowledges the importance of officially reporting all crimes and is available to aid with reporting.

### **Protection of Victim Confidentiality**

With the individual's permission, the Director of Public Safety, or their designee, can file a report of the incident without revealing their identity. The report would not include identifying information such as, but not limited to, name, address, contact information, date of birth or other demographic information that would serve to identify any individual. The purpose of the confidential report is to comply with the individual's desire to keep the matter private while taking steps to ensure the future safety of the individual and others. With this information, the university can keep accurate records of the number of incidents involving students, determine where there may be a pattern of crime with regard to a particular location, method, or assailant, and alert the university community of potential danger when necessary. Reports filed in this manner are counted in the annual crime statistics for the university.

### **Anonymous Reporting**

Those within the Bellarmine community may voluntarily and anonymously report crimes to the Office of Public Safety at <http://www.bellarmino.edu/security/report/>. Reporting may also be done through Bellarmine's Red Flag Reporting system. This system allows students, faculty or staff to report a concern in two ways; by calling a toll-free number or via a web site. The toll-free number is operated 24/7 and will allow for dialogue between reporter and the operator so that the University receives enough information to help with the internal investigation. If a student, faculty or staff member is aware of behaviors/conditions that may be harmful to others; they should also contact the Dean of Students at 502-272-8150.

With this information, the university can keep accurate records of the number of incidents involving students, determine where there may be a pattern of crime with regard to a particular location,

method, or assailant, and alert the university community of potential danger when necessary. Reports filed in this manner are counted in the annual crime statistics for the university.

### **Crimes Reported to Confidential Reporting Resources**

Confidential resources exist in order to provide a safe place for community members to discuss their options, learn about resources and discuss any concerns before deciding to take any further steps. Unless there is imminent risk of serious harm, information provided without express consent cannot be shared.

Confidential Reporting Resources include:

<b>Who</b>	<b>Department</b>	<b>Location</b>	<b>Phone Number</b>
Professional Counselors	Counseling Center	Allen Hall, Suite 403	502-272-8480
Medical Staff	Health Services	In Newman Hall, 1st floor, beside Petrik Hall	502-272-8313
Ordained Clergy	Office of Campus Ministry	Centro Horrigan Hall 016	502-272-8051

Confidential Reporting Resources are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy Confidential Reporting Resources are encouraged, when they deem it appropriate, to inform persons being treated of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics. When an alleged sexual assault is reported, campus resource persons will notify the reporting party of the range of resources and alternatives available to them both on campus and in the Louisville community (see Sexual Misconduct and Advocacy Resources handout located at <http://www.bellarmino.edu/studentaffairs/dean/SexualDiscriminationMisconductPolicy/>).

### **Daily Incident Log**

In addition to disclosing crime and fire statistics, the Office of Public Safety maintains a Daily Incident Log that includes all non-criminal incidents, criminal incidents, alleged criminal incidents, and fire related incidents that are reported to or identified by the Office of Public Safety. The Daily Incident Log contains the date, time and the nature of the incident, the general location and the disposition of the reporting party. The most recent 60 days of the Daily Incident Log are available for public inspection in the Office of Public Safety office 24 hours a day, 7 days a week, unless campus is closed. The Office of Public Safety will post this information within two business days of receiving a report of an incident. The Daily Incident Log is available for public inspection at the department or online at: <http://www.bellarmino.edu/security/IncidentReports/>.

The Office of Public Safety reserves the right to exclude certain reports or temporarily withhold information from the log under circumstances permitted by law. In accordance with the Clery Act, information may be temporarily withheld if there is clear and convincing evidence that the release of information would jeopardize an on-going investigation, jeopardize the confidentiality of the victim, jeopardize the safety of an individual, cause a suspect to flee or evade detection or result in the destruction of evidence.



## **Timely Warnings Procedures**

---

Bellarmino University is required to issue a timely warning when a Clery Act crime is reported to the Office of Public Safety or law enforcement and constitutes a serious or continuing threat to the Bellarmine community. Bellarmine University will issue a timely warning regarding a Clery Act crime that occurs within the campus' geographical area or immediately adjacent to campus or on non-campus properties as defined in the Clery Act. The Director of Public Safety, or their designee (in consultation with the Vice President for Student Affairs or their designee), will assess the situation and decide if it warrants the issuance of a campus-wide timely warning.

Although not required by Federal Law, timely warnings may be issued for crimes that occur in areas outside of the defined Clery Act geographic areas or if the crime (even if not classified under Clery Act) are deemed to pose an ongoing threat to the campus community.

The content within the warnings will be developed and written in consultation with the Vice President for Student Affairs and/or the Office of Marketing and Communication to provide, as much needed information to the campus community about the issue at hand. The timely warning will include pertinent information about the crime that will aid in the prevention of similar crimes. Students, faculty and staff members are encouraged to read these reports as soon as they receive them. Timely warnings are not required to be issued for crimes reported to a pastoral or professional counselor.

Timely warnings can be issued through the University's text messaging system to all students, faculty and staff members who have registered their information. There are times when a timely warning will not be issued, if sending would impede an on-going investigation or crime. These situations will be reviewed individually on a case-by-case basis.

Individuals may add or update their information for the University's text message system by following these steps:

1. Go to: one-bellarmino
2. [https://one.bellarmino.edu/community/tsc/services/Pages/Emergency-Notification-\(RAVE\).aspx](https://one.bellarmino.edu/community/tsc/services/Pages/Emergency-Notification-(RAVE).aspx)
3. Enter your Bellarmine user name and password; click on "Sign In".
4. Click on "+Add Phone"
5. Enter your phone number and select your Cell Phone Carrier
6. Click on "Save"

Bellarmino's community emergency notification system is tested annually. If you encounter any issues or have any questions about the registration process, please contact the Technology Support Center at 502-272-8301.

## **Emergency Response and Evacuation Procedures**

---

When an emergency occurs, the Bellarmine University Office of Public Safety will initiate an Emergency Notification immediately upon confirmation of a significant emergency or dangerous situation involving

an immediate or impending threat to contain the situation and safeguard life and property. The President, the Vice President for Student Affairs or a designee will be notified of the situation and the need for a declaration of a campus state of emergency. The Campus Alert System will be utilized to send out these notifications through email, text messaging, or through Bellarmine's other media accounts.

Examples of the types of situations that may prompt an emergency notification are:

- Potential life-threatening situations on the campus
- Building emergencies
- Extreme weather conditions (official weather warnings)
- Unplanned University closures (weather, power outages, etc.)

University officials, and their official representatives, who have the authority to issue emergency or evacuation notifications are:

- Director of the Office of Public Safety
- Assistant Director of the Office of Public Safety
- Director of Media Relations and Social Networking
- Vice President for Student Affairs

If personnel listed above are not available to issue a Campus Alert, additional Office of Public Safety personnel who have been trained may issue the alert.

Should a campus state of emergency be declared, only students, faculty and staff members required to be present will be allowed to remain on campus. All others will be asked to leave until the situation permits their return.

Only those faculty and staff members who have been assigned emergency or trauma team duties by their supervisor, department head, Office of Public Safety, or the Emergency Operations Team (EOT) will be allowed to enter the immediate area of the emergency. These assignments can be created *ad hoc* fashion, evolving as the situation dictates, but department heads are also encouraged to assign pre-arranged roles to individuals based upon specific requirements and concerns within a department. Department heads should pre-assign at least general responsibilities to staff members. These teams will report to the Director of Public Safety and all other personnel will remain clear of the affected area(s) and continue with their regular duties unless otherwise instructed.

Each building on campus has an assigned Building Emergency Coordinator (BEC) who is responsible for planning and implementing their assigned Building Emergency Action Plan (BEAP). The coordinator's role is to provide direction and information for students, faculty, staff members and visitors during an emergency. Each BEAP was developed not only to provide for the safety of the University community, but also to comply with Occupational Safety and Health Administration (OSHA) regulation 29 CFR 1910.38.

The Office of Public Safety will educate and train the BEC to ensure they are prepared to assume their duties. The BEC emergency duties include the following:

- Ensure that the notification to emergency agencies can take place.
- Assist in building evacuation.
- Report to the assembly area.
- Account for evacuated personnel.

- Collect essential information for emergency personnel (i.e., location of the incident, persons still in building, and special hazards in the building, unique conditions). Assist physically disabled employees, students, or visitors

If the surrounding community needs to be informed of the emergency happening on campus Louisville Metro Emergency Services will be notified so that they can determine whether to send out a notification to citizens around the Bellarmine campus.

Bellarmino will provide emergency notification status updates using one of the communication methods when new information or instructions are available. An “All Clear” notification indicates the emergency has been contained and the University has returned to normal activities.

For more information regarding Emergency Response and Evacuation Procedures, please visit: <http://www.bellarmino.edu/docs/default-source/security-docs/2015-disaster-preparedness-plan.pdf?sfvrsn=2>

All Bellarmine buildings have evacuation procedures posted throughout each building. These procedures should be followed in the event of an emergency that requires that building to be evacuated.

### **Working Relationships with State and Local Law Enforcement Agencies**

The Office of Public Safety works closely with the Louisville Metro Police Department (LMDP) and other local, state and federal law enforcement agencies. The Director of the Office of Public Safety meets regularly with officials to discuss common crime problems and criminal activity on and near campus. The Office of Public Safety aids local law enforcement agencies when they are investigating a university student or employee; however, there is no MOU in place regarding the investigations of alleged criminal offenses. LMPD is the agency of jurisdiction. The Office of Public Safety will aid agencies regarding incidents not related to the Bellarmine community, as needed. There are no non-campus student organizations officially that are recognized by Bellarmine University that require monitoring and recording through local police agencies for criminal activities.

The Office of Public Safety is a non-sworn security office that has no arrest authority, law enforcement or police powers in the geographic areas around campus. The Office of Public Safety has a standing Memorandum of Understanding with Louisville Metro Emergency Services for a Satellite User’s Agreement.

### **Access and Security of Campus Facilities**

During normal business hours, the University (except for housing facilities, Allen Hall and the Flynn Building) is open to the public. During non-business hours, access to certain buildings may be restricted. If an individual needs access to a room/building during normal business hours, they may contact the department responsible for access. For all other building access inquiries, the Office of Public Safety personnel will follow the procedures below:

#### **A. Entrance to Offices/Buildings by Individuals Without Keys**

1. Any individual whose University duties require them to enter a University building or office at a time when the area is secured may gain access to that area by contacting the Office of Public Safety, if needed.
2. No one will be admitted into any work area assigned for use by another without the permission of that individual or that individual's supervisor.
3. Individuals who need access to their workspace will go to the Office of Public Safety. They will be required to show identification and the officer admitting the access will document their name, title, the time and the building they need access to.
4. When it is determined that the individual is authorized for access to the area requested, a member of the Office of Public Safety will be dispatched to unlock the building and/or room.
5. Student, faculty or staff members authorized to enter a building after hours may not prop or otherwise compromise any entry or exit door.
6. Under no circumstances will persons be allowed to accompany the authorized student, faculty or staff members into the designated building unless notification is given to Public Safety prior to entry.
7. Any person(s) accompanying an authorized student, faculty or staff member must always remain in the presence of the authorized individual.

#### **B. Athletic Facilities**

Student athletes will contact the Office of Public Safety to gain access to their field or ask to have the equipment shed opened for additional practice. When a student athlete calls, the office verifies the student's identity by checking the roster provided by the Athletic Department. If the student is not on the list, the facility will remain locked until a coach calls the Office of Public Safety and verifies that it is ok for that student to be on the field or in the facility.

#### **C. Laboratories**

Students will contact the Office of Public Safety to gain access to the laboratories located in Pasteur Hall and Norton Health Science Center. When a student calls the office:

1. Ask for their name, the lab they are requesting access to and the name of the professor.
2. The officer should refer to the class roster.
3. If the student name is not on the list, they will have to contact the professor and the professor will have to e-mail/call the office to grant the student permission to the laboratory.
4. The lock should be "set" so the student can lock the door after the student's work is finished.

#### **D. After Hours Entrance Policy**

After hours refers to non-business hours, the weekends and when school is closed due to normal and emergency closings. Buildings will remain closed unless otherwise specified by Bellarmine University personnel. Students, faculty and staff members may request access to the buildings as well.

## E. Residential Access

If a resident is requesting access to their residence hall between the hours of 8am-5pm, they need to contact the Office of Residence Life during normal business hours. After 5pm, they need to call the Resident Advisor on-call number. Between the hours of Midnight-8am, all residents should call the Office of Public Safety.

### Maintenance of Campus Facilities

---

Maintenance of facilities and landscaping is performed by the Department of Facilities in a manner that minimizes unsafe conditions. The Office of Public Safety Officers report malfunctioning lights and other unsafe physical conditions to the appropriate department for correction. Any potential safety hazards are prioritized and repaired, beginning with those that present the most immediate and significant safety concerns. Members of the university community are encouraged to report potentially unsafe or hazardous conditions to the Office of Public Safety at 502-272-7777.

### Educational Programs Promoting Crime Prevention and Campus Safety Awareness

---

Bellarmine University offers several programs to educate the community to ensure a safe living, working and learning environment. The Office of Public Safety maintains comprehensive crime prevention and campus safety awareness programs. Working with the Director of Public Safety, the Public Safety Coordinator develops and monitors procedures and programs to promote safety, security, and crime prevention. A common theme of all safety awareness programs is to encourage students, faculty and staff members to be aware of their responsibility for their own security and the security of others.

The Office of Public Safety responsibilities include, conducting programs, answering questions about safety and security, responding to inquiries about the Office of Public Safety's role on campus, and encouraging the community to become actively safety conscious. To help students and employees protect themselves and their property, the department develops and makes available to the university community a variety of educational programs and materials including:

**Active Aggressor Training:** The Office of Public Safety provides an online and/or held Active Aggressor training program throughout the school year to faculty, staff and students focusing on the protocol of Run. Hide. Fight.

**Crime Prevention Publicity:** Crime prevention articles are provided in student correspondence and e-mails.

**Daily Building/Lighting Checks:** When patrolling, officers survey exterior lighting, building exterior doors and campus grounds. All maintenance problems are reported to Facilities Management. Checks are conducted daily during patrols.

**Emergency Telephones:** Exterior Emergency Blue Phones are directly linked to the Office of Public Safety's contact line; they are tested monthly.

**Escort Services:** The Office of Public Safety's escort service to all campus locations is available to the Bellarmine community 24 hours a day, 7 days a week.

**LiveSafe:** Promotes the concept of “See Something, Say Something” with two-way communication between the user and the Office of Public Safety. Has various information on safety tips including Active Aggressor and Severe Weather.

**Ride Systems:** Shows shuttle riders where the shuttle is and when it will pick them up. It provides live location of buses, arrival predictions, and other important shuttle route information.

**Self-Defense Training:** This course teaches practical physical self-defense techniques to members of the Bellarmine community. Training will be held bi-monthly or as requested.

**Surveillance Cameras:** The Office of Public Safety supports over 200 video cameras placed around the campus.

**Event Security:** The Office of Public Safety can provide or arrange for professional security, law enforcement and emergency medical personnel to support events on campus. To book event security at Bellarmine, contact the Office of Public Safety at ext. 7777.

## **Safety Tips**

Being on a college campus is an exciting experience but it is important to prevent yourself from becoming more vulnerable than necessary or putting yourself into potentially harmful situations. The following tips can help you to avoid possible dangers.

