**Cincinnati College of Mortuary Science**

**Title IX Policy**

**I. Introduction**

CCMS is committed to encouraging and sustaining a healthy and safe learning community that is free from gender discrimination, harassment, and violence. To that end, and consistent with Title IX of the Education Amendments Act of 1972 and the Violence Against Women Act, CCMS has implemented this comprehensive Policy, which applies to both on-campus and off-campus conduct, and academic, educational, co-curricular, and other CCMS programs. CCMS also provides education and awareness programs with the goal of preventing and discouraging sexual/gender violence and other forms of sexual misconduct, discrimination, and harassment.

As discussed more fully below, this Policy prohibits all forms of sex/gender-based harassment, sexual/gender violence, sexual exploitation, interpersonal offenses (domestic violence and dating violence), and stalking. These are often referred to as “Sexual Misconduct” and are defined in detail below.

This Policy is designed to serve three principal purposes:
- Establish conduct standards.
- Establish processes for reliable and impartial investigation and adjudication that includes, if appropriate, disciplinary sanctions.
- Describe resources available to the CCMS community in order to deal with the impact of Sexual Misconduct.

CCMS’s Policy is designed to comply with applicable state and federal laws. CCMS reserves the right to modify or deviate from this Policy when, in the sole judgment of CCMS, circumstances warrant in order to protect the rights of the involved parties or to comply with the law.

In addition to the complaint and resolution process defined in this Policy, CCMS encourages students and employees who have been the victim/survivor of Sexual Misconduct to pursue criminal charges against the person or persons they believe to have committed the crime. A criminal charge and a CCMS investigation or complaint may be pursued at the same time. Students or employees may file a complaint with or without pursuing criminal charges. Victim/survivor support and resources are available regardless of criminal charges, or CCMS disciplinary action.

**II. Title IX Coordinator**

CCMS has designated a Title IX Coordinator (“Title IX Coordinator” or “Coordinator”): as a part of its systematic approach to ensuring nondiscrimination, including a nondiscriminatory environment. The Title IX Coordinator handles matters related to Title IX violations (detailed below). The Title IX Coordinator may be reached directly at 513-618-1933, through the main telephone number at 513-761-2020, by email to titleix@ccms.edu, or by mail to 645 W. North Bend Road, Cincinnati, Ohio 45224. The Title IX Coordinator will help students and employees.

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1 If at any time CCMS has more than one Title IX Coordinator, the term Coordinator in this Policy refers to all Title IX Coordinators and the contact information is for the lead Title IX Coordinator.
The Title IX Coordinator further creates, supports, and evaluates education and support programs aimed at the eradication of Title IX violations including, but not limited to, Policy enforcement, minimizing risks of Sexual Misconduct, reporting options, resources, bystander intervention, and wellness programs. CCMS is committed to promoting a safe campus environment. Further information can be obtained in CCMS’s Annual Campus Security Report (https://www.ccms.edu/about/safety/clery-act/).

III. Prohibited Conduct

CCMS prohibits all forms of Sexual Misconduct (sex/gender-based harassment, sexual/gender violence, sexual exploitation, interpersonal offenses (domestic violence and dating violence), and stalking).

A. Sexual and Interpersonal Offenses (Appendix A lists relevant Ohio Criminal Offenses meeting these definitions).

Sex Offenses

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape**—The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

- **Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

- **Incest**—Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

- **Statutory Rape**—Non forcible sexual intercourse with a person who is under the statutory age of consent.

Domestic Violence

A felony or misdemeanor crime of violence committed by:

- A current or former spouse or intimate partner of the victim.

- A person with whom the victim shares a child in common.

- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner.

- A person similarly situated under domestic or family violence o.

- Any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
**Dating Violence**

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purpose of this definition—

- Dating violence includes, but is not limited to, sexual or physical abuse or threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

**Stalking**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person’s safety or the safety of others; or
- Suffer substantial emotional distress.

For the purpose of this definition—

- Course of conduct means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- “Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.

