

## **SECTION V – STUDENT POLICIES**

### **Communication of Student Information**

Students and Faculty have input into policy development and revision. All new or revised policies are communicated formally in writing or electronically to each student as an addendum to this Handbook. Postings on student bulletin boards and verbal presentations are informal means of dissemination of information.

### **Determining and Documenting a Student's Location/Residence**

Trinity School of Nursing will determine a student's residence/location by the address that the student documents on their admission application at the time of initial enrollment, unless that address is updated on the remittance form post-acceptance. Once enrolled in the program, students must submit changes of location/residence to the school office via the Change Form. If a student is enrolled in an EGCC course, EGCC will determine their location/residence according to their policy.

### **Transcripts and Educational Records**

In accordance with the Family Educational Rights and Privacy Act (FERPA) of 1974, Trinity Health System School of Nursing is required to maintain confidentiality of the academic records of a student or alumnus. Students are informed of their FERPA annually via the Student Handbook. A student has the right to review his/her record(s) according to established School of Nursing policy.

When a student has a legal name change, documentation must be submitted to the school office so that the appropriate name change may be placed on student records.

All requests for transcripts or educational records must be in writing. A transcript may be obtained for a fee of five (5) dollars, payable in advance. An official transcript is sent directly to an educational institution, an employing institution, or given directly to a student/alumnus in a sealed envelope. Copies of educational records may be obtained for one dollar per page, up to \$75.00.

**Trinity Health System School of Nursing follows the Family Education Rights and Privacy Act of 1974 (Buckley Amendment) in reference to Student Record Policies.**

### **Procedure to Inspect Education Records**

Students may inspect and review their education records upon request to the appropriate record custodian.

Students should submit to the record custodian or an appropriate School staff person a written request which identifies, as precisely as possible, the record or records he or she wishes to inspect.

The record custodian or an appropriate School staff person will make the needed arrangements for access as promptly as possible and notify the student of the time and place where the records may be inspected. Access must be given in 45 days or less from the receipt of the request.

When a record contains information about more than one student, the student may inspect and review only the records which relate to him or her.

### **Right of School to Refuse Access**

Trinity Health System School of Nursing reserves the right to refuse to permit a student to inspect the following records.

1. The financial statement of the student's parents.
2. Letters and statements of recommendation for which the student has waived his or her right of access, or which were placed in his or her file before January 1, 1975.
3. Records connected with an application to attend Trinity Health System School of Nursing if that application was denied.
4. Those records that are excluded from the FERPA definition of education records.

### **Refusal to Provide Copies**

Trinity Health System School of Nursing reserves the right to deny transcripts or copies of educational records not required to be made available by FERPA in any of the following situations:

1. The student has an unsettled financial obligation to Trinity Health System.
2. There is an unresolved disciplinary action against the student.
3. The student has not fulfilled requirements of the withdrawal/graduation policies.

### **Fees for Copies of Records**

The fee for copies of educational records is five (5) dollars per transcript or one (1) dollar per page for other educational records, up to \$75.00.

### **Disclosure of Education Records**

Trinity Health System will disclose information from a student's educational records only with the written consent of the student, *except*:

1. To School officials who have a legitimate educational interest in the records.

A School official is: a person employed by the School in an administrative, supervisory, academic research or support staff position; a person elected to the Board of Trustees; a person employed by or under contract to the school to perform a special task, such as the attorney or auditor. A School official has a legitimate educational interest if the official is: performing a task that is specified in his or her position description or by a contract agreement; performing a task related to a student's education; performing a task related to the discipline of a student; providing a service or benefit relating to the student or student's family, such as health care, counseling, job placement or financial aid.

2. To officials of another school, upon request, in which a student seeks or intends to enroll.
3. To certain officials of the U.S. Department of Education, the Comptroller General, state and local educational authorities in connection with certain state or federally supported education programs.
4. In connection with a student's request for or receipt of financial aid as necessary to determine the eligibility, amount, the conditions of the financial aid, or to enforce terms and conditions of the aid.
5. If required by a state law requiring disclosure that was adopted before November 19, 1974.
6. To organizations conducting certain studies for or on behalf of the School.
7. To accrediting organizations to carry out their functions.
8. To parents of an eligible student who claim the student as dependent for income tax purposes.
9. To the students.
10. To comply with a judicial order or a lawfully issued subpoena.
11. To appropriate parties in health or safety emergency.
12. Directory information so designated by the School.
13. Results of a disciplinary hearing.
14. The results of any disciplinary proceeding conducted by the School against an alleged perpetrator of a crime of violence to the alleged victim of that crime.

15. Disclosure to a parent of a student under 21 if the institution determines that the student has committed a violation of its drug or alcohol rules or policies (regardless of student's dependent status)

### **Record of Requests for Disclosure**

Trinity Health System School of Nursing will maintain a record of all requests for and/or disclosure of information from a student's education records. The record will indicate the name of the party making the request, any additional party to whom it may be re-disclosed, and the legitimate interest the party has in requesting or obtaining the information.

### **Directory Information**

Trinity Health System School of Nursing designates the following items as directory information: student name, address, telephone number, e-mail, date and place of birth, major field of study, participation in officially recognized activities, dates of attendance, degrees and awards received and the most recent previous educational agency or institution attended. Trinity Health System School of Nursing may disclose any of these items without prior written consent, unless notified in writing to the contrary during the first two weeks of the Fall Semester.