1. **Do not let anyone into your residence hall, room, apartment or house door that you do not know.** Your personal safety is of the utmost importance. Do not allow anyone to make you feel guilty about taking safety precautions or intimidate you into compromising your safety.
2. **Make sure your room is always locked.** A simple precaution to protect your personal items.
3. **Be careful with your keys and identification card.** Do not loan your keys (room or car) out to anyone. If you lose your dorm keys, pay the fine and get a new set.
4. **If you have a car, lock it.** It seems so easy to remember, yet it is so easy to forget. Also, if you live on campus, check on your car multiple times throughout the week.
5. **If you have a bike, properly secure it.** Secure bikes through the wheel and frame with a high-quality lock; the U-Lock is recommended.
6. **Secure your belongings.** Never leave items like your backpack, laptop or cell phone unattended even if it is just for a minute. Make it a habit to take these valuables with you.
7. **Walk with another when out late at night.** There is always safety in numbers. If you do not have any friends available, please call the Office of Public Safety for an escort.
8. **Know the location of the nearest emergency phones on campus.** There are several Blue Phones and Yellow Phones on campus. If needed; please use them in the event of an emergency; they will ring directly to the Office of Public Safety.
9. **If you see something, say something.** If you see something that looks suspicious or dangerous, please contact the Office of Public Safety immediately. If your life (or the life of another) is in imminent danger, call 911 then call the Office of Public Safety.
10. **Stay alert!** Pay attention to what is going on around you and avoid blocking sounds or using distracting devices such as a cell phone. Your ears and eyes are your best defense to being taken by surprise.

## **Programs to Promote Drug and Alcohol Intervention & Prevention**

---

**BASICS (Brief Alcohol Intervention for College Students):** This is a model of brief intervention utilized by the Counseling Center staff when working with students referred to our office for mandated assessments (following violation of university policy). BASICS is a semi-structured intervention, where a counselor meets individually with a student to assess their current and past substance use, emotional/psychological issues, and various associated risk factors (e.g. family history). After the initial assessment interview, the counselor has two follow-up appointments to provide feedback to the student, identify any changes/goals that the client may have and monitor their progress in meeting those goals.

**Alcohol EDU:** Alcohol EDU is an online prevention program that all new students complete in the first semester of their first year on campus. The program focuses on healthy behaviors and bystander intervention strategies. Students complete a pre-test and part one of the modules. This portion takes students about one hour to complete. After a month-long intersession, students' complete part 2 to determine if any behavior changes or attitudinal shifts have occurred over time on campus. Students that are referred through the conduct system for underage consumption may also complete the sanctions program through Alcohol EDU.

## **Sexual Discrimination & Misconduct Policy**

---

### **Philosophy**

Sexual assault is a serious violent crime. It is a crime of hostility and aggression, as well as a violation of human dignity. Sexual assault is also a very sensitive crime, which is unique in its physical and mental impact upon the reporting party. When it occurs at Bellarmine University, it is also a flagrant violation of University standards and will not be tolerated.

The Bellarmine University community expects its members to treat other persons with respect and dignity and will not tolerate any form of sexual assault or sexual misconduct. Both parties should explicitly agree on the sexual activity. The same holds whether the assailant is a stranger or an acquaintance. The use of alcohol or drugs will not be accepted as an explanation for the actions of any person charged with the violation of this policy. In addition, the use of alcohol or other mind-altering substances by either party does not have to be known by both parties for the offense to be considered sexual assault or sexual misconduct. Wanton, unacceptable conduct will be addressed severely for the good of the students and the academic community.

Students who violate this policy will be disciplined under the University's Code of Conduct and may be prosecuted under Kentucky's criminal statutes. Whether or not a criminal prosecution occurs, Bellarmine retains the right to proceed with disciplinary action at any time, and the University need not await the dispensation of any such criminal prosecution. Appropriate disciplinary action may include counseling, educational sanctions, disciplinary probation, suspension, expulsion, and referral to the proper law enforcement authorities for prosecution. This policy applies to the entire Bellarmine Campus community.

***Emotional Trauma*** is severe after a sexual assault. The violation, loss of trust, and loss of control can have a serious long-term impact. It is not unusual for a person to withdraw, feel guilty, or distrustful. However,

there are many people who understand and places where support is available while one is recovering. The University Counseling Center is the best on-campus resource for students.

**Medical Attention** is critical. Even if the alleged reporting party ultimately decides not to report the assault, it is still very important to seek immediate medical attention for possible internal injuries or sexually transmitted diseases. In addition, the collection of medical evidence becomes critical in the event of prosecution. Therefore, it is important to seek medical attention promptly and to refrain from:

1. Taking a shower or washing any part of the body;
2. Douching;
3. Brushing teeth;
4. Drinking liquids;
5. Changing clothes or changing sheets before seeking medical help; and
6. Putting anything in the mouth (gum, cigarettes, mints).

A particularly well-equipped emergency room with a Sexual Assault Response Team is located at University of Louisville Hospital or at the Center for Women and Families. In both locations, if the person chooses, there will be collection of hair samples, semen samples, and other evidence, including clothing. It is recommended to bring a change of clothing to wear home. The police will be contacted with the person's consent to take possession of the samples until the victim makes a decision about whether or not to press allegations.

#### **Center for Women and Families' SAFE Clinic**

927 S. 2<sup>nd</sup> Street  
Louisville, KY 40203

Directions: Turn right onto Newburg Rd/KY 1703 and continue 1.3 miles to Castlewood Ave. Turn left onto Castlewood Ave and continue on Barret Ave. Turn left onto East Oak St., which turns right and becomes Mary St. Continue onto East St. Catherine St. Then turn right onto S. 2<sup>nd</sup> Street.

#### **University of Louisville Hospital**

530 S. Jackson St. Louisville, KY 40202

Directions: Turn right onto Newburg Rd/KY 1703 and continue to follow northwest 1.6 miles. KY 1703 becomes Baxter Ave. Turn left onto E. Broadway and follow for 1 mile. Turn right onto S. Jackson St. and end at 530 S. Jackson St.

**Counseling** is a very important step in helping someone who has been sexually assaulted regain control of their life. Sexual assault is an extremely traumatic experience that needs professional attention. The University urges students involved in a sexual assault to meet with a counselor. Among other things, counselors can help alleged victims decide what further steps may be taken following an assault. The best resources are the Center for Women and Families and the University Counseling Center.

### **1. Introduction**



The University prohibits all forms of sexual discrimination, including sexual misconduct. The University is committed to addressing sexual misconduct in a manner consistent with applicable law. A notice of the University's policy of nondiscrimination shall be widely disseminated on the University's campus to students, employees, applicants for admission and applicants for employment. The notice shall be included in any bulletins, announcements, publications, catalogs, application forms, or recruitment materials distributed to the University community, including all applicants for admission and employment, students, employees, and sources of referral of applicants for admission and employment. The notice shall specifically state that (a) the University does not discriminate on the basis of sex in its education programs and activities, (b) the University is required by Title IX not to discriminate in such a manner, and (c) questions concerning Title IX may be referred to the University's Title IX Coordinator or designee or to the Office of Civil Rights at the United States Department of Education. The notice of non-discrimination shall state the office address, telephone number and email address of the University's Title IX Coordinator, or its lead Title IX Coordinator if there is more than one.

Specifically, it is the policy of the University that designated staff and faculty members take immediate and appropriate steps to investigate or otherwise determine what happened when the University knows or reasonably should know of possible sexual misconduct. When sexual misconduct is determined to have occurred, the University shall take prompt and effective steps reasonably calculated to end the sexual misconduct, eliminate the hostile environment, prevent its recurrence, and, as appropriate, remedy its effects. All reports shall be processed in accordance with the procedures established in this policy.

It is also the policy of the University to protect any student or employee filing a report alleging sexual misconduct and to ensure the reporting party's safety as necessary, including taking interim steps to protect the parties prior to the final outcome of any inquiry. It is the University's duty under Title IX to resolve reports promptly and equitably and to provide a safe and nondiscriminatory environment, free from sexual harassment and sexual misconduct. This duty also applies to reports involving parties of the same sex, and it requires the University to use the same procedures and standards used in all reports involving sexual misconduct.

Inappropriate conduct by University personnel toward students, faculty, and staff members is prohibited, and University policies shall identify procedures for identifying and responding to inappropriate conduct by University personnel.

## 2. **Scope of Policy**

- a. Persons, Conduct, Locations, Programs, Activities and Relationships Covered - All of the University's students, employees, and campus visitors are covered by this policy, regardless of sexual orientation or gender identity. This policy applies on all property owned by the University, on all property at which the University holds educational programs or activities, and on all airplanes, buses, or other vehicles used to transport the University's students, faculty and staff, and this policy applies to all of the University's educational programs and other activities. This policy, the name and contact information of the Title IX Coordinator or

designee, and other resources related to Title IX compliance and gender equity shall be maintained on a page on the University's website, and a link to this page shall be prominently displayed on the University's homepage. In the event of an alleged off-campus sexual misconduct incident, the University shall protect the student, faculty or staff member in the same manner it would have the sexual misconduct occurred on campus. Further, the University shall handle off-campus sexual misconduct incidents as it would handle other off-campus incidents of misconduct or violence and consistent with any applicable law.

- b. Overview of Confidentiality Policy – The University's confidentiality policy is set forth in Section 6.

### **3. Options for Assistance Following an Incident of Sexual Misconduct**

The University shall take prompt steps to protect the reporting party once the University has notice of sexual misconduct. The University shall take interim measures, including academic accommodations, to protect the reporting party and witnesses as necessary while any criminal or campus inquiry is underway and before the final outcome of any inquiry. University officials should be mindful that sexual misconduct may result in delayed decision-making by a reporting party who has experienced sexual misconduct. In anticipation of the need for support services from other agencies in the community, the University shall enter memoranda of understanding with other agencies as may be necessary to meet the University's obligation under Title IX. The University shall enter a memorandum of understanding with local victim services provider if the University does not offer services required by Title IX. All such memoranda shall comply with all FERPA requirements.

- a. **Immediate Assistance** – In the event of a sexual assault, various resources are available to students and employees. Updated names and contact information can be found on the university's website at: <https://www.bellarmino.edu/hr/title-ix/>.

- i. Trained on- and off-campus advocates and counselors who can provide an immediate confidential response in a crisis situation:

**On-Campus:**

- Gary Petiprin, Director of the Counseling Center, Allen 403, 502.272.8480
- Melissa Gibson, Counseling Center, Allen 403, 502.272.8480
- Alice Kimble, Director of Health Services, Newman Hall, 502.272.8313

**Off-Campus:**

- The Center for Women and Families  
927 S 2nd Street  
Louisville, KY 40201  
1.844.237.2331 or 502.581.7200

**Off-Campus for Staff/Employees**

- Human Development Company  
[info@humandev.com](mailto:info@humandev.com) or visit [www.humandev.com](http://www.humandev.com)  
 502.589.4357  
 800.877.8322
- ii. Emergency phone numbers for on- and off- campus safety, law enforcement and other first responders, including the Title IX Coordinator:
- Office of Public Safety: 502.272.7777
  - Local Police: 911 or 502.574.7636
  - Ambulance: 911 or 502.272.7777
  - Title IX Coordinator: 502.272.8236
- iii. Advocates who can accompany a victim to the hospital or other health care provider:
- Lindsey Gilmore  
 2001 Newburg Road  
 Louisville, KY 40205  
 502.272.7275
  - Christy Kane  
 2001 Newburg Road  
 Louisville, KY 40205  
 502.272.8424
  - Patrick Englert  
 2001 Newburg Road  
 Louisville, KY 40205  
 502.272.8323
- iv. The Bellarmine sexual misconduct response team can provide the resources and support described in the policy and support and can be accessed by:
- Contacting the Office of Public Safety for on-call crisis response team at 502.272.7777.
  - Residence Life Coordinator on-call may also be reached at 502.523.2697.
- v. Health care services for students are available as follows:

**On-Campus:**

- Bellarmine University Health Services  
 Newman Hall, 502.272.8313
- Bellarmine University Counseling Center  
 Allen Hall 403, 502.272.8480

**Off-Campus:**

- **Center for Women and Families' SAFE Clinic**

927 S. 2<sup>nd</sup> Street  
Louisville, KY 40203

- University of Louisville Hospital

530 S. Jackson Street  
Louisville, KY 40202  
502.562.3000

Health care services for employees are available as follows:

- University of Louisville Hospital

530 S. Jackson Street  
Louisville, KY 40202  
502.562.3000

vi. A Sexual Assault Nurse Examiner (SANE) can be found or a rape kit can be obtained at:

- Center for Women and Families' SAFE Clinic

927 S. 2<sup>nd</sup> Street  
Louisville, KY 40203  
502.581.7222

- University of Louisville Hospital

530 S. Jackson Street  
Louisville, KY 40202  
502.562.3000

Any victim of sexual misconduct should be aware of the options to seek treatment for injuries, preventative treatment for sexually transmitted diseases, and other services. Reporting parties are encouraged to discuss with healthcare providers, campus officials, and/or first responders the option of seeking medical treatment in order to preserve evidence which may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protective order.

Alleged offenses may be simultaneously reported to the law enforcement agencies or to university officials designated in Section 6, and reporting parties may (a) notify law enforcement authorities, (b) be assisted by campus authorities in notifying law enforcement authorities if the reporting party chooses, or (c) decline to notify such authorities. Reporting parties may also be able to obtain orders of protection, no contact orders, restraining orders, or similar lawful orders issued by an appropriate court.

University officials should be mindful of the University's obligation to provide interim measures to protect the reporting party in the educational setting. The University must consider a number of factors in determining what interim measures to take, including, (a) the

specific need expressed by the reporting party, (b) the age of the parties involved, (c) the severity or pervasiveness of the allegations, (d) any continuing effects on the reporting party, (e) whether the reporting party and the respondent share the same residence hall, class, transportation or job location, and (f) whether other judicial or code of conduct measures have been taken to protect the reporting party. The University shall minimize the burden of any interim measures on the reporting party. The University will provide counseling services without charge to the reporting party if the University determines that counseling is necessary as a part of its Title IX obligation to protect the reporting party while the inquiry is ongoing. Non-professional counselors or advocates shall consult with reporting parties regarding what information needs to be withheld to protect each person's identity. The University shall notify the reporting party of reporting party's options to avoid contact with the respondent and allow the reporting party to change academic and extracurricular activities or reporting party's living, transportation, dining, and working situation as appropriate. The University shall ensure that the reporting party is aware of (a) reporting party's Title IX rights, (b) any available resources, such as victim advocacy, housing assistance, academic support, counseling, disability services, health and mental health services, and legal assistance, and (c) the right to report a crime to campus or local law enforcement. The University shall not dissuade a reporting party from filing a criminal report either during or after the University's internal Title IX inquiry.

b. **Ongoing Assistance** – Updated names and contact information can be found on the university's website at [www.bellarmino.edu/hr/title-ix/](http://www.bellarmino.edu/hr/title-ix/).

i. **Counseling, Advocacy and Support on and off Campus**

Counseling and support services for victims of sexual misconduct, whether or not a reporting party chooses to make an official report or participate in the University's disciplinary process or criminal process, include:

- Bellarmine University Counseling Center  
Allen Hall 403, 502.272.8480
- The Center for Women and Families  
927 S 2<sup>nd</sup> Street  
Louisville, KY 40201  
1.844.237.2331 or 502.581.7200

Confidential counseling, advocacy, health, mental health, or sexual misconduct related sources, can be found both on and off campus as follows:

**On Campus:**

- Bellarmine University Counseling Center  
Allen Hall 403, 502.272.8480  
Bellarmine University Health Services  
Newman Hall, 502.272.8313

**Off Campus:**

- The Center for Women and Families

927 S 2<sup>nd</sup> Street  
Louisville, KY 40201  
1.844.237.2331 or 502.581.7200

**Off-Campus for Staff/Employees**

- Human Development Company  
[info@humandev.com](mailto:info@humandev.com) or visit [www.humandev.com](http://www.humandev.com)  
502.589.4357

Ongoing support during the University’s disciplinary process or the criminal process can be found as follows:

ii. Academic Modifications and Interim Measures

- The University can provide immediate steps to promote the safety and well-being of the reporting party, such as the ability to relocate immediately to another campus-owned residence hall, the issuance of no contact orders, and providing access to emergency medical and mental health services.
- The University may be able to provide additional interim measures for reporting parties while an inquiry is pending, such as no contact orders and changing the respondent’s living arrangements or course schedule, change on-campus work schedules, alter academic schedules, withdraw from/retake a class without penalty, and access academic support (e.g. tutoring).

