

- iii. **Deception:** knowingly presenting false or misleading information, identity, circumstance, and/or withholding key information.
- iv. **Intimidation:** presenting oneself and/or environment in a way that reasonably frightens, threatens, and/or pressures another person and/or party to comply.

Consent cannot be given by someone who is not of legal age to provide it (per ORC §2907.04). Consent cannot be given by someone who is incapacitated, as defined below.

- 2. **Incapacitation** is when a person's perception and/or judgement is substantially impaired because of a mental or physical condition [including, but not limited to intoxication] causing the person to lack the ability to effectively make or act on conscious decisions.

E. Disclosure and/or Reporting Options

Walsh University recognizes a distinction between disclosing and formally reporting incidents of sexual harassment, sexual assault, domestic violence, dating violence, stalking, retaliation and other forms of interpersonal violence or sex discrimination. Disclosing an incident may not result in a formal complaint, depending on to whom the information is communicated, the circumstances under which the incident occurred, and in many situations, the wishes of the Complainant(s)*.

A. Mandatory Reporters

All full- and part-time Walsh University employees, including administration, faculty, staff, University volunteers and student paraprofessionals, such as Resident Assistants and Campus Ministry Peacemakers, are mandated to report any incidents of sexual harassment, sexual assault, domestic violence, dating violence, stalking, retaliation or other forms of interpersonal violence or sex discrimination directly to the Title IX Coordinator or Title IX Deputies, unless they are one of the **confidential resources** outlined below.

B. Confidential Resources

*If you are unsure if you would like to make a formal complaint regarding an incident of sexual harassment, sexual assault, dating violence, domestic violence, stalking, or retaliation, Walsh University's Counseling Services (students only), Health Services, University Senior Chaplain, Domestic Violence Project, Inc., and COMPASS are confidential resources available to you for disclosure. Confidential resources will not report the disclosure of these incidents to Title IX or Campus Police without a victim/survivor's written permission, and to the extent, they are permitted to promise confidentiality under the law.

C. On-Campus Confidential Resources – Students

- a. **Counseling Services** | David Campus Center (Suite 104) | (330)490-7348
 - o Francie Morrow, LPCC-S | Executive Director of Counseling and Health Services
 - o Lisa Lutz, LPCC-S | College Counselor
 - o Megan Rhoads, LPC | College Counselor
- b. **Health Services** | Cechinni Health & Wellness Complex | (330) 490-7030
 - a. Dr. Melanie Mirande, MD
 - b. Andrea Prewitt, BSN, RN
 - c. Shelly Fogle, RN
- c. **University Senior Chaplain** | Our Lady of Perpetual Help Chapel | (330) 490-7051
 - a. Father Thomas Cebula*

**The University Senior Chaplain may only promise confidentiality to students when in the Sacrament of Reconciliation. Outside of this sacrament, he is unable to provide confidentiality and is considered a mandatory reporter of the University.*

D. On-Campus Confidential Resources – Employees

a. Health Services | Cechinni Health & Wellness Complex | (330) 490-7030

- b. Dr. Melanie Mirande, MD
- c. Andrea Prewitt, BSN, RN
- d. Shelly Fogle, RN

b. University Senior Chaplain | Our Lady of Perpetual Help Chapel | (330) 490-7051

- e. Father Thomas Cebula*

**The University Senior Chaplain may only promise confidentiality to employees when in the Sacrament of Reconciliation. Outside of this sacrament, he is unable to provide confidentiality and is considered a mandatory reporter of the University.*

E. Off-Campus Confidential Resources- Students and Employees

a. Domestic Violence Project, Inc. | (330)453-7233

Available Victim Services:

- f. 24-hr. Confidential Hotline (330) 453-7233
- g. Emergency Shelter
- h. Transitional Housing
- i. Legal Advocacy Services
- j. Outreach and Aftercare Advocacy
- k. Medical Advocacy

b. COMPASS Sexual Assault Education, Prevention and Support | (330) 452-1111

Available Victim Services:

- 24 Hr. Confidential Hotline (330-453-7233)
- Counseling
- Case Management
- Outreach Advocacy
- Legal Advocacy
- Hospital Advocacy

F. On-Campus Formal Complaint – Students, Employees and University Volunteers

a. Title IX Coordinator

Kristi Campbell, Director of International Student Services

Student Affairs | David Campus Center (Suite 103) | (330) 490-7105

b. Title IX Deputy Coordinators

- Anna Ball, Head Softball Coach/Senior Women Administrator
Cecchini Health & Wellness Complex | (330) 490-7517
- Jason Fautas, Associate Director of Athletics-Director of Compliance
Cecchini Health and Wellness Complex | (330) 490-7437
- Vanessa Freiman, Director of Professional Advising
La Mennais Hall | (330) 490-4672
- Meredith Sodik, Director of Academic Support Services

Farrell Hall 209 | (330) 490-7529

- Davidcia (Dee) Stubbs, Human Resources-Benefits Specialist

Farrell Hall | (330) 490-7542

- Bradyn Shively, Professional Advisor

La Mennais Hall | (330)-244-4689

F. Confidentiality and Support

Walsh University will maintain the confidentiality of the Complainant(s)—regardless of whether confidentiality is requested—to the extent it is legally permitted and has the ability to appropriately provide accommodations, Supportive/Interim Measures, and/or protective measures. As such, there may be situations where disclosing some personally identifiable information about a Complainant(s) may be necessary. For allegations of misconduct related to sexual harassment, sexual assault, domestic violence, dating violence, stalking, retaliation and other forms of interpersonal violence or sex discrimination, the Title IX Coordinator will determine what information about the Complainant(s) should be disclosed and to whom this information will be disclosed. Unless extenuating circumstances exist, the Complainant(s) will be informed before sharing personally identifiable information that the University believes is necessary to provide a safe and non-discriminatory environment, to provide an accommodation(s), and/or to provide any interim or protective measures.

If the Complainant(s) requests the University not reveal the Complainant(s)'s name to the Respondent(s) and/or asks the University to not investigate a formal complaint, this may limit the University's ability to respond fully to the incident, including pursuing disciplinary action, and being able to sanction the prohibited conduct against the Respondent(s). Specific confidentiality requests should be made directly to the Title IX Coordinator, Kristi Campbell, at (330) 490-7105.

While Walsh University will strive to honor a Complainant(s)'s requests, there are circumstances when personally identifiable information about a Complainant(s) may be shared and/or when an investigation may occur despite a Complainant(s) requests otherwise. The University has a legal duty to act if it determines it is appropriate and necessary in certain cases of sexual harassment, sexual assault, domestic violence, dating violence, stalking, retaliation and other forms of interpersonal violence or sex discrimination where an *Imminent Threat* to the campus community and/or pattern of behavior may be present.

Imminent Threat is classified as an incident of sexual misconduct and/or interpersonal violence that includes the following:

- 1) a weapon,
- 2) physical force or violence,
- 3) when the victim/survivor is a minor,
- 4) pattern by same perpetrator, and/or
- 5) a significant threat to the University.

Additionally, the University has a duty to complete certain publicly available recordkeeping, including reporting and disclosing information about certain crimes pursuant to a federal law known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (the "Clery Act"). Reported incidents of these crimes will be included in the University's annual crime statistics per its annual security