



Ohio Administrative Code

Rule 3349-10-73 Preventing and responding to sex offenses.

Effective: February 2, 2015

(A) Purpose

To establish a rule to aid in preventing and responding to sex offenses.

(B) Scope

All university personnel including faculty, staff, students, volunteers and visitors.

(C) Definitions

(1) "Campus Security Authorities" include campus security; individuals who have responsibility for campus security including those who are designated as persons to whom an offense should be reported; and any individual who has significant responsibility for student and campus affairs.

(2) "Knowledge" is an awareness or understanding and observation or experience. It is a state of mind in which the person has no substantial doubt about the existence of a fact.

(3) "Sex Offense" under this rule includes any sexual act directed against another person, forcibly and/or against that person's will; or under circumstances where the victim is incapable of giving consent. Sexual offenses are defined in Chapter 2907. of the Revised Code.

(4) "Sexual Assault" occurs when a person is forced or coerced physically, verbally, or by deception, into any type of sexual conduct or contact with another person whether the assailant is a friend, acquaintance or stranger.

(D) Body of the rule

(1) University employees (with the exclusion of licensed counselors and unlicensed counselor



trainees) are required to report to the portage county sheriff's offices information brought to their attention concerning occurrences of sexual assault on campus. University personnel should consult the director of public safety and security about all other reports.

(2) In the case of sexual assault, university personnel will encourage victims to go to the nearest emergency room or hospital for evaluation, treatment, and counseling, in addition to advising them of the specialized service offered at the St. Thomas hospital in Akron, Ohio, for victims of sexual assault.

(3) All first-year students are required to attend an educational program which promotes the awareness of sexual assault, particularly rape and acquaintance rape. This program will address who a student should contact on campus and in local law enforcement in the event a sexual assault occurs. The program will emphasize the importance of reporting such offenses to the police and preserving evidence of the assault for prosecution of the offense. University staff will also encourage the victim to report the incident to police in a timely manner.

(4) To report a sexual assault on campus, contact security personnel at 330-325-5911 (twenty-four hours a day, seven days a week); the supervisor of public safety and security at 330-325-6492 (weekdays); the public safety officer at 330-325-6519 (weekdays) or other designated campus security authorities.

(5) Victims of sexual assault have the option to notify law enforcement authorities about the offense. For sexual assaults occurring on campus or off campus but reported to university campus security authorities, university will comply with the victim's request to assist them in contacting the appropriate law enforcement agency to timely file a police report. Filing a police report near in time to the offense will:

- (a) Ensure the victim receives the necessary medical treatment and tests at no expense to the victim;
- (b) Provide an opportunity for collection of evidence helpful in the prosecution, which is time-sensitive; and
- (c) Assure the victim has access to free confidential counseling from counselors specifically trained



in the area of sexual assault crisis intervention.

(6) The university will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18 of the United States Code) or a non-forcible sex offense, a report of the results of the disciplinary proceeding conducted by the university against a student who is the alleged perpetrator of the offense. Should the alleged victim be deceased at the time of the proceeding, the victim's next of kin shall retain the right to such a report.

(7) For on-campus services, sexual assault victims can contact the director of student health at 330-325-6736. For assistance off-campus, victims can contact Townhall II's twenty-four hour crisis line at 330-678-help (4357).

(8) University is obligated to comply with a student's request for a modification to an academic situation following an alleged sex offense if a modification is reasonably available.

(9) The safety intervention team is a multidisciplinary team that meets as needed to address concerns related to campus safety and potential threats to the security of the university's campus and constituents. One of the team's goals is to identify, assess, manage, and reduce the risk of interpersonal violence on campus.