**4. Title IX Coordinator**

The Title IX Coordinator or designee shall help the University comply with Title IX and promote gender equity in education. The President shall designate at least one employee to coordinate the University’s efforts to comply with and carry out responsibilities under Title IX. The position must not be left vacant; the University must have at least one person designated and actually serving as the Title IX Coordinator or designee at all times. The name and current contact information of the Title IX Coordinator or designee can be found on the University’s website at: <https://www.bellarmine.edu/hr/title-ix/>. The University shall notify all students and employees of the name or title and contact information for the Title IX Coordinator. The President shall give the Title IX Coordinator or designee the training, authority, and visibility to fulfill the required duties set forth in this section and elsewhere in this policy in sections, 1, 3, 4, 6, 7, 9 and 10. The Title IX Coordinator or designee shall have knowledge of Title IX requirements, of the University’s policies and procedures on sex discrimination and of all reports raising Title IX issues throughout the University. The University shall appropriately train the Title IX Coordinator or designee in all areas over which the Title IX Coordinator or designee has responsibility and ensure that the Title IX Coordinator or designee possesses comprehensive knowledge in all areas over which they have responsibility in order to effectively carry out those responsibilities. The Title IX Coordinator or designee shall be informed of all reports and reports raising Title IX issues, even if the report or report was initially filed with another individual or office or if the inquiry is to be conducted by another individual or office. All university officials are prohibited from interfering with the Title IX

Coordinator or designee's participation in report inquiries and monitoring of the university's efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator or designee shall be available to meet with students, faculty and staff as needed. The Title IX Coordinator or designee shall have no other job responsibilities which create a conflict of interest with the responsibilities associated with being the Title IX Coordinator or designee. The Title IX Coordinator or designee shall review all processes used to resolve reports of sexual misconduct to ensure that they (a) comply with requirements for prompt and equitable resolution of these reports, (b) allow for appropriate interim measures to be taken to protect the reporting party during the process, and (c) provide for remedies to the reporting party and University community where appropriate. The Title IX Coordinator or designee shall be knowledgeable about other applicable federal and state laws, regulations, and policies that overlap with Title IX. The University shall provide training for the Title IX Coordinator or designee that explains the different facets of Title IX, including regulatory provisions, applicable OCR guidance, and the university's Title IX policies and grievance procedures. The Title IX Coordinator or designee shall be involved in the drafting and revision of such processes and policies to help ensure that they comply with the requirements of Title IX. The University shall provide the Title IX Coordinator or designee with access to information regarding enrollment in particular subject areas, participation in athletics, administration of university discipline, and incidents of sex-based harassment to allow the Title IX Coordinator or designee to identify and proactively address issues related to possible sex discrimination as they arise. The Title IX Coordinator or designee shall also review the University's disciplinary policy to ensure it does not have a chilling effect on student's reporting of sexual misconduct offenses or participating as witnesses.

## 5. Definitions

As used in this policy, the phrases and words listed shall have the meanings set forth below:

- **Consent** – Verbal statements or non-verbal actions which a reasonable person would understand to mean a voluntary agreement to engage in sexual activity. Someone who is incapacitated cannot consent. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Coercion, force, or threat of either invalidates consent.
- **Counseling Employees** – Pastoral and professional counselors who are licensed by the state in which they practice and employed by the University and other non-licensed employees working under the direct supervision and control of the licensed employees such that non-licensed employees are covered by the licensed employees' statutory privilege.
- **Interpersonal Violence** – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the reporting party. 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 the relationship, and the frequency of interaction between the persons involved in the relationship. “Dating violence” includes, but is not limited to, sexual or physical abuse or the threat of such abuse, but it does not include acts covered under the definition of domestic violence.

- **Domestic Violence** – A felony or misdemeanor crime of violence committed by: (a) a current or former spouse or intimate partner of the reporting party, (b) a person with whom the reporting party shares a child in common, (c) a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner, (d) a person similarly situated to a spouse of the reporting party under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or € any other person against an adult or youth reporting party who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- **Educational Setting** – All of the University’s academic programs and other activities of whatever nature on campus and at every other location where the University conducts authorized programs or activities.
- **Incapacitation** – Any situation in which a person is incapable of giving consent due to the student’s age, state of consciousness, use of drugs or alcohol, or an intellectual or other disability.
- **Intimidation** – The intentional act of coercing or frightening someone to engage or not engage in conduct of a sexual nature against that person’s will.
- **Hostile Environment** – Activity or conduct involving sexual harassment that is sufficiently serious that it interferes with or limits a student’s ability to participate in or benefit from the University’s program.
- **Non-consensual Sexual Contact** – Any physical touching of a sexual nature which is not preceded by consent or which continues after a previous consent is withdrawn.
- **Non-consensual Sexual Intercourse** – Any sexual intercourse which is not preceded by consent or which continues after a previous consent is withdrawn. “Sexual intercourse” includes vaginal or anal penetration by a penis, object, tongue or finger and oral copulation.
- **Responsible Employees** – The President, Vice Presidents and Deans of the University, the Title IX Coordinator or designee, full-time faculty members, Residence Life student staff and their supervisors, Intercollegiate Varsity Full Time Coaching Staff and their supervisors, Full Time Student Affairs Staff and University security officers are responsible employees.



- **Retaliation** – The act of seeking revenge upon another person.
- **Sexual Assault** – An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting program.
- **Sexual Exploitation** – The abuse of a position of vulnerability, differential power, or trust for sexual purposes.
- **Sexual Harassment** – Unwelcome conduct of a sexual nature.
- **Sexual Misconduct** – Any act of sexual harassment, sexual misconduct, sexual assault, non-consensual sexual contact, non-consensual sexual intercourse, sexual exploitation, stalking, intimidation, dating violence, or domestic violence, or any act that creates a hostile environment or any act of retaliation against a reporting party or anyone involved in a grievance procedure under this policy.
- **Sexual Violence** – Physical sexual acts perpetrated against a person’s will or with a person who suffers from incapacitation. “Sexual violence” also means same-sex conduct that violates the University’s prohibition on sexual violence, including, but not limited to, the following examples: sexual harassment, non-consensual sexual contact (or attempts to commit same), non-consensual sexual intercourse (or attempts to commit same), incapacitation, sexual exploitation, stalking, dating violence, domestic violence, consent, force, and/ or retaliation in connection with any of these offenses.
- **Stalking** – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for the person’s safety or the safety of others, or (b) suffer substantial emotional distress. As used in 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; “substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling; and “reasonable person” means a person under similar circumstances and with similar identities to the reporting party.
- **Title IX Coordinator** – The person designated as such by the University’s president or the person temporarily designated by the Title IX Coordinator to serve in that capacity during the Title IX Coordinator’s incapacity or absence from the University’s campus.

## 6. Reporting Policies and Protocols

If a student assault occurs, it should be reported to the Office of Public Safety, the Dean of Students, Residence Life, Health Services, or the Counseling Center. If a faculty or staff member assault occurs, it should be reported to the Office of Public Safety or Human Resources. Privacy will be maintained unless another student is involved or a potential risk of harm to self or others exists; reports to Health Services, a Priest in Campus Ministry or Counseling Center will be kept confidential, to the extent possible in accordance with the statutory obligation of the licensed professionals practicing there. Information will be shared only with relevant medical and/or therapeutic personnel until such time that a decision is made or temporary, indirect, or direct action taken. Assaults that occur by an assailant not affiliated with the University and/or off-campus should be reported to local police (911). If law enforcement officials are notified first, it is still recommended to contact a campus resource person so that appropriate measures can be taken, and support provided. When an alleged sexual assault is reported, campus resource persons will notify the reporting party in writing of the range of resources and alternatives available to them both on campus and in the Louisville community. This includes those staff members who maintain confidentiality (health services clinicians, Professional Counselors and Ordained Pastoral staff serving in the capacity of pastoral counseling). The discussion should include encouraging the reporting party to report the incident to law enforcement authorities. The University can help arrange a meeting with law enforcement authorities and will accompany and support the alleged victim during the meetings. In instances where reports of sexual discrimination or misconduct are found to be falsely made, the reporting party may be charged with a violation of the Student Code of Conduct, specifically, providing false information to University officials.

The University encourages victims of sexual misconduct to talk to somebody about what happened so reporting parties can get the support they need and so that the University can respond appropriately. Different employees on campus have different abilities to maintain a reporting party's confidentiality:

- Some are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication." This would include the counseling center staff members, health services staff members, and clergy as they act in that specific capacity.
- Other employees are required to report all the details of an incident (including the identities of both the reporting party and the respondent) to the Title IX Coordinator or designee. A report to these employees (called "responsible employees") constitutes a report to the University—and generally obligates the University to investigate the incident and take appropriate steps to address the situation.

This policy is intended to make employees, students and their parents, if appropriate, aware of the various reporting and confidential policies available to them - so they can make informed choices about where to seek assistance should they become a victim of sexual misconduct and so they will know how to report any problems relating to retaliation which may subsequently arise. The

University encourages reporting parties to talk to someone identified in one or more of these groups.

- a. **Reporting Required** – All responsible employees must be aware of their own reporting responsibilities and the importance of informing reporting parties of (a) the reporting requirements of responsible employees, (b) reporting parties’ option to request confidentiality and available confidential advocacy, counseling, or other support service, and (c) reporting parties’ right to file a Title IX report with the University and to report a crime to campus or local law enforcement. All responsible employees shall report incidents of sexual misconduct to the Title IX Coordinator or designee, subject to the exemption for the University’s counseling employees. Responsible employees include Residence Life student staff member, part-time coaching staff, registered student organization advisors, club sport advisors, athletic trainers, and part-time faculty. All other employees shall respond to reports of sexual misconduct by notifying a responsible employee of the information pertaining to the incident of sexual misconduct.
  
- b. **Responsible Employees** – Responsible employees shall report to the Title IX Coordinator or designee all relevant details about the alleged sexual misconduct that the student or other person has shared, and that the University will need to determine what occurred and to resolve the situation. Before a reporting party reveals information that the reporting party wishes to keep confidential, a responsible employee, including a Residence Life Student Staff Member, should make effort to ensure that the reporting party understands: (a) the responsible employee’s obligation to report the names of the respondent and reporting party involved in the alleged sexual misconduct, as well as relevant facts regarding the alleged incident to the Title IX Coordinator or designee or other appropriate University officials, (b) the reporting party’s option to request that the University maintain the student’s confidentiality which the University will consider, and (c) the reporting party’s ability to share the information confidentially with counseling, advocacy, health, mental health, or sexual-assault-related services. Residence Life student staff and all responsible employees shall report the names of the respondent (if known), the student, faculty or staff member who experienced the alleged sexual misconduct, other students, faculty or staff involved in the alleged sexual misconduct, as well as relevant facts, including the date, time and location to the Title IX Coordinator or designee. A responsible employee, including a Residence Life student staff member, prior to providing information about the incident to the Title IX Coordinator or designee, shall consult with the student, faculty or staff member about how to protect their safety and the details of what will be shared with the Title IX Coordinator or designee. Responsible employees do not need to determine whether the alleged sexual harassment or sexual misconduct actually occurred or that a hostile environment has been created before reporting an incident to the Title IX Coordinator or designee.

- c. **Requests for Confidentiality** – Upon receipt of a report of sexual misconduct, the University must act immediately to protect the reporting party while keeping the identity of the reporting party confidential. The Title IX Coordinator or designee and other appropriate University personnel shall determine, consistent with state and local law, whether appropriate law enforcement or other authorities should be notified. The Title IX Coordinator or their designee shall evaluate requests for confidentiality and shall determine when such requests shall be honored. The Title IX Coordinator or designee shall be consulted in evaluating requests for confidentiality. The Title IX Coordinator or their designee shall make every effort to respect requests for confidentiality. In considering a request for confidentiality that would preclude a meaningful inquiry or potential discipline of the respondent, the Title IX Coordinator or their designee shall consider an evaluation of circumstances that suggest there is an increased risk of the respondent committing additional acts of sexual misconduct or other violence, such as: (a) whether there have been other sexual misconduct reports about the same respondent, (b) whether the respondent has a history of arrests or records from a prior university indicated a history of violence, (c) whether the respondent threatened further sexual misconduct or other violence against the student or others, (d) whether the sexual misconduct was committed by multiple respondents, (e) whether the report reveals a pattern of perpetration at a given location or by a particular group, (f) whether the violence was perpetrated with a weapon, (g) the age of the person subjected to sexual misconduct, and (h) whether the University possesses other means to obtain relevant evidence. The Title IX Coordinator and their designee shall evaluate confidentiality requests in the context of the University's responsibility to provide a safe and nondiscriminatory environment for all students, faculty and staff members. The University shall inform the reporting party that the reporting party's request that the reporting party's name not be released to the respondent or asks that the University not investigate or seek action against the respondent may limit the University's ability to fully respond to the incident, including pursuing disciplinary action against the respondent. A responsible employee, including a Residence Life student staff member, shall explain to the reporting party that reporting the reporting party's information to the Title IX Coordinator or designee or any other university official does not necessarily mean that a formal report or inquiry under the University's Title IX grievance procedure must be initiated if the student requests confidentiality. All information reported in connection with an alleged sexual misconduct incident shall be maintained in a secure manner. All University employees shall only disclose information regarding alleged incidents of sexual misconduct to individuals who are responsible for handling the University's response. All University employees shall notify reporting parties of the information that will be disclosed, to whom it will be disclosed and why the disclosure is being made. In the event the reporting party requests that the University inform the respondent that the reporting party asked the University not to investigate or seek discipline, the University shall honor this request and inform the respondent that the University, not the reporting party, made the decision to go forward. In the event the University determines that it can respect the request for

confidentiality, the University shall take all reasonable steps to respond to the report consistent with the request and to determine what interim measures are appropriate or necessary. In the event the University determines it must disclose the reporting party's identity to a respondent, the University shall inform the reporting party prior to making the disclosure.

d. **Reporting Options** – Students and employees may use any combination of the following options to report sexual misconduct:

1. **Criminal Report** – Criminal reports are filed with local law enforcement officials and the University is not involved in that process. Criminal reports can be filed with the following agencies:

- Louisville Metro Police Department 5th Division  
2301 Douglass Boulevard  
Louisville, KY 40205  
502.574.7636
- Louisville Metro Police Department Headquarters  
633 West Jefferson Street  
Louisville, KY 40202  
502.574.7111

2. **Institutional Report** – Institutional reports are filed with the University, and upon receipt of the report, the University will initiate an inquiry by the University in accordance with this policy. Institutional reports may be filed with the Title IX Coordinator or designee. The Title IX Coordinator's name and contact information are:

Lynn Bynum  
Centro, Horrigan Hall 202B  
502.272.8236

Institutional reports can also be filed with the following offices:

- Dean of Students Office  
Centro, Treece Hall 225K  
502.272.8150
- Office of Public Safety  
Centro, Treece Hall 054  
502.272.7777

3. **Report to Responsible Employee** – Reports made to responsible employees, including Residence Life student staff members are required by federal law to be relayed to the University's Title IX Coordinator or designee and will initiate an inquiry by the University in accordance with this policy. Responsible employees are identified in Section 5. The

Title IX Coordinator or designee is a responsible employee. You can report sexual misconduct to any responsible employee.