### **Correction of Education Records**

Students have the right to ask for records to be corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. The following are the procedures for the correction of records:

1. The student must ask the Dean of the School to amend a record in writing. The student should identify the part of the record he/she wants changed and specify why he/she believes it is inaccurate, misleading or in violation of his/her privacy or other rights.
2. The Faculty Organization must reach a decision and inform the student of this decision, in writing, within ten (10) business days after receipt of the request. If the Faculty Organization denies the request, the Dean will notify the student of the decision and advise the student of the right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.
3. Upon request, the School will arrange for a hearing and notify the student, within ten (10) business days, of the date, place, and time of the hearing.
4. The hearing will be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the institution. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. The student may be assisted by one or more individuals.

5. The School will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reasons for the decision.
6. If the School decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the student, in writing, that the record has been amended.
7. If the School decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, it will notify the student of a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.
8. The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If the School discloses the contested portion of the record, it must also disclose the statement.

Note:

1. Notification of student rights under the FERPA Act need not be sent to former students.
2. Schools need only make a "reasonable effort" to notify students of a subpoena in advance of compliance.
3. Parents of students attending the School are not given a right to inspect student records (e.g. negative grades) without student consent.
4. The opportunity for a hearing as specified in 99.21 of the regulations should not be construed to apply to questions concerning the underlying reasons for the granting of a particular grade. Instead, a hearing to determine the accuracy of any grade should be confined to the issue of whether or not the recorded grade corresponded to the grade reported by the faculty member.

Alleged failures to comply with the requirements of FERPA may be filed by students with the U.S. Department of Education. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920  
1 – 800 – USA - LEARN

Types, Locations, and Custodians of Education Records

<b>Types</b>	<b>Locations</b>	<b>Custodians</b>
Admission Records	Before entrance: Office of Admissions and Financial Aid	Coordinator, Student Affairs
	After Enrollment: Office 2631F	Dean, School of Nursing
Academic Records (current students)	Office 2631F	Dean, School of Nursing
Academic Records (graduates/withdrawal students)	Office 2631F	Dean, School of Nursing
Health Records	Health Services Office	WorkCare Employee Health Coordinator
Financial Records	Office of Admissions and Financial Aid	Coordinator, Student Affairs
Probationary/Progression Records	Office 2631F	Dean, School of Nursing
Disciplinary Records	Office 2631F	Dean, School of Nursing
Student Grievance/Appeals Records	Office 2631A	Dean, School of Nursing

**Retention of Records Policy for Students (Effective Class of 2007)**

The following records will be kept while a student is enrolled/withdrawn:

- Correspondence
- Application for Admission
- Acceptance Letter
- High School Transcript/GED
- Preadmission GPA Calculation Worksheet (for Classes of 2013-2017)
- Preadmission Background Check (Beginning with Class of 2020)
- Transfer of Credit Request Form (if applicable beginning with Class of 2018)
- Official Notification of Transfer Credit (if applicable beginning with Class of 2018)
- LPN licensure (for LPN to RN Advanced Placement beginning with Class of 2018)
- Student Final Record

Remittance/Registration Form (Class of 2022 and prior Classes)  
Enrollment Agreement (Beginning with Class of 2023)  
Refund Calculations for Withdrawn Student (Beginning Spring Semester 2021)  
Correspondence Related to Refund Calculations for Withdrawn Student (Beginning Spring Semester 2021)  
Evaluation Summary(s) of Student Clinical Competence (Appraisal of Clinical Competence effective 6/2012)  
End of Course Evaluation Agreement (substitute for Evaluation Summary of Student Clinical Competence during COVID 19 for the Spring 2020 semester classes of 2020 and 2021)  
Evaluation of Student Laboratory Outcomes (withdrawn students in individual file; current students in class file; beginning with the Class of 2019)  
College Transcript(s)/Placement Test Result(s)  
Essential Functions and Abilities of a Nursing Student Form (beginning with the Class of 2012)  
Midterm/End of Term Correspondence(s)  
Student Probation/Progression Report(s)  
Academic Advisement Student Progress Report  
Permits signed by parents or legal guardians of minor students  
Authorization of Release Form(s)  
Auditing Contract  
Violations of Code of Conduct  
Standardized Test Results  
Program Withdrawal Report (withdrawal students only – prior to 8/2011)  
Student Program Exit Report (effective 8/2011)  
Student Photo (current students - effective 8/2015-Class of 2019) (withdrawn students - effective 8/2015)  
Study Skills/Test-taking/Empowerment Profile (Beginning with Class of 2023)

**Financial Aid Folder** (Office of Admissions and Financial Aid)  
Financial Aid Information  
Policy Signature Sheet

**Health Record** (Trinity WorkCare).  
Health Forms

**Retention of Records Policy for Graduates**

Students' records preserved beyond graduation from the School are as follows:

Correspondence  
Application for Admission  
Acceptance Letter  
High School Transcript/GED  
Preadmission GPA Calculation Worksheet (for Classes 2013-2017)  
Preadmission Background Check (Beginning with Class of 2020)  
Transfer of Credit Request Form (if applicable beginning with Class of 2018)  
Official Notification of Transfer of Credit (if applicable beginning with Class of 2018)