**B. Title IX Gender Discrimination and Harassment (See Appendix B for Examples of Discrimination and Harassment)**

- **Discrimination:** conduct that is based on a person’s sex/gender (including sexual harassment, sexual misconduct) sexual orientation, gender non-conformity, gender identity, or pregnancy that:
  - Adversely affects a term or condition of a person’s employment, education environment or participation in a CCMS activity; or
  - Is used as a basis for or a motivating factor in decisions affecting the person’s employment, education, or participation in a CCMS activity.

- **Harassment:** Sex-based harassment may take multiple forms. One form is unwelcome conduct of a sexual nature, such as unwelcome sexual advances, requests for sexual favors,
and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment and refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent (e.g., due to the person’s age or use of drugs or alcohol, or because of an intellectual or other disability prevents the person from having the capacity to give consent). Gender-based harassment is another form of sex-based harassment and refers to unwelcome conduct based on an individual’s actual or perceived sex, including harassment based on gender identity or nonconformity with sex stereotypes, and may not necessarily involve conduct of a sexual nature.

C. Retaliation

Retaliation is defined as words or acts taken in response to good-faith reporting of a violation of this Policy, including Sexual Misconduct, or to an individual or group’s participation in CCMS’s complaint process, or the follow up to a complaint. This means that any action taken against any person(s) who reports an incident, brings a complaint, pursues legal action, or participates in an investigation or is a witness in any investigation or proceeding under this Policy is strictly prohibited and will not be tolerated. Students or employees who retaliate will face disciplinary action.

IV. Consent

Sexual conduct requires consent. Consent must be voluntary. It cannot be inferred from silence, passivity, or lack of active resistance alone. An individual cannot consent who is substantially impaired by any drug or intoxicant; or who has been compelled by force, threat of force, or deception; or if the accused substantially impairs the victim/survivor’s judgment or control by administering any drug, intoxicant or controlled substance to the other person surreptitiously or by force, threat of force or deception; or who is unaware that the act is being committed; or whose ability to consent is impaired because of a mental or physical condition; or who is coerced by supervisory or disciplinary authority. Consent may be withdrawn at any time. Prior sexual activity or relationship does not, in and of itself, constitute consent. CCMS uses this definition of consent in the Resolution Process below.

V. Confidentiality & Complainant’s Request Not to Proceed

Students may discuss an alleged violation of this Policy with a physician or nurse at a hospital or clinic, as well as in other off-campus reports that may be legally confidential (e.g. reports to counselor, clergy or healthcare professionals).

Students should be aware, however, that all CCMS employees who become aware of a conduct that might fall under this Policy are expected to notify the Title IX Coordinator. CCMS will preserve confidentiality to the extent reasonably possible and allowed by law. There may be times when a reporting party requests confidentiality or no action. CCMS takes such requests seriously and will endeavor to preserve confidentiality to the extent possible and allowed by law; however, such requests may not be able to be honored when, in the College’s judgment, doing so would jeopardize the safety of members of the CCMS community (including the Complainant).

Note that Ohio law and CCMS policy require those not in a legally protected role with knowledge of a felony to report it to law enforcement. Reporting to local police or other law enforcement does not require the victim/survivor to pursue criminal charges.
Police Reports

Police reports are open for inspection and copying under Ohio’s Public Records Act. The extent to which CCMS can protect the identity of a victim/survivor contained in police reports is not absolute; however CCMS uses its best efforts to protect the identity of the Title IX victim/survivor and the intimate details of the report. Ohio law specifically permits CCMS to withhold the identity of an uncharged suspect.

FERPA

The Family Educational Rights and Privacy Act (FERPA) protects students’ educational records. FERPA prohibits CCMS from releasing these records to persons outside the institution without the student’s consent except in response to a lawful subpoena or as otherwise required by law. However, if the student-offender is found to have committed a Sexual or Interpersonal Offense, CCMS may release the following information to anyone:

- Name of the student-offender (but not the identity of the victim/survivor);
- The violation; and
- Sanctions imposed as a result of the disciplinary proceedings

VI. Crime Alerts/Emergency Notification

If a report of Sexual Misconduct reveals there is an immediate threat to the health or safety of students or employees on campus or that an on-going serious or continuing threat to the campus community exists, an Emergency Notification or a Campus Crime Alert will be issued. The purpose of a Campus Crime Alert is to enable persons to protect themselves, heighten safety awareness, and seek information that will lead to an arrest and conviction of the perpetrator. The victim's/survivor's name and other personally identifying information will NOT be included in any Emergency Notification or Crime Alert.