4. **Privileged and Confidential Reporting** – Either as an alternative to the reporting options listed above or in lieu of reporting sexual misconduct to the individuals or offices listed above, reporting parties may make privileged and confidential reports of sexual misconduct to certain health or mental health providers or to certain pastoral counselors. While criminal reports, institutional reports, and reports to responsible employees will result in the initiation of an inquiry, reports to health or mental health providers or to certain pastoral counselors are privileged and will remain confidential so long as the student filing the report does not represent a threat to their self or to others. Privileged and confidential reports may be made to:

**On Campus Health Provider:**

- Office of Health Services  
Newman Hall 121  
502.272.8131

**Off Campus Health Provider:**

- University of Louisville Hospital  
530 S. Jackson Street  
Louisville, KY 40202  
502.562.3000

**On Campus Mental Student Health Care Provider:**

- Bellarmine University Counseling Center  
Allen Hall 403  
502.272.8480

**Off Campus Mental Health Care Provider:**

- University of Louisville Hospital  
530 S. Jackson Street  
Louisville, KY 40202  
502.562.3000

**On Campus Pastoral Counselor:**

- Office of Campus Ministry  
Father John Pozhathuparambil  
Centro- Horrigan Hall 016  
502.272.7051

**Off Campus Pastoral Counselor:**

- Louisville Seminary Counseling Center  
1044 Alta Vista Road  
Louisville, KY 40205  
502.895.3411

**Off-Campus for Staff/Employees:**

- Human Development Company  
[info@humandev.com](mailto:info@humandev.com) or visit [www.humandev.com](http://www.humandev.com)  
502.589.4357

Reports of sexual misconduct may be made by third-parties (individuals who were not the reporting party or respondent) to:

- Office of Public Safety  
Centro, Treece Hall 054  
502.272.7777
- Lynn Bynum, Title IX Coordinator  
Centro, Horrigan Hall 202B  
502.272.8236
- Natasha Begin, Deputy Title IX Coordinator  
Centro, Treece Hall 225K  
502.272.7150

Requests for amnesty from drug, alcohol, and other policies should be directed to the Title IX Coordinator or their designee who shall consider the request and make a recommendation to the appropriate university official. Those individuals may approve or disapprove the request after considering all of the University's interests.

- e. **Reporting under the Clery Act** – The University has various reporting obligations under the Clery Act which promotes campus safety by ensuring that students, employees, parents and the broader community are well-informed about important public safety and crime prevention matters. Depending on the circumstances, the Clery Act may also require the University to issue timely warnings to the campus community about crimes that have already occurred but may continue to pose a serious or ongoing threat to students and employees. Certain Campus Security Authorities (CSAs) are required to report information gathered during the inquiry of criminal activity. These CSAs include non-law enforcement campus security officers and local law enforcement officers. These CSAs will typically be required to document incidents in a fashion that contains personally identifiable information about the parties involved and witnesses. Other CSAs, such as University officials, are not typically required to report personally identifiable information.

## **7. Inquiry Procedures and Protocols**

The University shall process all reports of sexual misconduct, regardless of where the conduct occurred, to determine whether the conduct occurred in the context of an education program or activity or had continuing effects on campus or in an off-campus education program or activity. The University shall determine whether any alleged off-campus sexual misconduct occurred in the context of an education program or activity of the University. If the off-campus misconduct occurred in the context of an education program or activity of the University, the University shall treat the report in the same manner that it treats reports regarding on-campus conduct. Once the University is on notice of an allegation of off-campus sexual misconduct, the University shall assess whether there are any continuing effects on campus or in an off-campus education program or activity that are creating or contributing to a hostile environment and, if so, the University shall address the hostile environment in the same manner in which it would address a hostile environment created by on-campus misconduct. Since there may be continuing effects of off-campus sexual misconduct while at University or in an off-campus education program or activity, if the off-campus sexual misconduct did not occur in the context of an education program or activity of the University, the University shall consider the effects of the off-campus misconduct when evaluating whether there is a hostile environment on campus or in an off-campus education program or activity. The Title IX Coordinator or an individual designated by the Title IX Coordinator or designee shall conduct the inquiry of any report of sexual misconduct under this policy. An inquiry may entail interviews with witnesses, a review of any documentary or electronic evidence, a review of medical evidence, a review of campus security data, or a review of any other material which the investigator deems relevant to an assessment of the facts surrounding the report. As soon after the initiation of the inquiry as possible, the Title IX Coordinator or the designated investigator shall notify all University employees or students who are believed to have documentary, electronic, or tangible evidence to preserve such evidence for the inquiry. The inquiry shall provide the respondent and the reporting party with equitable rights during the inquiry. The University will endeavor to complete inquiries and resolve reports within sixty (60) days of the date on which the report was received, but the University's primary objective is a thorough inquiry and report resolution. Thus, if the Title IX Coordinator or designee believes additional time beyond sixty days is necessary to complete a thorough inquiry and to resolve the report, the Title IX Coordinator or designee shall advise the appropriate vice president of such information in writing and request an extension of time for the inquiry and report resolution, and such extensions shall be approved whenever the appropriate vice president believes an extension is warranted.

The University shall coordinate its Title IX inquiry with any other ongoing University or criminal inquiry of the incident and establish appropriate fact-finding roles for each investigator. The following information may be shared with law enforcement during a parallel inquiry:

- a. Non-emergency situations- Information regarding student records will be shared in accordance with the Bellarmine University Student Records Policy
- b. Emergency situations- Urgent requests for student information, e.g. address, telephone number, or immediate whereabouts, based upon an apparent emergency, should be handled when possible by the Dean of Students office. The University may release



information from education records to appropriate persons in connection with an emergency if the knowledge of such information is necessary to protect the health or safety of the student or other persons. This is to be strictly interpreted.

The University will not share any FERPA-protected information with law enforcement during a parallel inquiry, unless that information is the subject of a subpoena or other judicial process.

Government investigative agencies as such have no inherent legal right to access to University files and records. When additional information is requested, it may be released only on written authorization from the student or employee. If such authorization is not given, the information should be released only on court-order or subpoena. If a subpoena is served, the student or employee whose record is being subpoenaed should be notified and that subpoena should be referred to the institution's legal counsel.

The University shall consider whether information can be shared among the investigators so that reporting parties are not unnecessarily required to give multiple statements about a traumatic event. The University should not wait for the conclusion of a criminal inquiry or criminal proceeding to begin its own Title IX inquiry. If the fact-finding portion of the University's Title IX inquiry is suspended due to the existence of a criminal inquiry, the University's fact-finding portion of the Title IX inquiry shall resume promptly once law enforcement officials have completed their evidence-gathering state of the criminal inquiry. The University shall periodically update the parties on the status of the inquiry and inform the parties when the University resumes its Title IX inquiry following any delay associated with a criminal inquiry.

The University shall immediately investigate any possible retaliation against the reporting party, including threats, intimidation, coercion, or discrimination.

## **8. Grievance/Adjudication Procedures**

The University has jurisdiction over Title IX reports. The University shall adopt and publish grievance procedures for the prompt and equitable resolution of discrimination reports, including harassment reports, filed by reporting parties against University employees, students and third parties, which shall:

- Provide notice to students and employees of the grievance procedures, including where reports may be filed.
- Explain generally the grievance/adjudication process.
- Conduct hearings in a manner that minimizes additional emotional trauma on the reporting party.
- Explain the possible results of the adjudication process, including sanctions, remedies/accommodations for the reporting party, and additional remedies for the University community.
- Explain that mediation is never appropriate in sexual misconduct cases.

- Notify the reporting party of the right to end the informal process at any time and to begin the formal stage of the report process, if voluntary informal mechanisms for resolving some types of sexual harassment reports are provided.
- Provide for the application of the procedure to reports filed by students, faculty or staff member or others on their behalf alleging sexual misconduct carried out by employees, students, or third parties.
- Provide for adequate, reliable, and impartial inquiry of reports, including the opportunity for both the reporting party and the respondent to present witnesses and evidence.
- Provide both parties with options for remedial/interim measures.
- Designate reasonably prompt time frames for the major stages of the report process.
- Provide for simultaneous written notice to the reporting party and the respondent of the outcome of the report and any appeal.
- Provide assurance that the University will take steps to prevent the recurrence of any sexual misconduct and remedy discriminatory effects on the reporting party and others, if appropriate.
- Provide adequate definitions of “sexual harassment” and an explanation as to when such conduct creates a hostile environment.
- Include reporting policies and protocols, including provisions for confidential reporting.
- Identify the employee or employees responsible for evaluating requests for confidentiality.
- Provide notice that Title IX prohibits retaliation.
- Provide notice of a student’s right to file a criminal report and a Title IX report simultaneously.
- Provide notice of available interim measures that may be taken to protect the student in the educational setting.
- State the evidentiary standard that must be used (preponderance of the evidence) in resolving a report.
- Provide notice of the potential remedies for respondents.
- Provide notice of the potential sanctions or protective measures which may be imposed against the respondents, including, specifically, the sanctions regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.
- Provide sources of counseling, advocacy and support.
- Provides the respondent with due process.
- Provide for the extension of all rights given to the respondent to the reporting party.
- Provide notice of hearing(s) to both parties.
- Identify a process by which either party may raise issues related to potential conflicts of interest of the adjudicators.
- Identify the trained individuals who will determine whether the alleged sexual misconduct occurred and the individuals who will determine the sanction.
- Provide for all proceedings to provide a prompt, fair, and impartial inquiry and resolution.

- Provide for all proceedings to be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an inquiry and hearing process that protects the safety of reporting parties and promotes accountability.
- Provide an equal opportunity for the parties to present relevant witnesses and other evidence.
- Provide the parties with similar and timely access to any information that will be used at the hearing.
- Provide a description of the types of evidence that may or may not be presented.
- Provide an equal opportunity for the parties to have an advisor of their choice present during any institutional disciplinary proceeding, including interviews or hearings. Parties are limited to two advisors present in any given meeting or hearing procedure. The person(s) fulfilling this role cannot be called as a witness for the party for which they are fulfilling the role of the advisor.
- Impose equal restrictions on the ability of lawyers or other advisors to speak or otherwise participate in the proceedings.
- Identify the persons who may attend and/or participate in the adjudication process and the extent of their participation.
- Provide an equal opportunity for the parties to present testimony.
- Provide an equal opportunity for the parties to appeal.
- Require the same type of review be applied on appeal, regardless of which party files the appeal.
- Describe the appellate procedures, grounds for appeal, the person/entity that will decide appeals, and the applicable reasonably prompt time frames for appeal.
- Include a statement that the University will not require a party to abide by a nondisclosure agreement, in writing or otherwise that would prevent the redisclosure of information relating to the outcome of the proceeding.
- Provide an equal opportunity for the parties to be present at the hearing.
- Permit the hearing to proceed if the reporting party is not present.
- Provide the parties with an equal opportunity to question witnesses.
- Provide a description of alternative methods that preclude the respondent from personally cross-examining the reporting party.
- Require the University to notify both parties in writing about the outcome of the report.
- Require the University to notify both parties in writing if there is any change to the results of the hearing that occurs prior to the time that such results become final.
- Require the University to notify both parties in writing when such results become final.
- Require the University to notify the reporting party as to whether or not it found that the alleged conduct occurred, any individual remedies offered or provided to the reporting party or any sanctions imposed on the respondent that directly relate to the reporting party,

and other steps the University has taken to eliminate the hostile environment, if the University finds one to exist, and prevent recurrence.

- Prohibit questioning about the reporting party's sexual history with anyone other than the respondent.
- Prohibit either parties, their advisors, or witnesses from voice recording any part of disciplinary proceedings, including interviews or hearings.
- Acknowledge that the mere fact of a current or previous consensual dating or sexual relationship between the two parties does not itself imply consent or preclude a finding of sexual misconduct.
- Prohibit University officials from notifying the respondent of the individual remedies offered or provided to the reporting party.
- Require the University to offer the reporting party all services needed to remedy the hostile environment on an interim basis.
- Require the University to offer the reporting party all services needed as a final remedy to the hostile environment, even if the reporting party declined the service as part of an interim measure.
- Require the University to consider remedies for the broad campus population whenever the University is unable to conduct a full inquiry.
- Require the University to take steps to provide appropriate remedies for the reporting party and the broader campus population when the respondent is not affiliated with the University.

The University shall continue to protect the reporting party after a determination that sexual misconduct has occurred. The University's Grievance Procedure, consistent with this policy, begins on p. 58.

## **9. Prevention and Education**

This policy shall be accessible to students and employees with disabilities. This policy, reporting forms, information and training shall be accessible to students and employees who are English language learners. This policy shall be distributed on campus in such a way that all students, regardless of their immigration status, including undocumented students and international students, are aware of their rights under Title IX. Title IX prohibits retaliation against the reporting party, anyone who files a third-party report, any witness or anyone who otherwise participates in the investigative and/or disciplinary process, and the University will take steps to prevent retaliation and strong responsive action if it occurs, including any retaliatory actions by University officials. The University must routinely take steps to inform students, faculty and staff that the University's primary concern is student safety and that the use of alcohol and drugs never makes the survivor at fault for sexual misconduct.

- a. **Residence Life Student Staff Members (RLSSMs)**– As noted above, RLSSMs are responsible employees. As such, RLSSMs shall explain to the student (before the student reveals

confidential information) that although the RLSSM must report the names of the respondent and the reporting party and other relevant facts to the Title IX Coordinator or other designated University officials, the University will protect the student's confidentiality to the greatest extent possible. RLSSMs shall provide reporting parties with information regarding on-campus resources, including victim advocacy, housing assistance, academic support, counseling, disability services, health and mental health services, legal assistance, and the local rape crisis center or other off-campus resources.

b. **Sexual Violence and Prevention Program** – The University's sexual violence and prevention program (SVPP) shall clearly identify the offices or individual with whom reporting parties can speak confidentially. The SVPP shall clearly identify the offices or individuals who can provide resources such as victim advocacy, housing assistance, academic support, counseling disability services, health and mental health services, and legal assistance. The SVPP shall identify the University's responsible employees. The SVPP shall explain that, if reporting parties report incidents to responsible employees, these employees are required to report the incident to the Title IX Coordinator or other appropriate official, including the names of the individuals involved in the sexual misconduct, the date, time, and location. The University's approach to prevention, including the type and frequency of prevention programming and education/outreach activities, shall consist of:

- **BraveBU** – BraveBU is a culture of care campaign that is focused on the promotion of bystander intervention and healthy behaviors. Often led by students, BraveBU programs occur throughout the academic year and focus on issues such as sexual assault prevention, healthy relationships, and wellness-based discussions. The initial BraveBU program is led during Week of Welcome for new students each August. Staff members from the Dean of Students Office explain the culture of care at Bellarmine, walk students through the definitions included in the campus sexual misconduct policy and facilitate dialogue around realistic and helpful strategies to avoid being a bystander. Occurs Annually.
- **Sexual Misconduct Prevention Training** – All new students complete Sexual Misconduct Prevention Training each fall. Sexual Misconduct Prevention Training is an online series of modules that inform students of the campus sexual misconduct policy, methods of reporting, and utilizes a tone rooted in positive psychology. Students complete a pre-test and the modules in early September. Students then complete a post-test one month after completion of part 1. Aggregate data and population specific data is used to generate learning outcomes for ongoing programming. Faculty and staff complete a different version of online training modules with similar learning outcomes. Sexual Misconduct Prevention Training is also used with all new faculty and staff as a component of onboarding training. Occurs Annually; each Fall Semester.