LPN licensure (for LPN to RN Advanced Placement beginning with Class of 2018)  
Student Final Record  
Remittance/Registration Form (Class of 2022 and prior Classes)  
Enrollment Agreement (Beginning with Class of 2023)  
College Transcript(s)/Placement Test Result(s)  
Essential Functions and Abilities of a Nursing Student Form (beginning with the Class of 2012)  
Student Probation/Progression Report(s)  
Authorization of Release Form(s)  
Violations of Code of Conduct (effective with Class of 2021)  
Standardized Test Results for admission  
Student Photo (effective 8/2015)  
Copy of diploma (beginning with the Class of 2020)

**Financial Aid Information: (Office of Admissions and Financial Aid)**

Retain all information about financial aid (except the Employee Tuition Forgiveness Scholarship/Loan) for three years after leaving the program.

Retain information about Employee Tuition Forgiveness Scholarship/Loan for five years after the loan is paid in full.

Information pertinent to withdrawal.

Financial Record Policy is maintained in the Office of Admissions and Financial Aid.

**School Office**

The School of Nursing office is open from 8:00 a.m. to 4:00 p.m., Monday through Friday.

Appointments to see the Dean of the School of Nursing may be scheduled with the School of Nursing Secretary. Faculty office hours are posted on bulletin board outside School Office.

Appointments to see any of the Instructors may be made directly.

**Hospital No Solicitation Policy**

PURPOSE. To prevent Hospital employees, patients, and visitors from being subjected to solicitation of any form while on Hospital property.

GENERAL. Trinity Health System prohibits soliciting in any form, including the sale of wares or publications, distribution of written or other materials, or posting of notices on the grounds or within the buildings owned by the Hospital by individuals not employed by Trinity Medical Center. Hospital employees are also prohibited from the sale of wares or

publications, canvassing, posting of notices on the grounds or within the buildings owned by the Hospital, and soliciting, in any form, in work-related areas during working hours.

- A. An exception to this policy is made each year in regard to the Greater Steubenville United Way Campaign.
- B. All other exceptions must be approved in advance by the Office of the President.
- C. Notices posted by employee labor organizations in accordance with the provisions of applicable labor agreements will not be considered a violation of this policy.

### **Preadmission Drug Screening Policy**

Purpose - To provide guidelines for pre-admission drug screening for all accepted applicants. To assure the safety and well-being of patients, students, faculty and staff in the academic and clinical environments.

Philosophy - Trinity Health System School of Nursing is committed to maintaining a healthy and substance abuse free environment that promotes the welfare of students, patients, employees and the community. We believe the use of illegal drugs causes harmful physical, mental and psychosocial effects, and may render an individual unable to perform the essential functions of a student nurse in a safe and competent manner.

#### Procedure

1. All accepted applicants must obtain a 10 panel urine drug screen prior to August 1st of the year they intend to enter the program. If drug screen results are not received by the School prior to the first day of the Fall Semester, the applicant will not be eligible to begin classes.
2. Drug screening will be done through WorkCare Occupational Health Clinic at Trinity Medical Center East (740-264-4250). WorkCare uses Occupational Med Program Drug and Alcohol Testing Services, a federally certified laboratory, and a strict chain of custody.
3. Arrangements for the drug screen appointment and the cost of the drug screen (approximately \$30.00) are the responsibility of the accepted applicant.
4. A driver's license or other photo I.D. must be presented for verification of identity at the time of the drug screening. Applicants will sign a consent for the results of the drug screen to be released to the School of Nursing. If the accepted applicant is a minor, parental permission will be required.
5. **Refusal to consent to drug screening will result in denial of enrollment in the program.**

6. A Medical Review Officer (MRO) who is a trained and certified physician will review all results. The screening results are transmitted confidentially from the laboratory directly to the MRO's office. In accordance with Trinity Health System's policy (HR.EH-33), cut off levels are used to determine when an individual has enough of a certain drug in his/her system that it should be considered a positive test. The drug cut-off levels are derived from federal guidelines.

7. Information of a positive drug screen will be provided to the Dean of the School. These drug screening records will be kept on file in the Dean's office for one (1) year from the collection date and will then be shredded.

**Confidentiality: The handling of all records and subject information will be strictly confidential and revealed only to those required to have access. Any breach of confidentiality will be considered serious and appropriate disciplinary action will be taken.**

### Outcome

Accepted applicants with a positive result that has been verified by a Substance Abuse and Mental Health Services Administration (SAMHSA) certified referral lab and verified by the MRO will be contacted by the MRO. The candidate may provide evidence of a valid prescription for the presence of the substance in his/her system to the MRO. The MRO is an expert in substance abuse; the School of Nursing will recognize the validity of the MRO's findings.

1. When a drug screen reveals a negative result, the enrollment procedure will proceed.
2. In any case where a drug screen result is positive and no authorized prescription is produced to validate the presence of the drug in the individual's system, enrollment will be **denied**. A certified letter will be sent to the applicant indicating the presence of a controlled substance in the urine specimen and the denial of enrollment into the program.
3. Applicants denied enrollment to the School of Nursing due to a positive drug screen may reapply for the next academic year.