For more information on the Clery Act, Campus Crime Alerts, and Emergency Notifications, go to Emergency Notification and Response Policy, which can be found here:

https://www.ccms.edu/about/safety/emergency-prep/

Reports of sexual assault, domestic violence, dating violence, and stalking are included in the Annual Campus Security Report/Crime Statistics at:

https://www.ccms.edu/about/safety/clery-act/
VII. Complaint Resolution

This provision details the process from alleging a complaint all the way through a hearing and appeal. The alleged victim is the “Complainant.” The student alleged/accused to have committed a violation of this Policy is referred to as the “Respondent.” Both the Complainant and Respondent will be treated fairly and with respect throughout the process. Respondents are entitled to a presumption of innocence throughout the process unless they are found responsible for a violation of this Policy.

A. Making a Report

Individuals are encouraged to report a violation of this Policy to the Title IX Coordinator. Reports can be made by the victim, a witness, or another third party. A report may be made in person, via email (titleix@ccms.edu), via phone (513-618-1933, or through the main telephone number at 513-761-2020), or via the online form (https://www.ccms.edu/about/safety/report-an-incident/). If the report is made to another CCMS employee, that employee must report it to the Title IX Coordinator via one of the channels noted above. If the incident includes a Sexual or Interpersonal Offense, the victim is also encouraged to promptly report the incident to the police. Springfield Township Police can be reached directly at 911 or 513-729-1300 (non-emergency). Upon request, police will assist victims/survivors in obtaining protection or restraining orders.

Note: If a person is dealing with a stalker or domestic/dating violence situation, it is important to take precautions when accessing any kind of support. In some circumstances, stalkers and/or abusers may access phone or computer records. When possible, people in these situations may want to use public computers or phones to seek out information. It is also good to safeguard your information by frequently changing passwords to random, unpredictable ones. It may also be helpful to think about steps that can be taken to keep information away from individuals (e.g., keeping things with a friend or getting mail at a different address).

B. Limited Amnesty

While CCMS does not condone underage drinking or violation of other CCMS policies, it considers reporting Title IX Violations to be of paramount importance. To encourage reporting and adjudication of Title IX violations, CCMS extends limited amnesty to students who have been victims/survivors of Title IX violations, and students who report such violations. CCMS will generally not seek to hold the reporting student responsible for a violation of the law (e.g., underage drinking) or the Code of Student Conduct that occurs contemporaneous or in close, connected proximity with the immediately surrounding the alleged Policy violation provided that the student complies fully with the investigation and resolution process.

C. Title IX Coordinator’s Assessment of the Report

Once the Coordinator receives a report of an alleged Title IX violation, the Coordinator will conduct a preliminary assessment to determine if it alleges a violation of this Policy.

Resolution upon Preliminary Assessment—Except in complaints concerning Sexual or Interpersonal Offenses, the Title IX Coordinator has the right to scale the investigation, including conclude it upon preliminary assessment, and may impose, with or without agreement of the Complainant and Respondent, immediate formal or informal resolutions of the Complaint.

Investigation—The Coordinator will conduct an investigation to gather evidence to determine in a Procedural Review if there is reasonable cause to believe that a violation of this Policy has
occurred, including the extent and severity of the alleged violation. Every effort will be made to handle such reports fairly, impartially and quickly. Once the investigation is complete, the Coordinator will perform a Procedural Review. If in the Procedural Review the Coordinator believes there is reasonable cause to believe that a violation has occurred and the accused is another CCMS student, the complaint will be referred to the Resolution Process below. The Complainant shall have the right to an advisor from CCMS to assist in the process. Or, if the matter relates to a Sexual or Interpersonal Offense, the Complainant may, at his or her cost, retain counsel to assist in the hearing process. If the accused is someone other than a student (e.g., a CCMS employee, vendor, contractor or subcontractor), the Coordinator will inform the Complainant of the right to pursue a complaint using the appropriate process and refer and guide the Complainant to the appropriate process. If the accused is a student at another college, the Coordinator will assist the student in reporting the conduct to the accused’s home school.