- **Written Notification of University’s Sexual Misconduct Policies** – Annually, every student receives written notification of the university’s sexual misconduct policies which includes available resources and reporting procedures. Occurs Annually.
  - **New Employee Orientation** – Every new employee attends an employee orientation hosted by Human Resources. During this session, staff members from Human Resources distribute and explain the sexual misconduct policy. Occurs at beginning of employment.
  - **Employee Training** – Each employee completes an on-line training module which disseminates the sexual misconduct policy including the educational outcomes outlined in this policy to include reporting, responsible employee duties, confidential reporting, on and off campus resources, etc. Occurs on a regular basis.
- c. **Bystander Intervention** – The University shall utilize bystander intervention as a tool to prevent sexual misconduct. In implementing the bystander-focused prevention methods, the University shall implement the common components of safe and positive bystander intervention.
- d. **Campus Assessments** – The University shall conduct a climate survey. The Title IX Coordinator or designee shall coordinate the collection and analysis of information from annual climate surveys.
- e. **Educating Students** – The University shall conduct programs to educate students about the University’s sexual misconduct policy at least one time during each calendar year. At sexual misconduct awareness events, the University shall provide information on (a) Title IX, (b) how to file a Title IX report with the University, (c) resources available to sexual misconduct reporting party(s) such as counseling, mental health and health services, and (d) options for reporting an incident of sexual misconduct to campus or local law enforcement. The University shall provide education programs to promote the awareness of rape, acquaintance rape, domestic violence, sexual assault, and stalking, which shall include:
- 1) Primary prevention and awareness programs for all incoming students and new employees, which shall include:
    - a) a statement that the University prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking;
    - b) the definition of domestic violence, dating violence, sexual assault, and stalking in the state of Kentucky;
    - c) the definition of consent, in reference to sexual activity, in the state of Kentucky;

- d) safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;
  - e) information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks;
  - f) information described in 20 U.S.C. 1092(f)(8)(B)(ii) through (vii); and
- 2) ongoing prevention and awareness campaigns for students and faculty, including the information described in clauses (a) through (f) of subparagraph 1. above.

## 10. **Training**

In all forms of training, the University shall establish methods for verifying that the training was effective.

- a. **Student Training** – The University shall provide the following training for students:
- Encouragement to report incidents of sexual misconduct.
  - How to report sexual misconduct to campus or local law enforcement and the ability to pursue law enforcement proceedings simultaneously with a Title IX grievance.
  - General information on Title IX.
  - What constitutes sexual misconduct under the University’s policies.
  - The University’s definition of consent as applicable to sexual conduct, including examples.
  - How the University analyzes whether unwelcome sexual conduct creates a hostile environment.
  - Available reporting options, including formal reporting and confidential disclosure options and any timeframes set by the University for reporting.
  - Places where students, faculty, and staff members can seek confidential support services.
  - Grievance procedures used to process sexual misconduct reports.
  - Disciplinary code provisions relating to sexual misconduct and the consequences of violating those provisions.
  - Effects of trauma, including neurobiological changes.
  - The role alcohol and drugs often play in sexual misconduct incidents, including the deliberate use of alcohol and/or other drugs to perpetuate sexual misconduct.
  - Strategies and skills for bystanders to intervene to prevent possible sexual misconduct.
  - Title IX’s protections against retaliation.
  - Persons on campus to whom students, faculty, and staff members can confidentially report incidents of sexual misconduct.

- An explanation that students, faculty or staff members do not need to determine whether incidents of sexual misconduct or other sexual harassment created a hostile environment before reporting the incident.

With regard to all training directed toward students, the University shall consider educational methods that are most likely to help students retain information when designing its training, including repeating the training at regular intervals.

b. **Residence Life Student Staff (“RLSS”) Training** – The University shall provide the following training for RLSS:

- Places where students, faculty and staff can seek confidential support services.
- Information about local rape crisis centers or other off-campus resources so that RLSSs can provide this information to reporting parties.

c. **Faculty and Staff Training** – The University shall provide training on a regular basis, even if employees have prior relevant experience in sexual misconduct, to all employees likely to witness or receive reports of sexual harassment and violence, including faculty, University safety office employees, University administrators, University counselors, athletic coaches, health personnel and RLSSs. The University shall determine how training should be conducted, who has the relevant expertise to conduct the training, and who should receive the training to ensure that the training adequately prepares employees, particularly responsible employees, to fulfill their duties under Title IX. Employees who work with international students shall be trained on the University’s sexual misconduct policies. The University requires (a) training or experience in handling sexual misconduct reports and (b) training in the operation of the University’s grievance procedures for the Title IX Coordinator or designee, others who receive reports, investigators, and adjudicators. The University shall provide the following training for faculty and staff:

- Practical information about (a) how to prevent and identify sexual misconduct, including same-sex sexual misconduct. (b) the behaviors that may lead to and result in sexual misconduct; (c) the attitudes of bystanders that may allow conduct to continue; (d) the potential for revictimization by responders and its effect on reporting parties; (e) appropriate methods for responding to a reporting party who may have experienced sexual misconduct, including the use of nonjudgmental language; (f) the impact of trauma on reporting parties; and (g) the person(s) to whom such misconduct must be reported.
- Training to explain responsible employees’ reporting obligation, including what should be included in a report and any consequences for the failure to report and the procedure for responding to reporting parties’ requests for confidentiality, as well as provide the contact information for the University’s Title IX Coordinator or designee.



- Practical information on how and when to identify and report harassment and/or to appropriate University officials.
- d. **Training for Responsible Employees** – Responsible employees are those employees defined in Section 5. Responsible employees shall be trained so that they will know how to respond properly to sexual misconduct reports. The University shall train responsible employees to inform students and employees of: (a) the reporting obligations of responsible employees; (b) students’ and employees’ option to request confidentiality and available confidential advocacy, counseling, or other support services; and (c) their right to file a Title IX report with the University and to report a crime to campus or local law enforcement.
- e. **Special Training for Title IX Coordinator and Others Involved in Grievance Procedure** – The University shall require training for the Title IX Coordinator or designee, others who receive reports, investigators, and adjudicators to include information on: (a) working with and interviewing persons subjected to sexual misconduct, including same-sex sexual misconduct; (b) the proper standard of review for sexual misconduct reports (preponderance of the evidence); (c) information on consent and the role drugs or alcohol can play in the ability to consent; (d) the importance of accountability for individuals found to have committed sexual misconduct; (e) the need for remedial actions for the respondent, reporting party, and University community; (f) how to determine credibility; (g) how to evaluate evidence and weigh it in an impartial manner; (h) how to conduct inquiries; (i) confidentiality; (j) the effects of trauma, including neurobiological change; and (k) cultural awareness training regarding how sexual misconduct may impact individuals differently depending on their cultural backgrounds. All staff members involved in the grievance procedure must be trained so that they are capable of providing culturally competent counseling for all reporting parties. Counselors and other staff members who are responsible for receiving and responding to reports of sexual misconduct, including investigators and hearing board members, shall receive appropriate training about working with LGBT and gender-nonconforming individuals and same-sex sexual misconduct. Counselors and other staff members who are responsible for receiving and responding to reports of sexual misconduct, including investigators and hearing board members, and others counseling reporting parties who have experienced sexual misconduct shall be trained to be aware of the special issues that international students may encounter. Any University officials responsible for discussing safety and confidentiality with reporting parties shall be trained on the effects of trauma and the appropriate methods to communicate with reporting parties subjected to sexual misconduct. Any individual or body handling appeals shall be trained in the dynamics of and trauma associated with sexual misconduct.
- f. **Special Training for Pastoral and Professional Counselors** – The University shall instruct pastoral and professional counselors to inform students and employees:

- Of their right to file a Title IX report with the University and a separate report with campus or local law enforcement.
- That they are available to assist the student in filing such reports.
- That Title IX includes protections against retaliation.
- That University officials will not only take steps to prevent retaliation but also take strong responsive action if it occurs.

Pastoral and professional counselors shall be trained to ensure that they understand the extent to which they may keep a report confidential. In addition to receiving the training listed for pastoral and professional counselors, non-professional counselors or advocates shall be trained to report only general information about incidents of sexual misconduct and to avoid disclosing personally identifiable information.

### **Sexual Misconduct Grievance Procedures**

---

The University has adopted a Sexual Misconduct Policy (“Policy”), all of the provisions of which are incorporated herein by reference. A copy of the policy can be viewed at [www.bellarmino.edu/hr/title-ix/](http://www.bellarmino.edu/hr/title-ix/). In accordance with Section 8 of that policy, the University adopts and publishes the following grievance procedures for the prompt, fair, impartial and equitable inquiry and resolution of sexual misconduct reports, including discrimination and sexual harassment reports, filed against University employees, other students, and third parties. Generally, these procedures provide (a) a method by which students, faculty or staff members can file reports under Title IX, (b) a description of how those reports will be investigated, (c) an informal resolution process, (d) procedures for the hearing to adjudicate factual disputes, (e) the method for appealing the outcome of the hearing, and (f) the method by which remedies and sanctions will be imposed.

All hearing panel members and all officials involved in the appeal process described below shall receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking and on how to conduct a hearing that protects the safety of victims and promotes accountability.

Pursuant to Title IX and the requirements established by the United States Department of Education, please be aware that:

- Persons who file reports (“Reporting parties”) have the right to end the informal process described in Section 3 at any time and to begin the formal stage of the report process as outlined in Section 4.
- The University will take steps to prevent the recurrence of any sexual violence and remedy discriminatory effects on the Reporting party and others, if appropriate.
- The employee responsible for evaluating requests for confidentiality is the Title IX Coordinator and/or their designee as identified in the Policy.
- Reporting policies and protocols are set forth in Section 6 of the Policy, and members of the campus community are encouraged to review those policies and protocols, including the provisions for confidential reporting.

- Title IX prohibits retaliation against any person involved in the inquiry or hearing.
- Reporting parties have the right to file simultaneously a criminal report with appropriate law enforcement agencies and a Title IX report with the University.
- Various interim measures may be taken to protect Reporting parties in the educational setting, including those set forth in Section 3 of the Policy.
- The evidentiary standard that must be used in resolving the report is a preponderance of the evidence.
- The potential remedies for Reporting parties are set forth in Section 3 of the Policy.
- It is the intent of this procedure to provide the parties with equal rights.
- Both parties shall have the same opportunity to have an advisor of their choice (up to a maximum of two advisors), present during any interview and/or institutional disciplinary proceeding involving alleged sexual misconduct.
- The potential sanctions or protective measures which may be imposed against the Respondents include the possible reprimand, suspension or expulsion of a student Respondent, the possible reprimand, suspension or termination of an employee Respondent, and reporting party's options to avoid contact with the Respondent and allow the Reporting party to change academic and extracurricular activities or reporting party's living, transportation, dining, and working situation as appropriate.
- The process may result in additional remedies for the University community, including greater emphasis on student awareness, educational and professional development courses for faculty and staff, and other steps designed to address the specific issues raised by the report.
- Sources of counseling, advocacy and support are listed in Sections 3 and 6 of the Policy.
- Information about how the University will protect the confidentiality of victims is listed in Section 6 of the Policy.
- As used in this procedure, "sexual harassment" and "hostile environment" shall have the meanings set forth in Section 5 of the Policy.
- The University will not require a party to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the redisclosure of information relating to the outcome of the proceeding.
- The University shall offer the Reporting party all services needed to remedy the hostile environment on an interim basis, all as outlined in Section 3 of the Policy.
- The University shall offer the Reporting party all services needed as a final remedy to the hostile environment, even if the Reporting party declined the service as a part of an interim measure.
- The mere fact of a current or previous consensual dating or sexual relationship between the two parties does not itself imply consent or preclude a finding of sexual violence.
- In the event the University is unable to conduct a full inquiry, such as when the Respondent is a visitor to the University's campus, the University shall still consider remedies for both the Reporting party and the broader campus population.

1. **Initiation of Report** – Any person who believes that he or she has been the victim of sexual misconduct as defined in the University’s Policy shall file either a written report or incident report (either of which is hereafter referred to as a “report”) with the University’s Title IX Coordinator, or their designee, as identified in the Policy. The report shall specify the alleged sexual misconduct, the name of the individual who engaged in the alleged misconduct and such other information as may assist the University in promptly investigating the alleged sexual misconduct.
2. **Inquiry** – The Title IX Coordinator or the Coordinator’s designee shall promptly investigate the alleged sexual misconduct in accordance with the provisions of Section 7 of the Policy. Any designee shall have received training in conducting inquiries of Title IX reports. It is the goal of the University to provide for an adequate, reliable, and impartial inquiry for each report, including the opportunity for both the Reporting party and the Respondent to present witnesses and evidence. As soon after the initiation of the inquiry as possible, the Title IX Coordinator or the designated investigator shall notify all University employees or students who are believed to have documentary, electronic, or tangible evidence to preserve such evidence for the inquiry. Upon the conclusion of the inquiry, the University shall determine whether probable cause exists to believe that the alleged sexual misconduct occurred. If the University determines that there is no probable cause to believe the alleged sexual misconduct occurred, the report shall be dismissed, and both the Reporting party and the Respondent shall be notified in writing such determination by the University. If the University determines that there is probable cause to believe that the alleged sexual misconduct occurred, both the Reporting party and the Respondent shall be notified in writing of such determination by the University, and an adjudicative hearing shall be scheduled within seven (7) days to resolve all disputed facts, if any. The University shall provide both the Reporting party and the Respondent the time and place of the hearing, and the name of the hearing panel members. The hearing shall be conducted in accordance with Section 4. In the event there are no disputed facts, no hearing will be held, and the University shall proceed to implement remedies and sanctions pursuant to Section 6 via informal resolution.
3. **Informal Resolution Process** – Mediation is never appropriate in sexual misconduct cases and shall not be utilized by the University. However, after a finding of probable cause and prior to the hearing to resolve factual disputes, the University shall informally discuss possible remedies and sanctions with the Reporting party and the Respondent to ascertain if a satisfactory resolution of the matter can be reached without the necessity of an adjudicative hearing. If so, the remedies and sanctions to which the parties agree shall be imposed. If not, the hearing pursuant to Section 4 will proceed as scheduled.
4. **Formal Resolution Process** – The purpose of the hearing is to resolve any facts disputed by the parties.