**The School reserves the right to modify these requirements to determine eligibility as prescribed by the Faculty.**

### Substance Abuse

The School prohibits the possession, use, sale, or distribution of alcohol, illegal drugs (this includes any marijuana/medical marijuana or its derivatives to include but not limited to over the counter CBD products that may result as THC), and/or dangerous substances. The School has the right to dismiss any student found to be involved in these prohibited activities. Any individual who has violated any state or federal law in regards to alcohol or drugs will be referred to the appropriate law enforcement agency.

School policies and procedures regarding the use of alcohol and drugs are contained in the policy on the Prevention of Substance Abuse. The Program for the Prevention of Substance Abuse provides standards of conduct that clearly prohibit the unlawful possession, use, or distribution of drugs and alcohol by students and employees on the institution's property or any part of the institution's activities. It also contains a description of the health risks associated with the use of illicit drugs and the abuse of alcohol, as well as a description of drug and alcohol counseling, treatment, or rehabilitation programs that are available to students and employees. It informs students and employees of the School's/Hospital's position on the abuse of illicit drugs and alcohol and advises them of the consequences.

Additionally, it provides guidelines for faculty in dealing with problems of substance abuse which interfere with the student nurse's performance in the clinical or classroom areas, and pose a threat to the safety and welfare of the public.

The School accepts its responsibility to assist the student in recognizing substance dependence and views substance abuse as preventable and treatable. The School supports the student's right to confidentiality in all matters dealing with suspected substance abuse. Those students who are experiencing problems due to substance abuse are referred to appropriate counseling or treatment programs.

The Program for Prevention of Substance Abuse is reviewed with students and employees during orientation. Each student and employee has online access to the School's Program for the Prevention of Substance Abuse. In addition, copies of the School's Program for the Prevention of Substance Abuse are maintained in the Office of Admissions and Financial Aid.

## **Program for the Prevention of Substance Abuse.**

### **I PURPOSE**

The purpose of the program is to:

1. Comply with the Drug-Free School and Communities Act Amendments of 1989, Public Law 101-226.
2. Provide students and employees the following information during annual orientation:
  - A. Standards of conduct that clearly prohibit the unlawful possession, use, or distribution of drugs and alcohol by students and employees on the institution's property or any part of the institution's activities.
  - B. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol.

- C. A description of any drug and alcohol counseling, treatment, or rehabilitation programs that are available to students and employees.
  - D. A clear statement that the institution will impose sanctions on students and employees and a description of these sanctions, up to and including expulsion or termination from the program and referral for prosecution for violations of the standards of conduct.
3. Inform students and employees of the School's/Hospital's position on the abuse of illicit drugs and alcohol and advise them of the consequences.
  4. Provide guidelines for faculty to deal with problems of drug and alcohol abuse which interfere with the student's performance in the clinical/classroom areas and/or pose a threat to the safety and welfare of the public.

## **II STANDARD OF CONDUCT**

As indicated in Trinity Health System's Substance Abuse Awareness Policy HR-EH-33 and Trinity Health System School of Nursing's Student Handbook, the standards of conduct prohibit the unlawful possession, use, or distribution of drugs and alcohol (including medical marijuana) by students and employees on the institution's property or as any part of the institution's activities.

As stated in the Student Handbook Code of Conduct Section II, Group III.

3. Sale, distribution, or use of illegal and/or dangerous substances.
4. Use of alcohol on School/Hospital property.

The School also may, at its discretion, discipline or discharge a student for infractions not mentioned above.

An individual who violates any of the rules listed above will also be referred to the appropriate law enforcement agency if a local, State or Federal law has been violated.

## **III APPLICABLE LEGAL SANCTIONS UNDER LOCAL, STATE AND FEDERAL LAW**

### **Federal Law:**

Federal law prohibits the trafficking and illegal possession of controlled substances as outlined in 21 United States Code, Sections 811 and 844.