Immediate/Interim Measures—The Title IX Coordinator, where appropriate, may take immediate or interim administrative action against the alleged Respondent, such as a “no contact” directive, interim suspension, academic modification, or other measures designed to reasonably minimize the possible recurrence of, and mitigate the effects of, the alleged conduct.

Additional Assistance—Upon request, the Coordinator will:
- For Sexual and Interpersonal Offenses, assist the student in immediately attending to any medical needs. The Coordinator can arrange for a professional staff member to accompany the student to the hospital if requested by the student.
- Assist the student in contacting a support person such as a friend or parent, if desired.
- Assist the student in obtaining a CCMS no-contact order, a court-issued restraining order, or other lawful order of protection.
- Provide information on medical and psychological resources available.
- Provide academic support services, including tutoring.
- Change working conditions.
- Provide transportation/parking options.
- For Sexual and Interpersonal Offenses, assist the student in filing a complaint with the police or other appropriate police department if off-campus. The Coordinator is required by law to notify appropriate law enforcement authorities of any sexual assault, domestic violence, dating violence, and stalking reported to her.

D. Interests of the Respondent

Respondents will be treated with respect before, during, and after the investigation and resolution. The Title IX Coordinator will inform the Respondent of the process and possible outcomes, as well as any substantive and, when warranted, procedural developments regarding an investigation. The Respondent will be encouraged to seek advice from a member of the CCMS community. This member of the community will act as the Respondent’s advisor concerning the procedural process. If the alleged conduct is criminal in nature, or may be subject to a criminal investigation, the Respondent may wish to consult with an attorney, as neither CCMS nor a CCMS advisor will provide advice on the criminal process. Further, if, and only if, the complaint relates to a Sexual or Interpersonal Offense, the Respondent, at his/her cost, may use an attorney as his/her advisor throughout the hearing process. Advisors have no authority to directly ask questions of the Complainant or witnesses, nor may they present the opening or closing statements, during the Hearing Process. A Respondent has a right, and is entitled, to the same information as the Complainant. A Respondent has a right to know the name of the Complainant (and victim/survivor if different from the Complainant) and information regarding the nature of the allegations in order to respond to the complaint. At a Respondent’s request, during the
resolution process, CCMS may make, if appropriate, an academic change that is reasonably available and able to be implemented. CCMS may take other steps to limit the effects of the alleged Title IX violation and prevent its recurrence. Respondents have the right to (and are strongly encouraged to seek) counseling and support through local resources.

E. Resolution Process

When the Title IX Coordinator decides that there is reasonable cause to believe there is a Title IX violation, the matter should proceed to a hearing unless an Agreed Resolution, if appropriate, is reached.

Agreed Resolution—Except in the case of Sexual or Interpersonal Offenses, for a matter referred to the Resolution Process, the Complainant, Respondent, the Title IX Coordinator, and the President can mutually agree to a written and signed resolution.

Hearing Panel—Hearings will be held before a trained administrative Hearing Panel (typically two faculty and one staff member). The hearings are designed to provide a prompt, fair and impartial investigation and resolution of the complaint. If the Complainant and/or Respondent believes that any of the panelists poses a perceived conflict of interest, bias, or prejudice, he or she may submit a written challenge at least 7 days before the hearing to the Title IX Coordinator. The Title IX Coordinator will determine if there is a conflict of interest and whether to replace the panelist. Postponement of a hearing may occur if the replacement panelist cannot be immediately identified.