- a. **The Hearing Panel** – The hearing shall be conducted by a three-person hearing panel designated by the University (“Hearing Panel”). The Hearing Panel members shall consist of a faculty member, a staff member, and a chief hearing officer who shall be either a faculty or staff member. The Title IX Coordinator, or their designee, shall notify the parties of the date, time, and place for the hearing and the names of the Hearing Panel members at least seven (7) days prior to the hearing. If either party wishes to object to one or more members of the Hearing Panel on the basis of a potential conflict of interest by the Hearing Panel member(s), the party must notify the Title IX Coordinator or their designee of the objection within three (3) days after receipt of the notice specifying the names of the hearing panel members. The Title IX Coordinator or their designee shall evaluate the objection and determine if a different Hearing Panel member should be designated.
  
- b. **The Hearing Process** – The Hearing Panel shall endeavor to conduct the hearing in a manner that does not inflict additional emotional trauma on the parties. The hearing shall permit both the Reporting party and the Respondent an equal opportunity to present relevant witnesses and evidence, including expert testimony. The Hearing Panel shall determine the probative value of the evidence presented and the rules of evidence shall not be strictly enforced. Three (3) days prior to the hearing, both the Reporting party and the Respondent shall notify the hearing officer of the witnesses and documentary evidence that the party intends to present. Both the Reporting party and the Respondent may be accompanied by legal counsel or other advisor of their choice, but if either of the parties chooses not to be accompanied by legal counsel or an advisor, the other party may still be accompanied by legal counsel or an advisor. Neither party’s legal counsel nor advisor may speak at the hearing. Only the Title IX Coordinator or designee, the investigators, representatives from the Dean of Students office, the University’s counsel, the Reporting party and the Respondent, the parties’ legal counsel or advisor and the parties’ parents (if invited by the parties), and witnesses may attend the hearing. Parents may not participate in the hearing unless they are called as witnesses to address factual disputes. The hearing may proceed if either of the parties fails to attend. The investigators shall present the results of the inquiry. The Reporting party may then present evidence, and the Respondent may present evidence following the Reporting party. Each witness may be cross-examined by the parties, but the parties may not cross-examine each other. In the event a party wishes to question the opposing party, the party may submit written questions for the opposing party to the chief hearing officer who may ask the questions to the opposing party, if the chief hearing officer deems such questions relevant. Questions pertaining to the Reporting party’s sexual history with anyone other than the Respondent shall be prohibited. The University may elect to make an audio recording of the hearing and in that event, the recording shall be retained by the University in accordance with FERPA.

- c. **Proposed Findings and Recommended Remedies and Sanctions** – Within five (5) days following the completion of the hearing, the Hearing Panel shall prepare proposed findings and recommended remedies and sanctions (“Findings”). The Hearing Panel shall make a finding as to whether a hostile environment exists at the University in light of the Findings, and if so, the Hearing Panel shall make recommendations as to how the hostile environment can be eliminated. The Findings shall be submitted in writing for a ruling on behalf of the University (“Ruling”) to: The Dean of Students or designee if the parties are students; the Vice President or designee to whom the employees report, if the parties are employees; or the Vice Provost or designee, if the parties are faculty members. If the parties include a combination of faculty, staff, and students, the Findings shall be submitted to the Dean, Vice President, Vice Provost or designee responsible for the group of which the Respondent is a member. In the Ruling, the Dean, Vice President, Vice Provost or designee may adopt the Findings in whole or in part and shall make a determination as to what, if any, remedies and sanctions should be imposed. The Dean, Vice President, Vice Provost or designee may also remand the matter to the hearing officer for further findings and conclusions, if necessary. The Dean, Vice President, Vice Provost or designee shall make the Ruling within five (5) days following the receipt of the Findings. In determining sanctions against the Respondent, both the Hearing Panel and the Dean, Vice President, Vice Provost or designee shall assess whether imposing sanctions against the Respondent, without additional remedies, will be sufficient to eliminate the hostile environment, prevent recurrence, and remedy effects as required by Title IX.
- d. **Notice to the Parties** – When the Ruling is issued, the Title IX Coordinator or their designee shall simultaneously send written notice via email to the parties of the University’s Ruling and of their right of appeal under Paragraph 5 below. Specifically, the Title IX Coordinator or their designee shall notify both parties as to: (a) whether or not the University found that the alleged conduct occurred, (b) any sanction imposed on the Respondent that directly relate to the Reporting party, and (c) other steps the University has taken to eliminate the hostile environment, if the University finds one to exist, and prevent recurrence of the misconduct. The Title IX Coordinator or their designee shall also notify the Reporting party of any individual remedies offered or provided to the Reporting party, but, the Title IX Coordinator or their designee shall not notify the Respondent of the individual remedies offered or provided to the Reporting party.
5. **Appeals** – Either party may appeal the University’s determination of no probable cause or the Ruling by submitting a written statement of appeal to the Title IX Coordinator or their designee. The appeal must be received by the Title IX Coordinator or their designee within seven (7) days following the date on which the parties received notice of the probable cause determination or the Ruling from the Title IX Coordinator or their designee. Appeals must be based on one or more of the following reasons:

- a. **Sanction Proportionality** – to determine whether the sanction was disproportionate to the offense committed, for which the party was found to be responsible.
- b. **New Information** – to consider new information that was not known at the time of the original hearing that, if introduced, would substantially impact the finding or sanction.
- c. **Procedural Conformity** – a claim that the hearing did not conform to the procedures outlined, and that substantially affected the outcome of the original hearing.

The written appeal must include the specific grounds for the appeal, supporting arguments and documentation, and any other relevant information the respondent wishes to include. Upon receipt of the written appeal, the parties involved in the original hearing are notified and provided reasonable opportunity to respond in writing to the appeal.

Appeals will be heard by the Committee on Sexual Misconduct Appeals (“CSMA”). This committee is composed of one faculty member and two administrators appointed by the Title IX Coordinator or their designee. The CSMA will evaluate the record of the hearing and render a recommendation to the Vice President of Student Affairs, if the parties are students, the Vice President for Administration and Finance, if the parties are staff members, or the Provost, if the parties are faculty members, (“Appropriate Officials”, or any one of them individually, “Appropriate Official”) who will review the recommendation and issue a written decision in the matter. If the parties include a combination of faculty, staff, and students, the CSMA shall submit the recommendation to the Appropriate Official responsible for the group of which the Respondent is a member. In the event the Vice President for Administration and Finance is involved in making the Ruling, the Vice President for Administration and Finance shall not participate in the appeal, and the CSMA shall make its recommendation to the Vice President for Student Affairs who shall make a written decision in the matter on behalf of the Vice President for Administration and Finance. The Title IX Coordinator or their designee will notify the parties of the decision within three working days of receipt of the decision by the Appropriate Official.

Regardless of which party files the appeal, the Appropriate Official may reverse the probable cause determination or Ruling only if the Appropriate Official finds that the probable cause determination or Ruling did not result in a proportionate sanction, did not consider new information, or was not in conformity with University procedures as outlined above. If the appeal is granted, the Appropriate Official shall make such instructions to the Title IX Coordinator or designee or the Hearing Panel as may be appropriate. The Appropriate Official’s decision on the appeal shall constitute the final action by the University, and the Title IX Coordinator or their designee shall simultaneously send written notice of the decision via email to the parties. If neither party appeals the probable cause determination or the Panel’s Ruling, the Title IX Coordinator or their designee, shall simultaneously send written notice of the expiration of the time for an appeal via email to the parties. Upon the expiration of the time for an appeal of the probable cause determination or the Panel’s Ruling or upon the decision on a timely appeal, the University’s decision shall be deemed final.

6. **Imposition of Remedies and Sanctions** – After the time for an appeal of the Ruling has expired or after the decision on the appeal is made, the Title IX Coordinator or designee shall take the

steps necessary to implement the remedies and sanctions. In the event interim measures should be taken to protect the Reporting party at any point prior to the University's final determination, the Title IX Coordinator or their designee may implement such measures in accordance with Section 3 of the Policy.

## **Conduct Sanctions**

---

The following sanctions may be imposed upon any student found to have violated the Code of Conduct.

1. **Warning** - a notice that the student has violated University policy and is warned that further misconduct may result in more severe disciplinary action.
2. **On Notice** - if a student has violated a policy that warrants a more serious sanction than a Warning, but does not justify being placed on Probation, or if a student has already received two or more Warnings, the student may be placed "On Notice." Any further infractions would result in being placed on Probation or could justify suspension or dismissal from the University or residence hall without first being placed on Probation, depending on the incident.
3. **Probation** - a student may be issued a sanction of Probation for a relatively serious first offense or as the result of an accumulation of previous violations and sanctions. Probation may be either University Probation or Residence Hall Probation. Probation is for a designated period of time and includes the probability of more severe student conduct sanctions if the student is found to be in violation of any University policies during the probationary period. Residence Hall Probation means that further violation of residence hall policy will result in suspension or dismissal from the residence halls. University Probation means that further violations of University policy will result in suspension or dismissal from the University.
4. **Parent/Legal Guardian Notification** - in accordance with the Family Educational Rights and Privacy Act, which is part of the Higher Education Act, amended in 1998, the University has a right to notify parents/legal guardians if a student under the age of 21 has violated an alcohol or drug policy or is accused of a violent crime. Bellarmine University may inform parents/legal guardians of students who have received the sanction of University or Residence Hall Probation.
5. **Campus Involvement Restrictions/Good Standing Status** - a student found in violation of University or Residence Hall policy with determined sanctions may, as part of their conduct sanctioning be determined to be not in good standing for a specific length of time. This status may have impact with regards to on-campus opportunities including leadership positions, travel, participation in events, study abroad, or other opportunities. The Dean of Students, in consultation with other appropriate University personnel, will determine this on a case-by-case basis, depending on the severity of the violation and the student's conduct record.



6. **Loss of Privileges** - denial of specified privileges for a designated period of time.
7. **Educational/Developmental** - the student may be required to present a program, attend counseling sessions, write a paper, or engage in other related activities. For alcohol-related offenses, the student may be required to participate in an alcohol education program.
8. **Fines** - fines may be assessed, depending on the incident.
9. **Restitution** - compensation for loss, damage or injury. This may take the form of appropriate service, monetary, or material replacement.
10. **Discretionary Sanctions** - work assignments or service to the University or community.
11. **Residence Hall Relocation** - the student may be required to move to another room, floor, or residence hall. The student may also be limited in their selection of a room, suite, or building during the room selection process for the following year.
12. **Residence Hall Suspension** - separation of the student from the residence halls for a definite period of time, after which the student may be eligible to return. Conditions for readmission may be specified. This means the student may not live in the halls but may visit the halls during normal visitation hours.
13. **Residence Hall Dismissal** - permanent separation of the student from the residence halls.
14. **Held in Abeyance** - the student is already on University or Residence Hall Probation and is informed that the decision to suspend or dismiss him/her is being suspended. This is rarely used and is a very serious sanction, as any further violation would result in suspension or dismissal.
15. **University Suspension** - separation of the student from the University for a definite period of time, after which the student may be eligible to return. Conditions for readmission may be specified. A fourth alcohol-related offense may result in University Suspension.
16. **University Expulsion/Dismissal** - permanent separation of the student from the University.
17. **Campus Ban** - Student is not to be on any campus property. This ban includes the residence halls, academic buildings, athletic facilities, and school grounds. If student is seen on campus property, the appropriate authorities will be contacted and student may be arrested for trespassing.

## **Alcohol and Drug Policy**

---

The use and especially the abuse of alcohol can pose a serious threat both to the full development of the individual person and the educational environment, which includes not only the campus community but the neighborhood and surrounding community.

Federal regulations (Federal Drug Free Schools and Communities Amendments of 1989) require notification of the following: unauthorized distribution, possession, or use of any controlled substance or illegal drug as defined by the Kentucky Revised Statutes; providing alcoholic beverages to individuals under twenty-one (21) years of age; possession or use of alcoholic beverages by individuals under twenty-one (21) years of age; and unauthorized possession of an open container of an alcoholic beverage, public intoxication; unauthorized distribution of alcoholic beverages or possession of alcoholic beverages for purposes of illegal distribution on Bellarmine University premises or at Bellarmine University sponsored activities.

This policy and the related procedures outline the University's responsibilities and the responsibilities of those who work, study, or congregate at the University. This policy applies to students in all academic-related activities and environments on and off campus. Care has been taken to outline these responsibilities, to allow each member and guest of Bellarmine University to assume the respective responsibilities attendant to their status with Bellarmine University.

### **Risks Associated with Alcohol and Drug Use**

All substance use poses some degree of health risk. The level of risk is dependent on the type of substance, frequency, and amount used; interactions with other medications/substances, and individual risk factors including family history, previous substance abuse history, and health conditions (e.g. depression, pregnancy, diabetes, heart disease). For more information about alcohol and drugs and/or to take a free alcohol abuse screening, please visit <https://tinyurl.com/BellarminoRecovery>.

### **Counseling and Treatment Resources**

- Bellarmine University Health Services  
502.272.8493 or [www.bellarmino.edu/studentaffairs/healthservices](http://www.bellarmino.edu/studentaffairs/healthservices)
- Bellarmine University Counseling Center  
502.272.8480 or [www.bellarmino.edu/studentaffairs/counselingcenter](http://www.bellarmino.edu/studentaffairs/counselingcenter)
- Alcoholics Anonymous  
502.582.1849 or [www.louisvilleaa.org](http://www.louisvilleaa.org)
- Jefferson Alcohol & Drug Abuse Center  
502.583.3951 or [centerstoneky.org/jadac](http://centerstoneky.org/jadac)

### **Alcoholic Beverage Policy**

The following information and guidelines apply to all Bellarmine University students, friends, and guests

attending events sponsored by the University. They have been established to provide for the growth of the individuals as persons and to provide for the preservation and enhancement of the environment and communities within which this growth occurs.

Those who engage in substance abuse may be referred to appropriate internal and external assistance programs. The University provides counseling and referral services to students through the Counseling Center.

### **University Regulations Governing the Use of Alcohol**

The following regulations govern the use of alcohol on the Bellarmine University campus:

1. The use or possession of alcoholic beverages is allowed at on-campus and off-campus student sponsored events or at University-sponsored activities for students when approved by the Student Activities Center and the Dean of Students. A student-sponsored event includes, but is not limited to, private parties and events at which University or student organization funds or resources are used, and informal gatherings that could be perceived or construed to be an official event of an organization, team, or other affinity group. This policy applies, therefore, to all out-of-state travel or travel abroad, regardless of the alcohol policies/laws that exist elsewhere.
2. Intoxication and/or alcohol abuse shall not be permissible as an excuse for unlawful behavior or misconduct. Public drunkenness, as commonly defined by slurred speech, erratic behavior and physical coordination difficulties, is prohibited. In addition, disorderly conduct, property destruction, intimidation, verbal abuse or harassment, or other infringements of the rights of others as a result of alcohol use is prohibited.
3. Alcoholic beverages of any kind are prohibited at University-sponsored athletic events on and off campus. Such beverages may be served to adult groups (guests of the University) within the controlled environment of the Booster Room or one of the rooms provided for entertaining guests.
4. No driver shall consume alcoholic beverages in any University vehicle or in a University sponsored vehicle. State law prohibits alcohol consumption in any vehicle on public highways.

### **Alcohol Policy Violations and Sanctions**

Each violation of the University Alcohol Policy will be reviewed according to the University's Code of Conduct. The following sanction per alcohol policy offense will be used as guidelines and are not requirements. The sequence of sanctions below may not be followed for more severe policy violations (e.g. excessive amounts of alcohol). Failure to meet the terms of any sanction in the allotted time period will result in further disciplinary action, including additional sanctions and/or fines.