**Penalties for violation of Federal Law are found at <http://www.deadiversion.usdoj.gov>**

### **Ohio Laws:**

#### **CONTROLLED SUBSTANCES**

**Ohio Revised Code (ORC) Section 2925.02 Corrupting another with drugs**

See <http://codes.ohio.gov/orc/2925.02>

**ORC 2925.03 Trafficking, aggravated trafficking in drugs**

See <http://codes.ohio.gov/orc/2925.03>

**ORC 2925.11 Possession of controlled substances**

See <http://codes.ohio.gov/orc/2925.11>

**ORC 2925.12 Possessing drug abuse instruments**

See <http://codes.ohio.gov/orc/2925.12>

**ORC 2925.14 Illegal use or possession of drug paraphernalia**

See <http://codes.ohio.gov/orc/2925.14>

**ORC 2925.31 Abusing harmful intoxicants**

See <http://codes.ohio.gov/orc/2925.31>

**ORC 2925.37 Counterfeit controlled substance offenses**

See <http://codes.ohio.gov/orc/2925.37>

## **ALCOHOL**

**ORC 4511.19 Operating vehicle under the influence of alcohol or drugs - OVI**

See <http://codes.ohio.gov/orc/4511.19>

**ORC 4301.63 Purchase of beer or intoxicating liquor by persons under twenty-one prohibited**

See <http://codes.ohio.gov/orc/4301.63>

**ORC 4301.633 Furnishing false information to obtain beer or intoxicating liquor for person under twenty-one**

See <http://codes.ohio.gov/orc/4301.633>

**ORC 4301.634 Furnishing false information to obtain beer or intoxicating liquor by person under twenty – one.**

See <http://codes.ohio.gov/orc/4301.634>

**ORC 4301.64 Prohibition against consumption of beer or intoxicating liquor in motor vehicle**

See <http://codes.ohio.gov/orc/4301.64>

**ORC 4301.69 Underage persons offenses concerning**

See <http://codes.ohio.gov/orc/4301.69>

**Penalties for violation of Ohio Law are found at <http://www.codes.ohio.gov/orc>**

### **Local Laws:**

The local laws governing the abuse of drugs and alcohol are the same as the State of Ohio.

## **IV DESCRIPTION OF HEALTH RISKS ASSOCIATED WITH THE USE OF ILLICIT DRUGS AND ALCOHOL ABUSE:**

### **MEDICAL CONSEQUENCES OF ALCOHOL**

#### **NERVOUS SYSTEM EFFECTS**

- Intoxication: drunkenness, excitement, coma
- Abstinence or withdrawal syndromes, hallucinosis, seizures, delirium tremens
- Nutritional diseases: Wernicke-Korsakoff syndrome
- Cerebellar impairment
- Marchiafava-Bignami disease (rare)
- Central pontine myelinolysis (rare)
- Cerebral atrophy, ventricular enlargement
- Disorders secondary to liver disease: encephalopathy
- Psychiatric disorders: depression, antisocial behavior, anxiety
- Insomnia
- Peripheral neuropathies

#### **GASTROINTESTINAL EFFECTS**

- Esophagitis, gastritis, ulcer
- Increased incidence of cancer of the oral cavity, pharynx, larynx, and esophagus
- Disorders secondary to portal hypertension: esophageal varices and hemorrhoids
- Diarrhea
- Pancreatitis
- Liver disease: fatty degeneration, cirrhosis in 10% of alcoholics

#### **CARDIOVASCULAR EFFECTS**

- Arrhythmias: tachycardia, ventricular premature contractions or conduction defects; ventricular tachycardia in delirium tremens
- Cardiomyopathy
- Worsened angina
- Hypertension

## **METABOLIC EFFECTS**

- Carbohydrates: decreased gluconeogenesis (hypoglycemia)
- Proteins: decreased albumin and transferrin synthesis, increased lipoprotein synthesis
- Lipids: increased serum and liver triglycerides (fatty liver)
- Decreased serum magnesium and phosphate
- Ketoacidosis

## **ENDOCRINE EFFECTS**

- Decreased plasma testosterone (impotence)

## **MUSCULOSKELETAL EFFECTS**

- Myopathy (weakness, wasting, swelling, pain)
- Osteoporosis, nontraumatic osteonecrosis of the head of the femur

## **DERMATOLOGIC EFFECTS**

- Rosacea, spider angiomas, nevi, pruritus

## **HEMATOLOGIC EFFECTS**

- Thrombocytopenia
- Macrocytic anemias
- Coagulopathies (resulting from decreased hepatic synthetic function)

## **EFFECTS ON FETUS**

- Growth retardation
- Mental retardation
- Fetal alcohol syndrome

## **DRUG INTERACTIONS**

- Increase in CNS depressant effects of benzodiazepines, antipsychotics, antidepressants, sedative-hypnotics
- Decrease in effectiveness of phenytoin (epileptics are more likely to have seizures), anticoagulants, tricyclic antidepressants
- Production of effects similar to mild disulfiram reaction (flushing, vomiting) when taken with oral antidiabetic agents or metronidazole
- Potentiation of hypoglycemic effects of oral antidiabetic agents and insulin

## **MEDICAL CONSEQUENCES OF ILLICIT DRUG USE**

The consequences of illicit drug use are varied and specific to the drug being used/abused.

A Detailed Controlled Substance—Use and Effect Chart can be viewed on the website of the U.S. Drug Enforcement Agency.

A copy of the Program for the Prevention of Alcohol and Illicit Drug Use is available in the Office of Admissions and Financial Aid.

## **V DESCRIPTION OF DRUG AND ALCOHOL COUNSELING, TREATMENT, AND REHABILITATION PROGRAMS**

**Students seeking assistance for themselves and others may contact:**

**Alcoholics Anonymous** (304-234-7511 or Hotline# 800-333-5051) Wheeling, WV  
Support group for alcoholics  
8255

**Fox Run Hospital** (1-800-245-2131)  
Provides referrals and offers individual and group therapy for adolescents with dual diagnosis

**Jefferson County Board of Prevention and Recovery** (740-282-1300)  
Referrals to appropriate agencies, information

**Trinity Health System – Behavioral Medical Center** (740-283-7024)  
Detoxification , inpatient and outpatient group therapy, court services program