Hearing Procedure—The Hearing Panel has general authority over the conduct of the hearing, including time limits and written materials, so long as the Complainant and Respondent are afforded the same opportunities. The general course of procedure will be as follows:

- Introduction by Panel
- Respondent’s Statement Accepting or Denying Responsibility
- Complainant’s Opening Statement (in writing or oral)
- Respondent’s Opening Statement (in writing or oral)
- Questions from the Panel (Complainant and Respondent may not question each other, but may submit questions to the Panel, who have the discretion whether to ask them)
- Witness Statements (with possible questions from the Panel) (Complainant and Respondent may not question each other, but may submit questions to the Panel, who have the discretion whether to ask them)
- Closing Comments from Complainant
- Closing Comments from the Respondent

Relevance—The Hearing Panel will determine whether the information and evidence presented is relevant to the issue(s) or fact(s) presented, including whether it is more probative than prejudicial, and not duplicative. Further, Complainant’s and Respondent’s prior or subsequent sexual activity is typically not relevant and will only be considered as evidence when the previous or subsequent behavior was substantially similar to the conduct at issue or indicates a pattern of behavior and substantial conformity with that pattern.

Protection of Complainant/Victim/Survivor—CCMS will accommodate concerns for personal safety, well-being, and/or confrontation among the Complainant (and the victim/survivor if different from the Complainant), the Respondent(s) and other witnesses by providing separate facilities, by using a visual screen or permitting participation by video phone, video conferencing, written statement, or other means.
Standard of Review—The standard of review used to determine responsibility on campus is a “preponderance” standard. This determination is based on the greater weight of the evidence and does not require proof beyond a reasonable doubt.

Decision—Within seven days of the hearing, the Complainant and Respondent will receive at approximately the same time verbal notification of the decision of the Hearing Panel. A written hearing report outlining the decision and rationale of the Hearing Panel will be delivered within 14 days of the Hearing Panel’s decision.

Disciplinary Sanctions—Sanctions for a finding of responsibility include, but are not limited to, expulsion, suspension, probation, counseling, and/or other educational sanctions. Where there is such a finding, expulsion is the starting point, but the Hearing Panel has discretion to impose different sanctions, if appropriate. Factors pertinent to the determination of sanctions include, but are not limited to, the nature of the conduct at issue, prior disciplinary history of the Respondent (shared with Panel only if there is a finding of responsibility by the Panel), previous CCMS responses to similar conduct, and CCMS’s interests (e.g., providing a safe environment).

Appeal Process—Both the Complainant and Respondent have the right to appeal the Hearing Panel’s decision within 10 days of the written decision. Appeals must be submitted in writing and are limited to five pages (12-point font, 1-inch margins, double spaced). The two grounds of appeal are: (1) new information not reasonably available at the time of the hearing that is relevant to the Hearing Panel’s decision; (2) procedural error(s) that materially impacted the decision. The appeal statement must note the ground for appeal. An appeal is not a re-hearing of the case. The appeal is directed to Appeal’s Officer, which is the President unless there is a conflict of interest, which would cause it to go to the Chair of the Board of Trustees or his/her designee. If the reason for appeal is substantiated, the Appeal’s Officer will review the Hearing Panel record, the appellant’s written statement, and any response to that statement from the other party (five pages, 12-point font, 1-inch margins, double spaced, and due within seven days after the request by the Appeal’s Officer). The Appeal’s Officer has the discretion, but no obligation, to conduct a meeting. The Appeal’s Officer will issue a decision in writing. The Appeal’s Officer can affirm in whole or part (including on other grounds), or reverse in whole or part and remand. If the matter is remanded to the Hearing Panel, its remanded decision may also be appealed but only as to those issues considered on remand (as determined in prior appeal).

Timeline—CCMS is committed to addressing all Title IX complaints in a prompt and equitable manner. Upon receipt of a complaint, the Coordinator will generally conduct the initial review and assessment within 1 to 3 days, the Procedural Review within 3-5 days, and the hearing will occur within 21 calendar days thereafter. Appeals will be typically conducted within 28 calendar days following the appeal of the written decision from the hearing. These timelines may be extended based upon the complexity, severity and extent of the misconduct or for good cause. The timelines may also be affected by semester break periods.
VIII. Resources and Support Services

A. Medical and Counseling Resources

CCMS provides a number of resources and support services to any student who has been the victim/survivor of a Sexual or Interpersonal Offense. Students are encouraged to seek support and obtain medical attention.