**First offense** - Warning and completion of AlcoholEDU for Sanctions within time frame allotted by Hearing Officer, Substance Education Fund Fine of \$100. While Bellarmine University provides students

educational resources and opportunities to change their behavior on their own, the Dean of Students or their designee may choose to notify parents/guardians\*, depending upon the severity of the offense.

**Second offense** - Substance Education Fund fine of \$150 and Parental Notification\*

**Third offense** - University Probation and Parental Notification\*

**Fourth offense** - University Suspension

Additional sanctions may be assigned as deemed necessary by the appropriate student conduct body. Additional sanctions may include, but are not limited to, assignment of community service hours, residence hall probations, educational sanctions, restitution, etc.

*\*In accordance with the Family Educational Rights and Privacy Act, which is part of the Higher Education Act, the University has a right to notify parents/legal guardians if a student under the age of 21 violated an alcohol or drug policy or is accused of a violent crime. Bellarmine University may inform parents/legal guardians of students who have received the sanction of University of Residence Hall Probation or higher.*

### **State and City Laws**

Members of the University community are expected to be aware of and obey state and municipal laws or ordinances regulating the use, possession or sale of alcoholic beverages. Alcohol concentration of or above 0.08 is the definition of intoxication in the State of Kentucky.

Students who are cited for violations of such laws or ordinances by state or municipal authorities also may face University disciplinary proceedings and/or be required to pursue counseling or treatment as a condition of continued enrollment at the University. The laws of the Commonwealth of Kentucky are applicable to every person on the Bellarmine University campus, regardless of his or her state or country of origin.

The following are important Kentucky and City of Louisville laws or ordinances:

1. It is illegal for any person under twenty-one (21) years of age to attempt to purchase, consume, possess, or transport any alcoholic beverages.
2. It is illegal for any person under twenty-one (21) years of age to knowingly and falsely present him or herself to be twenty-one (21) years of age for the purpose of procuring any intoxicating beverage.
3. It is illegal for any person to represent to a dealer or any other person that a minor is over twenty-one (21) years of age for the purpose of inducing the dealer or other person to serve alcoholic beverages to that minor.
4. It is illegal for any person to request anyone over twenty-one (21) years of age to purchase or offer to purchase any alcoholic beverage from a licensed dealer for a minor.
5. It is illegal for any person to sell, furnish or give away any alcoholic beverage to a person under twenty-one (21) years of age or to any person who is visibly intoxicated.
6. It is illegal to operate or control a motor vehicle while under the influence of alcohol.
7. It is illegal for any person, whether or not a minor, to sell alcoholic beverages without a license.

8. It is illegal for any person to induce anyone under twenty-one (21) years of age to commit any of the above criminal acts.

Louisville Metro ordinance prohibits the consumption of alcoholic beverages and the possession of open containers of alcoholic beverages in public streets, sidewalks, highways, buildings, lanes, parking lots, recreation or park areas or other public property within Metro Louisville. The penalties for violating the above laws and ordinance are severe. Moreover, individuals may face severe financial consequences from a civil lawsuit arising out of the use or misuse of alcohol.

### **Illegal Drug Use Policy**

---

Bellarmine does not allow the use of illegal substances. Because the use of illegal drugs is dangerous to the well-being of individual users, and to the goals of this educational community, the following regulations are in effect. Students involved in the manufacture, sale, offering to sell, delivery, use or possession of a controlled substance or paraphernalia will be referred to the Dean of Students. Additionally, the misuse/abuse of legal substances may also be considered a violation of student conduct if deemed a significant risk to the well-being of the individual or others. Such conduct may entail probation, educational sanctions, BASICS, fine, suspension or expulsion from the University and/or a requirement that the student enroll and actively participate in a drug counseling and rehabilitation program as a condition of continued enrollment or readmission. The University reserves the right to evict a residential student involved in any of the above-mentioned behaviors from its residence halls at any time during the academic year. These regulations are not substitutes for criminal sanctions provided for by state and federal statutes.

### **Laws Concerning Illicit Drugs**

The following laws concerning specific illicit drugs are drawn from the Controlled Substance Act of the Commonwealth of Kentucky. A representative listing of specific drugs and the violations inherent in illegal activities related to such drugs is provided below. The failure to list all drugs included in the above act does not exonerate individuals from responsibility for their actions as it relates to illegal drugs, nor does it preclude the University from taking steps to address illegal activity in terms of its own internal counseling and referral system or its conduct system.

Among others, the following acts and the causing thereof are prohibited within the Commonwealth of Kentucky:

- The manufacture, sale or delivery, holding, offering for sale, or possession of any controlled substance or drug paraphernalia.
- The penalty for violation of these acts is based upon the nature or schedule of the drug involved and the weight of the substance.

### **Possession of Marijuana**

1. A person is guilty of possession of marijuana when they knowingly and unlawfully possess marijuana. Possession of marijuana can be a misdemeanor or felony depending on the amount in possession and number of offenses.
2. A person is guilty of marijuana cultivation when they knowingly and unlawfully possess marijuana plants with the intent to sell. Possession of five or more plants of marijuana is a felony.

### **Criteria for Classification of a Schedule 1 Narcotic**

A Schedule 1 narcotic is one that has high potential for abuse and has no accepted medical use in treatment in the United States. Possession of a Schedule 1 narcotic for a first offense is a class D felony.

### **Criteria for Classification of a Schedule 2 Narcotic**

A Schedule 2 narcotic is one that has a high potential for abuse and has a current medical use in treatment in the United States. Possession of a Schedule 2 narcotic for a first offense is a class A misdemeanor. Trafficking in narcotics or marijuana within one-thousand (1000) yards of any school is a class D felony.

### **Possession of Drug Paraphernalia**

Possession of any drug paraphernalia is a class A misdemeanor; however, the presence of any illegal controlled substance in/on this campus may change this to a class D felony.

### **Sex Offender Registration**

---

Pursuant to KRS 17.580, the Kentucky State Police provides sex offender registration information to the public at <https://kentuckystatepolice.org/sex-offender-registry/>. The intent of this site is to promote public safety and awareness by alerting possible victims of potential danger, not to punish or embarrass offenders.

Convicted sex offenders have always lived in our communities; only in recent years have laws been passed which have required these offenders to register with authorities. Unfortunately, many convicted sex offenders do re-offend. There is an overriding public interest and need to ensure the safety of the public by providing information concerning registered offenders to the public. It is important to note that not all criminal offenses require registration with the Kentucky State Police, only those covered by statute.

The Family Educational Rights and Privacy Act (FERPA) was amended to make it clear that institutions may disclose information received through the state registration and community notification programs, even if the sex offender is a student.

### **Missing Student Policy**

---

Bellarmino University takes student safety very seriously. To this end, we have developed policies and procedures to assist in locating missing Bellarmino residential students. Individuals who believe a

residential student to be missing should contact the Office of Public Safety at 502-272-7777 to complete a missing person report.

Upon notification that a student is missing, Office of Public Safety will conduct an investigation to confirm that the student is missing and determine when they were last seen. When a student has been determined to be missing for 24 hours or more the student's designated contact person will be notified by the Vice President for Student Affairs or a designee. The designated contact person is confidential. If the student does not have a designated contact person, the local Police Department will be contacted by Office of Public Safety no later than 24 hours after the student has been determined missing. Students who are under 18 years of age will have their parents or guardians notified by the Vice President for Student Affairs or a designee that they are missing. Residence Life asks for the name of an emergency contact person for all residential students.

### **Weapons Policy**

---

Firearms and other dangerous weapons are prohibited in University buildings and on the university grounds unless secured in a personal vehicle. The university policy also includes any item that can be perceived as threatening including replica or toys that resemble weapons. Notwithstanding the University's general policy, individuals are permitted to possess firearms, ammunition and deadly weapons in a factory-original compartment of their personal vehicle consistent with Kentucky state law.

### **Reportable Clery Offense Definitions**

---

1. **Murder/Non-Negligent Manslaughter:** The willful killing of one human being by another.
2. **Manslaughter by Negligent:** The killing of another person by gross negligence.
3. **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, violence, and/or by putting the victim in fear.
4. **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.
5. **Burglary:** The unlawful entry of a structure to commit a felony or a theft.
6. **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle.
7. **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
8. **Hate Crimes:** A criminal offense committed against a person or property, which is motivated, in whole or in part, by the offender's bias.

**Categories of bias are:**

Race  
Gender  
Religion

Gender Identity  
Ethnicity  
Natural Origin  
Sexual Orientation  
Disability

Hate crimes are reported for the crimes of criminal homicide, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, and any other crime involving bodily injury, as well as, larceny-theft, simple assault, intimidation, and destruction/damage/vandalism.

### Other VAWA Offenses

- 1. Domestic Violence:** Includes misdemeanor and felony crimes of violence committed against a victim when the offender is the spouse of the victim, a former spouse of the victim, or an intimate partner of the victim, or has a child in common with the victim. Domestic violence also includes misdemeanor or felony crimes of violence when the victim is a minor subject to the control of the offender, or is an incapacitated individual subject to the control of the offender. Under KRS 403.720, Domestic violence and abuse means physical injury, serious physical injury, stalking, sexual abuse, strangulation, assault, or the infliction of fear of imminent physical injury, serious physical injury, sexual abuse, strangulation, or assault between family members or members of an unmarried couple; "Family member" means a spouse, including a former spouse, a grandparent, a grandchild, a parent, a child, a stepchild, or any other person living in the same household as a child if the child is the alleged victim; "Member of an unmarried couple" means each member of an unmarried couple which allegedly has a child in common, any children of that couple, or a member of an unmarried couple who are living together or have formerly lived together;
- 2. Dating Violence:** Violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was, such relationship will be gauged by its length, type, and frequency of interaction. **The State of Kentucky does not define the term dating violence.**
- 3. Stalking:** A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress. Note: the physical location of the course of conduct or portions of it does not matter. **Kentucky law defines stalking as an intentional course of conduct that serves legitimate purpose directed at a person which would cause a reasonable person substantial mental distress**
- 4. Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Sexually touching someone in an unwanted or offensive way generally constitutes sexual assault. **In Kentucky, this crime is called "sexual abuse" and it is divided into three separate crimes depending on the circumstances surrounding the act.**

### Sex Offenses

- 1. 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 consent of the victim.



2. **Fondling:** The touching of the private body parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
3. **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degree wherein marriage is prohibited by law.
4. **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent. Other VAWA Offenses:

#### **Arrests and Referrals for Disciplinary Action**

1. **Drug Abuse Violations:** the violation of state or local laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local law or ordinances, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
2. **Liquor Law Violations:** the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.
3. **Weapon Law Violations:** the violation of state or local laws prohibiting the manufacture, sale purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

#### **Geography definitions from the Clery Act**

**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).

**Non-campus building or property:** (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) any building or property (other than a branch campus) 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.

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

## CAMPUS SECURITY ACT & CRIME STATISTIC 2016 -2018

CATEGORY	VENUE	2016	2017	2018
Murder and Non-Negligent Manslaughter	➤ On Campus**	0	0	0
	➤ In residence halls or conference facilities	0	0	0
	➤ Non-campus building or property	0	0	0
	➤ On public property	0	0	0
Negligent Manslaughter	➤ On Campus**	0	0	0
	➤ In residence halls or conference facilities	0	0	0
	➤ Non-campus building or property	0	0	0
Rape	➤ On Campus**	0	0	0
	➤ In residence halls or conference facilities	0	0	0
	➤ Non-campus building or property	0	0	0
	➤ On public property	0	0	0
Fondling	➤ On Campus**	1	2	0
	➤ In residence halls or conference facilities	1	0	0
	➤ Non-campus building or property	0	0	0
	➤ On public property	0	0	0
Incest	➤ On Campus**	0	0	0
	➤ In residence halls or conference facilities	0	0	0
	➤ Non-campus building or property	0	0	0
	➤ On public property	0	0	0
Statutory Rape	➤ On Campus**	0	0	0
	➤ In residence halls or conference facilities	0	0	0
	➤ Non-campus building or property	0	0	0
	➤ On public property	0	0	0
Robbery	➤ On Campus**	0	0	0
	➤ In residence halls or conference facilities	0	0	0
	➤ Non-campus building or property	0	0	0
	➤ On public property	0	0	0
Aggravated Assault	➤ On Campus**	0	0	1
	➤ In residence halls or conference facilities	0	0	0
	➤ Non-campus building or property	0	0	0
Burglary	➤ On Campus**	0	0	0
	➤ In residence halls or conference facilities	0	0	0
	➤ Non-campus building or property	0	0	0
	➤ On public property	0	0	0
Arson	➤ On Campus**	0	0	0
	➤ In residence halls or conference facilities	0	0	0
	➤ Non-campus building or property	0	0	0
	➤ On public property	0	0	0
Motor Vehicle Theft	➤ On Campus**	1	1	0
	➤ In residence halls or conference facilities	0	0	0
	➤ Non-campus building or property	0	0	0
	➤ On public property	0	0	0

Dating Violence	➤ On Campus**	0	0	2
	➤ In residence halls or conference facilities	0	0	2
	➤ Non-campus building or property	0	0	0
	➤ On public property	0	0	0
Domestic Violence	➤ On Campus**	0	0	0
	➤ In residence halls or conference facilities	0	0	0
	➤ Non-campus building or property	0	0	0
	➤ On public property	0	0	0
Stalking	➤ On Campus**	1	0	1
	➤ In residence halls or conference facilities	0	0	1
	➤ Non-campus building or property	0	0	0
	➤ On public property	0	0	0

#### ARREST FOR:

CATEGORY	VENUE	2016	2017	2018
Alcohol Policy Violations	➤ On Campus**	0	0	0
	➤ In residence halls or conference facilities	0	0	0
	➤ Non-campus building or property	0	0	0
	➤ On public property	4	0	0
Drug Related Violations	➤ On Campus**	0	0	1
	➤ In residence halls or conference facilities	0	0	0
	➤ Non-campus building or property	0	0	0
	➤ On public property	2	0	0
Weapons Possession	➤ On Campus**	0	0	0
	➤ In residence halls or conference facilities	0	0	0
	➤ Non-campus building or property	0	0	0
	➤ On public property	0	0	0

#### DISCIPLINARY REFERRALS FOR:

Alcohol Policy Violations	➤ On Campus**	94	117	42
	➤ In residence halls or conference facilities	92	100	42
	➤ Non-campus building or property	0	0	0
	➤ On public property	0	0	0
Drug Related Violations	➤ On Campus**	21	34	11
	➤ In residence halls or conference facilities	20	11	11
	➤ Non-campus building or property	0	0	0
	➤ On public property	0	0	0
Weapons Possession	➤ On Campus**	0	3	1
	➤ In residence halls or conference facilities	0	2	0
	➤ Non-campus building or property	0	0	0
	➤ On public property	0	0	0

## FIRES ON-CAMPUS STUDENT HOUSING FACILITIES

Name of Facility	Summary	2016	2017	2018
Anniversary Hall	➤ Number of Fires	0	0	0
	➤ Cause of each fire	N/A	N/A	N/A
	➤ Number of Injuries	0	0	0
	➤ Number of deaths related to fire	0	0	0
	➤ Value of property damage caused by a fire	\$0	\$0	\$0
Kennedy Hall	➤ Number of Fires	0	0	0
	➤ Cause of each fire	N/A	N/A	N/A
	➤ Number of Injuries	0	0	0
	➤ Number of deaths related to fire	0	0	0
	➤ Value of property damage caused by a fire	\$0	\$0	\$0
Newman Hall	➤ Number of Fires	0	0	0
	➤ Cause of each fire	N/A	N/A	N/A
	➤ Number of Injuries	0	0	0
	➤ Number of deaths related to fire	0	0	0
	➤ Value of property damage caused by a fire	\$0	\$0	\$0
Norris Apartments	➤ Number of Fires	0	0	0
	➤ Cause of each fire	N/A	N/A	N/A
	➤ Number of Injuries	0	0	0
	➤ Number of deaths related to fire	0	0	0
	➤ Value of property damage caused by a fire	\$0	\$0	\$0
Petrik Hall	➤ Number of Fires	0	0	0
	➤ Cause of each fire	N/A	N/A	N/A
	➤ Number of Injuries	0	0	0
	➤ Number of deaths related to fire	0	0	0
	➤ Value of property damage caused by a fire	\$0	\$0	\$0
Siena Primo	➤ Number of Fires	0	0	0
	➤ Cause of each fire	N/A	N/A	N/A
	➤ Number of Injuries	0	0	0
	➤ Number of deaths related to fire	0	0	0
	➤ Value of property damage caused by a fire	\$0	\$0	\$0
Siena Secondo	➤ Number of Fires	0	0	0
	➤ Cause of each fire	N/A	N/A	N/A
	➤ Number of Injuries	0	0	0
	➤ Number of deaths related to fire	0	0	0
	➤ Value of property damage caused by a fire	\$0	\$0	\$0
Siena Terzo	➤ Number of Fires	0	0	0
	➤ Cause of each fire	N/A	N/A	N/A
	➤ Number of Injuries	0	0	0
	➤ Number of deaths related to fire	0	0	0
	➤ Value of property damage caused by a fire	\$0	\$0	\$0
Siena Quarto	➤ Number of Fires	0	0	0
	➤ Cause of each fire	N/A	N/A	N/A
	➤ Number of Injuries	0	0	0
	➤ Number of deaths related to fire	0	0	0

➤ Value of property damage caused by a fire \$0 \$0 \$0

---

\*\*This “On Campus” category includes all on-campus incidents, including those listed in the category, “In residence halls or conference facilities.” Therefore, the two categories are not cumulative, but duplicative.