**Jefferson Behavioral Health Systems Beacon House** (740-284-1400)

**Coleman Services** (740-996-7100): 24/7 Crisis Support (740-996-7127)

**Narcotics Anonymous** (614-252-1700) or [www.naohio.org](http://www.naohio.org)

**Ohio Regional Help Line** (1-800-587-4232)  
Support group for those addicted to drugs

**Directory of Veterans' Service Organizations**  
<https://www.va.gov/vso/>

**Veterans Crisis Line** (1-800-273-8255 - press 1)

**PTSD Peer Support Groups**  
<https://www.ptsd.va.gov/gethelp/index.asp>

### **Ohio Rehab Centers**

Regional Drug & Alcohol Voluntary Treatment programs

[www.usattorneylegalservices.com/drug-and-alcohol-rehab.html](http://www.usattorneylegalservices.com/drug-and-alcohol-rehab.html)

Addiction Hotline directory 24 hour Addiction helpline (866-520-2708) or

[www.alcohol.org/hotlines/ohio](http://www.alcohol.org/hotlines/ohio)

### **Peer Assistance Program for Nurses (800-654-5167) or [peerassistance.aana.com](http://peerassistance.aana.com)**

Assessment, referrals for treatment for drug/alcohol problems, follow-up, support groups, and advocacy

**A copy of Community Resources/Providers is also available in the Trinity Health System Policy Manager.**

### **Substance Abuse Policy:**

#### **POLICY FOR HANDLING SUSPECTED SUBSTANCE ABUSE**

##### **I PURPOSE**

To provide guidelines to deal with problems of substance abuse which interfere with the student nurses' performance in the clinical/classroom areas and/or pose a threat to the safety and welfare of the public.

To promote the health and welfare of the student population and protect future potential for licensure.

To refer student nurses who are experiencing problems clinically or academically, due to substance abuse, to appropriate counseling or treatment programs.

To inform all students of the School's position on the abuse of drugs and alcohol and to advise them of possible consequences of violation of this policy.

##### **II DEFINITIONS**

**Substance Abuse** – A pattern of using substances that results in harm to one's health, interpersonal relationships or ability to work.

**Substance** –Alcohol, prescription drugs, over-the-counter medications, illicit drugs, or controlled substances.

##### **III PHILOSOPHY**

The faculty believes that its responsibility is to assist the student in recognizing substance dependence. We believe that these impairments are preventable and treatable.

We believe that student nurses are valued members of the health care team who are accountable to patients and their families, to the School, and to themselves.

We believe that the faculty assists the student nurse in assuming responsibility for his/her behavior, restoring health, and improving work performance.

We support the students' right to confidentiality in all matters dealing with suspected substance abuse.

#### **IV POLICY**

The following behaviors which may affect competency, the educational process, or threaten patient welfare will be considered as factors in determining just cause for action by the faculty:

1. attends class or clinical experience exhibiting signs of physical intoxication (such as slurred speech, inappropriate speech or behavior, etc.) and/or stale or fresh alcohol on their breath.
2. use of alcohol, mind altering drugs or any marijuana, including medical marijuana in accordance with Trinity Health System Policy (HR.EH.33) while in the clinical or classroom experience setting.
3. abrupt mood changes – depression to euphoria or inappropriate affect.
4. irritability/hostility without cause.
5. marked decrease in productivity in academic and/or clinical performance.
6. pattern of deterioration in personal hygiene.
7. diminished interaction with faculty or peers.
8. increased/excessive absenteeism or tardiness.
9. persistent irresponsible behavior – difficulty meeting deadlines and schedules or negative attitude.

#### **V PROCEDURE**

A faculty member who suspects a student of substance abuse in the School's educational setting will follow these procedures:

1. Notify the Dean of the School of Nursing concerning the student's performance deficiencies or clinical experience/classroom incident (s), which indicate the possible presence of a substance abuse problem.

2. If the incident occurs in the patient care setting, remove the student from the clinical experience, nursing unit or healthcare agency to assure the safety and welfare of the patients/clients.
3. Meet with the Dean of the School of Nursing and the student concurrently to inform the student of the initial observation of behaviors, the continuance of further investigation, and the consequences of the behavior. The results of the meeting will be documented on the Confidential Student Incident Form. To assure student confidentiality, this form is secured in the Dean's office.
4. If the student denies incidence of substance abuse, the student will be advised that a second faculty member will participate in the continuance of observation of the student's behavior. The faculty members will document observed behavior on the Confidential Student Incident Form.
5. If the student exhibits physical signs of substance abuse, ie., slurred speech, inappropriate speech or behavior, disorientation, dilated/pinpoint pupils, and/or has stale or fresh alcohol breath, the student will be given the option at that time, to participate in a drug/alcohol screening laboratory procedure.
  - a. The Dean or appointed faculty member will accompany the student for drug testing.
  - b. Drug screening will be conducted through WorkCare Occupational Health Clinic at Trinity Medical Center East. WorkCare uses Occupational Med Program Drug and Alcohol Testing Services, a federally certified laboratory and a strict chain of custody.
  - c. The cost of the drug screen is approximately \$50.00 and is the responsibility of the student.
  - d. A driver's license or photo I.D. must be presented for verification of identity at the time of the drug screening. The student will sign consent for the results of the drug screen to be released to the School of Nursing. If the student is a minor, parental permission will be secured.
  - e. A Medical Review Officer (MRO) who is a trained and certified physician will review all results. The screening results are transmitted confidentially from the laboratory directly to the MRO. In accordance with Trinity Health System's policy (HR.EH-33), cut off levels are used to determine when an individual has enough of a certain drug in his/her system that it should be considered a positive test. The drug cut-offs are derived from federal guidelines.
  - f. Students with a positive result that has been verified by a Substance Abuse and Mental Health Services Administration (SAMSHA) certified

lab and verified by the MRO will be contacted by the MRO. The student may provide evidence of a valid prescription for the presence of the substance in his/her system. This excludes medical marijuana or any marijuana.