1. Medical Treatment

A person who has been the victim/survivor of an offense is urged to seek appropriate medical evaluation immediately, ideally within 96 hours of the incident.

For life-threatening conditions, call 911 or go to the nearest hospital emergency department.

2. Medical—Legal Evidence Collection

A person who has experienced Sexual Misconduct is encouraged to request the collection of medical/legal evidence. Prompt collection of physical evidence is essential should a person later decide to pursue criminal prosecution and/or a civil action. Prompt medical care and documentation of any injuries is also essential to the collection of evidence. A medical exam can be administered at local hospitals.

Collection of evidence may involve interaction with police and a police report. The sooner the Sexual Misconduct is reported, the more likely evidence will still be present. “Date rape” drugs, including rohypnol and GHB, may still be present in the victim/survivor’s system and should be tested for if the victim/survivor believes they may have been drugged. To help preserve evidence, the victim/survivor is encouraged to put any soiled clothes in a paper (not plastic) bag, and to refrain from the following:

- Bathing or douching
- Washing hands or face
- Urinating
- Drinking any liquids
- Smoking, eating, or brushing teeth (including mouthwash and flossing)

Even if an individual is uncertain about whether or not they want to report what has occurred, they can still have evidence collected. In cases of sexual assault or severe injuries, the police will be called to the hospital. The survivor can decide whether or not to speak with the police at that time to officially report what has happened.

While evidence may be collected anonymously (i.e., without the survivor’s name attached to it) and/or when there is no report made to police, these cases are handled differently. A discussion about the merit of collecting evidence “anonymously” and in instances where the survivor does not want to report should be discussed with medical personnel and/or an advocate.

Questions about evidence collection can be directed to the Title IX Coordinator.

A person who has experienced stalking should retain all communications from their stalker including email, voice-mail, and text-messages.
3. Confidential Counseling Resources

Counselors at a variety of agencies can help a person decide what steps to take, such as seeking medical attention, preserving evidence, obtaining counseling, and reporting to authorities. Information, support and advice are available for anyone who wishes to discuss issues related to Sexual or Interpersonal Offenses, whether or not a Sexual or Interpersonal Offense has actually occurred, whether or not the person seeking information has been a victim/survivor of a Sexual or Interpersonal Offense, has been accused of a Sexual or Interpersonal Offense, is a witness, or is another affected person.

The Rape Crisis and Abuse Center maintains a 24-hour rape crisis helpline at 513-872-9259/1-888-872-9259. The website is located at http://www.womenhelpingwomen.org/.

B. Interim Support Measures

CCMS provides a number of interim support services, upon request, to students who have been victims/survivors of any Title IX violations. Students may, upon request, obtain interim support services, such as changing academic, working, and transportation circumstances from the Coordinator. No police report, complaint, or investigation need occur before this option is available. The Coordinator will exercise discretion and sensitivity about sharing the identity of the victim/survivor when arranging for interim support services. A victim/survivor can access these services at any time, even if the student initially declined the service.

These services may include the following:
- Providing academic support services including tutoring
- Changing the students’ work situation
- Transportation/parking options
- Prohibiting any contact between the parties
- Assisting the victim/survivor in obtaining a CCMS no-contact order or a court-issued restraining order or other lawful order of protection

To access interim support services, contact the Coordinator. The Coordinator is available during regular business hours throughout the year to meet with students who need information or guidance about Title IX violations.