### **HATE CRIME STATISTICS**

Each statistic resulting in bodily injury that is motivated by a type of bias or prejudice will have a superscript notation for the type of bias. Numbers in superscripted parenthesis indicate the number out of the total number of incidents that were motivated by each type of bias.

### **HATE CRIMES**

- 2016 – No hate crimes reported
- 2017 – No hate crimes reported
- 2018 – No hate crimes reported

### **Policies for Fire Safety**

---

#### **Disclosure of the existence of fire suppression system in campus housing**

In accordance with Senate Bill 63, Residence Life informs all residential students that the University currently has fire suppressant systems in Anniversary, Kennedy, Newman, Petrik, Siena Primo Siena Secondo, Siena Terzo and Siena Quarto Residence Halls. All residence halls are within regulated fire code of the State of Kentucky and fire safety information is covered at required residential floor meetings and in the Bellarmine University Student Handbook.

#### **Fire Drills**

A fire drill is a practice exercise entailing the prompt, complete, controlled, orderly, and quiet evacuation of a building. Kentucky law requires a minimum number of fire drills for University buildings each academic year. This trial run familiarizes residents with proper evacuation procedures. A sufficient number of fire drills are held to ensure an efficient evacuation procedure for each residence hall. At the sound of an alarm, it should be assumed that it is an emergency and not a drill or a false alarm. No one is permitted to remain in the building any time a fire alarm is sounded.

### **Emergency Evacuation Guide**

---

#### Responsibilities of All Faculty, Staff, and Students

- Learn locations and familiarize yourself with emergency placards of exit routes, exit stairwells, and areas of refuge in any buildings you routinely use (areas of refuge are the landings located in a stairwell)
- Know how to activate the fire alarm system

- Participate in all fire drills – Take them seriously and take every alarm as an actual emergency
- Learn in advance the needs of anyone for whom you are responsible that may need assistance during an emergency
- Know where the pre-designated rally and assembly points are located
- Know emergency phone numbers and keep them posted
- If you are first to notice an emergency, call 911 first then notify Public Safety at 502-272-7777.

## **Evacuation Procedures**

---

1. Building evacuations will occur when an alarm sounds or announced over the campus emergency warning system and/or upon notification by Public Safety.
2. When the building evacuation alarm is activated during an emergency, leave by the nearest marked exit and alert others to do the same. **DO NOT USE THE ELEVATOR IN CASE OF FIRE AND/OR EARTHQUAKE USE THE STAIRS.** In the event of a fire alarm, all elevators are designed to recall to a predetermined floor and allow for exit.
3. When evacuating your building or work area:
  - a. Stay calm; do not rush or panic
  - b. Safely stop your work.
  - c. Gather your personal belongings **if it is safe to do so.** (Reminder: take prescription medications out with you if possible; it may be hours before you are allowed back in the building).
  - d. **If safe to do so,** close your office door and window, but do not lock them. The last person to leave an office, classroom, or lab will close and lock the door behind them.
  - e. Use the nearest safe stairs and proceed to the nearest exit
  - f. Be alert for individuals with disabilities or injuries who may need assistance

***However, under no circumstances should an individual risk or jeopardize their personal safety to rescue another person.***

4. Once outside proceed to the “Rally Point” for the affected building and wait for further instructions. Keep streets, fire lanes, hydrant areas, and walkways clear for emergency vehicles and personnel. **IMPORTANT:** Wait for further instructions from emergency responders. Do not reoccupy the building until directed to do so.
5. Notification by responding external public agencies that the emergency is contained. If there are any evacuated buildings that are suitable for re-occupancy, Public Safety, in consultation with appropriate authorities, shall determine when occupants will be allowed to re-enter those buildings. Occupants shall not be allowed to re-enter a building where there is visible smoke; in such situations, the fire department and/or Facilities will be requested to ventilate the structure prior to re-occupancy.

## **Campus Evacuations**

1. The Campus Alert System and/or Public Safety officials, as described will announce evacuations of all or part of the campus grounds.
2. All persons (students, faculty, and staff) are to IMMEDIATELY vacate the site in question and relocate to another part of the campus grounds or as directed.

## **Evacuation Information for Persons with Disabilities**

---

Faculty members should be aware of students in their classes with disabilities and be prepared to assist and/or assign student assistance for students with disabilities.

The Residence Life Office provides the Office of Public Safety with an updated list of residential students who need special assistance during an evacuation.

**Visually Impaired/Blind:** Advise the person you are assisting of the nature of the emergency and offer your arm for guidance. As you walk, inform the person where you are and note any obstacles in your path. When you reach safety, orient the person to a safe area, and ask if he/she needs further assistance.

**Hearing Impaired/Deaf:** Persons who are deaf or hearing impaired may not observe an audible fire alarm. While most fire alarms on Bellarmine's campus are newer with ADA-approved type with flashing strobe light, it may still be necessary to attract the hearing-impaired individual's attention and communicate that a fire evacuation alarm has been activated. This can be done by:

- Writing a quick note, informing the person of the situation, and directing them to the nearest evacuation route and the assembly area, or face them so they can read lips.
- Turning the light switch on and off to gain the person's attention. **DO NOT** do this in the event of a gas leak, as the electrical switch may create a dangerous ignition situation. Then indicate through writing or verbal gestures what is happening and what to do.

**Sample Script:** THERE IS A FIRE! Follow me to safety; we are going to the front lawn.

**Persons Using Crutches, Canes, Walkers, or Wheelchairs:** In an emergency evacuation, these individuals should be treated in the same manner as injured persons. Have the person sit in a sturdy chair, preferably with arms, and follow this procedure for non-ambulatory persons.

## **Procedures for Evacuating Non-Ambulatory Persons**

---

Most non-ambulatory persons will be able to exit a building safely if they are on the ground floor. For floors above ground level, the needs and preferences will vary with the individual. Always consult the person as to his/her preferences

regarding:

- Ways of being removed from a wheelchair
- The number of people necessary for assistance
- Whether to move or extend extremities when lifting
- The need for a seat cushion or pad
- After-care: if they are removed from the wheelchair, is a stretcher, chair, or paramedic attention necessary?

**Next:**

- Check the evacuation routes for obstructions before assisting the person to the exit
- Delegate other volunteers to bring the wheelchair
- Reunite the person with the wheelchair as soon as it is safe to retrieve it
- Be aware that some people have minimal ability to move. Lifting or moving them too quickly may be dangerous to their well-being. It may be necessary for trained rescue responders to bring the person out of the building.
- Even if this situation exists or you are physically incapable of assisting the individual in the prescribed manner, at least move the person to a "Safe Area of Rescue," generally next to a fire exit stairwell furthest from the suspected area of the emergency to wait for assistance.

### **Specific Evacuation Procedures for Residence Halls**

---

All residents must be familiar with their primary assigned exit and an alternate exit. Students must also be prepared to direct guests to the proper exits and to ensure their compliance. Exit procedures will be checked by Public Safety, firefighters, and Residence Life staff.

#### **Kennedy Hall:**

Descend the stairwell closest to your room. Exit through the front lobby or the emergency fire door on the ground floor. Assemble in the parking lot area below the residence halls.

#### **Newman Hall:**

Descend the stairwell closest to your room. Exit through the front lobby or the rear emergency fire door. Assemble in the lower parking lot area.

#### **Siena Halls:**

Descend the stairwell closest to your room. Exit through the front lobby or the rear emergency fire door. Assemble in the lower parking lot area.

#### **Petrik Hall:**

Descend the stairwell closest to your suite. Exit through the front or rear exit. Do not use the elevator. Assemble in the lower parking lot area.



### Anniversary Hall:

Descend the stairwell closest to your room. Exit through the lobby or the emergency fire door on the first floor. Assemble in the parking lot next to the building.

### 1816 Norris:

Descend the stairwell closest to your apartment. Exit through the front or rear exit. Assemble in the parking lot behind the building.

## **How to Report That a Fire Has Occurred**

For purposes of counting and disclosing fires in the University's annual fire statistics, individuals should notify the Office of Public Safety at 502-272-7777. The individuals managing the statistics are the Assistant Director of Public Safety and the Public Safety Coordinator.

## **Fire Safety Improvements**

The University assesses and upgrades fire safety equipment to ensure that all equipment meets National Fire Safety standards. The University continues to evaluate and improve smoke/heat detection systems, as necessary, to meet life safety requirements and protect University assets. It periodically assesses the need for other improvements in fire safety, making recommended improvements as soon as possible.

## **Policy for appliances in regard to fire safety concerns**

Limitations are imposed on electrical appliances because of fire safety concerns. Acceptable appliances include iron, radio, stereo, TV, study lamp, video game console, electric razor, hair dryer, personal computer and VCR/DVD. Small coffeepots and hot air corn poppers with an automatic cutoff element and enclosed heating unit are permitted, provided they do not exceed 5000 watts or 120 volts. Hot plates, toasters, toaster ovens, electric grills, space heaters and other open element electrical appliances are not permitted in the residence halls. In addition, halogen lamps are not allowed in the residence halls for safety reasons. Prohibited electrical equipment will be confiscated and returned at semester break.

## **Policy for giving students with disabilities priority for first floor housing**

Students requesting first floor housing should contact the Disability Services Office at 502-272-8490. The Director of Disability Services provides University's policies and services for students with disabilities. The Director of Disability Services also maintains records of any on campus housing assignment for students with disabilities, and the procedure for alerting safety and emergency personnel of the location of students with disabilities.

If students require any assistance evacuating the residence halls in an emergency, they must notify the Director of Residence Life at the beginning of the semester and include the nature of assistance needed. This information will be shared with the Office of Public Safety.

**Policy for maintaining a record of any on campus housing assignment for students with disabilities, and the procedure for alerting safety and emergency personnel of the location of students with disabilities**

If students require any assistance evacuating the residence halls in an emergency, they must notify the Director of Residence Life at the beginning of the semester and include the nature of assistance needed. This information will be shared with the Residence Life, Office of Public Safety and Fire Department personnel.

### **Procedures Used to Educate the Campus Community about Fire Safety**

The University's Office of Public Safety is assigned the task of educating and informing the campus community on safety and emergency response procedures. Each year throughout the semester the following information, training, and drills are made available to students, faculty, and staff members.

- Fire drills are held once a year in main buildings and in the residence halls.
- Building evacuation training for all student Resident Assistants
- Campus wide email sent to students, faculty, and staff, on fire safety concerns as needed.
- Campus wide Annual Safety awareness during National Preparedness Month in September.

### **Location of Fire Extinguishers**

There are fire extinguishers' in every building, a total of 341 on campus. All fire extinguishers are inspected monthly by the Office of Public Safety and inspected bi-annually by a vendor selected by the Office of Public Safety. All inspections records are maintained in the Office of Public Safety.

### **University Smoking Policy**

---

#### **Tobacco Use Policy**

In keeping with Bellarmine's intent to provide a safe and healthful learning environment, tobacco use is not permitted in any University buildings, on the campus property, or in University-owned vehicles. Tobacco may be used in individual's own personal vehicles. Tobacco products means all forms of tobacco including but not limited to cigarettes, cigars, pipes, e-cigarettes, water pipes (hookahs), electronic cigarettes and smokeless tobacco products. This policy applies to all individuals including but not limited to faculty, staff, students, volunteers, patients, customers, contractors, and visitors to the campus.

#### **Smoke Free Environment**

All residence halls are tobacco and smoke-free. No smoking is allowed anywhere within the residence halls. Students found smoking inside the residence halls will be subject to conduct sanctioning. Tobacco use is not permitted in any University building, on campus property, or University owned-vehicles. Tobacco products in use mean all forms of tobacco including but not limited to cigarettes, cigars, pipes, water pipes (hookahs), electronic cigarettes, and smokeless tobacco products.

### Fire Safety Systems in Residential Facilities

Name of Residence Hall	Address	Fire Sprinkler Protection (Full or Partial)	Detection Type	Audio/Visual Type	System Monitored by	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Evacuation Drills Each Calendar Year (How Often)	Fire Safety Inspection (How Often)
Anniversary Hall	2450 Ursuline Drive	Full	Smoke/Heat	Audio	Public Safety	Yes	Yes	Annually	Annually
Kennedy Hall	2417 Ursuline Drive	Full	Smoke/Heat	Audio	Public Safety	Yes	Yes	Annually	Annually
Newman Hall	2416 Ursuline Drive	Full	Smoke/Heat	Audio	Public Safety	Yes	Yes	Annually	Annually
Petrik Hall	2407 Ursuline Drive	Full	Smoke/Heat	Audio	Public Safety	Yes	Yes	Annually	Annually
Siena Primo	2552 Thomas Merton Lane	Full	Smoke/Heat	Audio	Public Safety	Yes	Yes	Annually	Annually
Siena Quarto	2556 Thomas Merton Lane	Full	Smoke/Heat	Audio	Public Safety	Yes	Yes	Annually	Annually
Siena Secondo	2560 Thomas Merton Lane	Full	Smoke/Heat	Audio	Public Safety	Yes	Yes	Annually	Annually
Siena Terzo	2554 Thomas Merton Lane	Full	Smoke/Heat	Audio	Public Safety	Yes	Yes	Annually	Annually
1816 Norris Apartments	1816 Norris	N/A	Smoke/Heat	Audio	Public Safety	Yes	Yes	Annually	Annually

### Fire Incident Reports for 2016-2018

There are no fires, fire related deaths, fire related injuries or property cost damage to report for 2016-2018.