- g. The School of Nursing will recognize the validity of the MRO's findings and act accordingly.

**Confidentiality: The handling of all records and subject information will be strictly confidential and revealed to those required to have access. Any breach of confidentiality will be considered serious and appropriate disciplinary action will be taken.**

- 6. If the student refuses a drug/alcohol screening or further observation measures, and /or admits to substance abuse while a student in the classroom/clinical setting of the nursing education program, the student will be dismissed from the program.
- 7. Based on evidence of a positive drug/alcohol screening, and/or faculty documentation of student behavior affecting competency, the educational process, or patient welfare, and findings that the student was abusing substances while a student in the classroom/clinical setting of the nursing education program, the student will be dismissed from the program.
- 8. The student's readmission to the School will be evaluated on an individual basis and will be based on the verification of the student's continued attendance to a treatment/counseling program as defined by the Ohio Board of Nursing's Rules Promulgated From the Law Regulating the Practice of Nursing.

## **VI PROGRAM EVALUATION:**

According to **TRINITY HEALTH SYSTEM SCHOOL OF NURSING SYSTEMATIC PLAN FOR EVALUATION**, all policies and the student handbook are reviewed for possible revision by the Student Services/Integrity Committee and presented to the Faculty Organization Committee for final approval. Programs, policies, and handbooks are reviewed in a systematic manner with appropriate time and frequency evaluations. In compliance with the United States Department of Education requirements, an evaluation of the **PROGRAM FOR THE PREVENTION OF ALCOHOL AND ILLICIT DRUG ABUSE** will be conducted biennially.

## COMMUNICABLE DISEASE POLICY

Disclosure: The faculty of Trinity Health System School of Nursing believes in the ANA Code of Ethics which states, “The nurse provides services with respect for human dignity and the uniqueness of the client unrestricted by consideration of social or economic status, personal attributes, or nature of health problems.”

School guidelines for infection control: Students are to follow the infection control policies of Trinity Health System, which comply with the recommendations of the Centers for Disease Control and Prevention.

Trinity Health System communicable disease policy: Since medical history and examination cannot reliably identify all patients infected with blood-borne pathogens, blood and body-fluid precautions should be consistently used for all patients (Standard Precautions).

**Blood-borne pathogens** are infectious organisms found in blood, blood products, and other body fluids (semen, vaginal secretions, amniotic fluid, and any body fluid visibly contaminated with blood). Direct transmission can occur when infectious material comes into direct contact with open wounds, skin rashes, mucous membranes, or enters the body through an injury with contaminated objects like a needle. Indirect transmission can occur when you touch a contaminated surface, and then transfer the infectious material to your eyes, mouth, or an open sore.

**Standard Precautions** will be used with every patient, regardless of infection status, in any setting where healthcare is delivered. This includes:

- hand hygiene
- use of personal protective equipment (PPE)
- safe injection practices
- safe handling of potentially contaminated equipment or surfaces in the patient environment, and
- respiratory hygiene and cough etiquette

*If you suspect you have been exposed:*

1. Wash intact skin with non-abrasive antibacterial soap and water.
2. Flush mucous membranes with water.
3. Remove contact lenses and rinse with saline or water after any suspected contact with eyes.
4. Report exposure to clinical instructor immediately.
5. Students accidentally exposed to a blood-borne pathogen will be referred to the Emergency Department at Trinity Medical Center West. Student nurses must utilize private insurance to cover Emergency Department expenses.

Copies of the standard post-exposure protocol will be available for students who chose to utilize a private physician. The Instructor and student are required to complete an electronic incident report, which is submitted to the Dean of the School of Nursing, who will then finalize and forward the form to the appropriate hospital department.

Reviewed 10-2017. Source: TMCW Safety Storm: Infectious disease and blood-borne pathogen policy/recommendations

### **THE JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT**

In compliance with the Crime Awareness and Campus Security Act of 1990, as amended in 1998, this Annual Security Report contains safety and security related policy statements and the campus crime statistics of the most recent calendar year and the two preceding calendar years. The Campus Crime Statistics are disclosed on the Trinity School of Nursing website and posted on the student services bulletin board near the Skills Lab on the ground floor. The statistics do not identify victims of crimes or persons accused of crimes. The Annual Security Report and Campus Crime Statistics are prepared by the Coordinator of Student Affairs in cooperation with Jefferson Security and the Steubenville Police Department. The Annual Security Report and the Crime Statistics are shared annually with students and employees. Every student and employee is emailed a copy of the Annual Security Report, including crime statistics. Copies of this Annual Security Report are provided to prospective students and employees upon request. Copies of the Annual Security Report are maintained in the Office of Admissions and Financial Aid. Campus Crime Statistics for the School can be viewed online at the OPE Campus Security Statistics Website at [www.ope.ed.gov/security](http://www.ope.ed.gov/security). Crimes are classified based on the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting Handbook (UCR).