C. Immigrants or International Student Visa Information

There are certain legal protections available to immigrants or international students in the form of Visas, particularly the U visa and the T visa. The U visa provides temporary legal status and work eligibility for victim/survivors of certain crimes (including domestic violence, sexual assault, human trafficking, involuntary servitude, and other offenses). The T visa provides victim/survivors of human trafficking and immediate family members with temporary legal status and work eligibility. These visas can be applied for when agreeing to assist law enforcement, unless an individual meets one of the exceptions. Additional information is available through the U.S. Department of Homeland Security U.S. Citizenship and Immigration Services: www.uscis.gov.
**D. Legal Assistance**

Legal Aid Society of Greater Cincinnati Ohio, 513-241-9400 provides legal services to those struggling to recover from domestic violence, sexual assault, and stalking. Legal services include restraining orders, child support, custody, divorce, and visitation restrictions.

In addition to CCMS disciplinary action, a person who engages in a Title IX violation may be the subject of criminal prosecution and/or civil litigation. A police report must be made for criminal prosecution to be considered by the local prosecuting attorney. The chances of successful prosecution are greater if the report is timely and is supported by the collection of medical and/or legal evidence.

Complaints may also be filed with the United States Department of Education Office for Civil Rights or by consulting an attorney at the person’s own expense. See: [http://www2.ed.gov/about/offices/list/ocr/docs/howto.html](http://www2.ed.gov/about/offices/list/ocr/docs/howto.html).

**E. Protection Orders**

The Title IX Coordinator is available to assist the student in obtaining a CCMS no-contact order or a court-issued restraining order or other lawful order of protection.

After a protection order is issued, the protected party should provide a copy of the court order to the College President and Springfield Township Police. Any violation of the court order should be promptly reported to the police.
Appendix A—Ohio Criminal Offenses

Sex Offenses

Ohio Revised Code 2907.02 – Rape
Ohio Revised Code 2907.03 – Sexual Battery
Ohio Revised Code 2907.05 – Gross Sexual Imposition

Non-Forcible Sex Offenses

Ohio Revised Code 2907.03 – Sexual Battery
Ohio Revised Code 2907.04 – Unlawful Sexual Conduct w/a Minor

Domestic Violence

Ohio Revised Code 2919.25 – Domestic Violence

Dating Violence

Ohio Revised Code 2903.11 – Felonious Assault
Ohio Revised Code 2903.12 – Aggravated Assault
Ohio Revised Code 2903.13 – Assault
Ohio Revised Code 2903.14 – Negligent Assault
Ohio Revised Code 2905.01 – Kidnapping
Ohio Revised Code 2905.02 – Abduction
Ohio Revised Code 2905.03 – Unlawful Restraint
Ohio Revised Code 2917.11 – Disorderly Conduct

Stalking

Ohio Revised Code 2903.21 – Aggravated Menacing
Ohio Revised Code 2903.211 – Menacing by Stalking
Ohio Revised Code 2903.22 – Menacing
Ohio Revised Code 2917.21 – Telecommunications Harassment
Appendix B—Examples of Discrimination or Harassment

Examples of conduct prohibited by this Policy include, but are not limited to:

1. Denying a person access to an educational program based on the person’s sex, sexual orientation, gender identity, or pregnancy.

2. Denying salary increases and/or promotions on the basis of the person’s sex, sexual orientation, gender identity, or pregnancy.

3. Preventing a person from using CCMS facilities or services on the basis of that person’s sex, sexual orientation, gender identity, or pregnancy.

4. Instigating or perpetuating an environment that is unwelcome or hostile based on a person’s sex, sexual orientation, gender identity, or pregnancy.

5. Subjecting a person to offensive and unwelcome conduct based on the person’s sex, sexual orientation, gender identity, or pregnancy. Offensive and unwanted conduct can includes offensive jokes, offensive pictures and digital images, slurs, epithets, threats, intimidation, stalking, and unwanted sexual conduct or contact (including rape, sexual assault, sexual battery, or non-consensual touching).

6. Basing decisions about employment or educational opportunities on a person’s acceptance or rejection of a sexual advance, sexual imposition or request for sexual favors.

The more severe the conduct the less need there is to show a repetitive series of incidents to demonstrate a hostile environment. In fact, a single severe incident may be sufficient to create a hostile environment.

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