The following offenses are reported:

1. murder/non-negligent manslaughter
2. negligent manslaughter
3. rape
4. fondling
5. incest
6. statutory rape
7. robbery
8. aggravated assault
9. burglary
10. motor vehicle theft
11. arson
12. the crimes described above (1-11), and larceny-theft, simple assault, intimidation, and destruction, damage, or vandalism of property, and other crimes involving bodily injury to any person, in which the victim is intentionally selected because of the actual or

perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability of the victim that are reported to campus security authorities or local police agencies, which data shall be collected and reported according to category of prejudice.

13. arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations, and weapons possession.
14. domestic violence, dating violence, and stalking incidents that were reported to campus security authorities or police agencies
15. crimes that were unfounded and subsequently withheld from crime statistics

## **Campus Security Policy**

In compliance with Title II of the Student Right-to Know and Campus Security Act (Public Law 101 – 542), Trinity Health System School of Nursing has formulated its Campus Security Policy effective September 1, 1992.

This policy will be distributed to all current students, employees, and to any applicant for enrollment or employment, upon request, beginning the above date and each year thereafter. All freshman nursing students will review this Policy at Orientation the year of their enrollment and have access to it within the Student Handbook which is located on the school's website. Policy copies are maintained in the Office of Admissions and Financial Aid. Anyone desiring more information may contact the Coordinator, Student Affairs at 740-266-1230.

## **CURRENT POLICIES CONCERNING CAMPUS LAW ENFORCEMENT**

Jefferson Security Services, Inc., a private security firm, provides security services at Trinity School of Nursing, which is located within leased space at the Eastern Gateway Community College campus. Eastern Gateway Community College (EGCC) employs this security staff to enforce policies dealing with safety and security issues. These officers, while trained, are not sworn peace officers. These employees do not have police powers and, as appropriate, summon the local police. EGCC encourages the reporting of all security concerns to the security staff and/or local police.

Uniformed security officers are present and patrol the campus, monitoring campus safety, building access control, and securing parking lots. Criminal offenses are reported to the local police depending on the nature and seriousness of the offense, and joint investigative efforts are deployed to handle these incidents. The investigators will bring charges against perpetrators as appropriate. In addition to or separate from any legal penalties which criminal activity may engender, EGCC can impose campus-based penalties.

Jefferson Security maintains a close working relationship with the Steubenville Police Department. There is no written memorandum of understanding between Jefferson Security and the Steubenville Police Department. The jurisdiction of Jefferson Security is limited to Eastern Gateway Community College owned property. However, Trinity Health System School of Nursing falls under the jurisdiction of the Steubenville Police Department. When

situations warrant the response of Steubenville Police, they are contacted and respond to various needs. Steubenville Police Department also randomly patrols the campus from time to time.

Trinity School of Nursing requires that all students, faculty, staff, and visitors cooperate with the security officers and be prepared to present student ID or proper identification upon request. The office of Security is located in room 2013 in the Gator Center..

## **PROCEDURES FOR STUDENTS AND OTHERS TO REPORT CRIMINAL ACTIONS OR OTHER EMERGENCIES OCCURRING ON HOSPITAL CAMPUS**

All incidents of crimes and safety related incidents, including, but not limited to theft, vandalism, sexual harassment or assault, domestic or dating violence, stalking, or other criminal activity or accidents can be reported immediately by the victim or anyone witnessing the acts or the aftermath, to *Amber Marino, Title IX Coordinator* at (740) 266-1226 or [abouyoucas@trinityhealth.com](mailto:abouyoucas@trinityhealth.com). This number and email address can be used at any time, including after business hours, by any person to report sex discrimination. If you are unable to reach Mrs. Marino, and need immediate assistance with a crime, contact Interim Security Supervisor, Bob Hecceg at (740) 264-5596 or any security officer. Provide complete details of the incident. The reporting person will be asked to complete an incident report. The incident reports are available in the campus security office located in room 2013. As appropriate, EGCC will summon police, emergency personnel, or victim advocates to campus to assist in responding to incidents reported, if the reporting party is in agreeance with doing so. In cases of criminal activity, the victim will be encouraged to file a report/charges with local law enforcement. EGCC may elect to file a report/charges regarding any infraction of the law on property owned, operated, or contiguous with the College. In the event of an emergency, emergency services are available at 911.

In case of an emergency, contact the security officer, the vice president for administrative services, or any college administrator. In the event of a critical situation, contact the first available college employee who will in turn notify the appropriate person.

Emergency phones are located strategically throughout the hallways. These phones are designed to call security and the receptionist; and if no one internal is available to answer the calls will roll over to 911. The phones are designed to automatically direct security to the location of the phone being used. If the phone is accidentally activated, those responding should be informed that there is not an emergency. There are also emergency buzzers located in key areas that notify security of an emergency.

Incidents of criminal action may also be reported by any student or employee to the School of Nursing Receptionist and/or official in charge. Officials of the School who have significant responsibility for student/employee and campus activities are the Dean and the Coordinator, Student Affairs. Incidents reported to the following School officials will then promptly be reported to the appropriate person, as indicated in the procedure above.

Gale Dossett, School Receptionist	(740) 266-1231
Melissa Hassan, School of Nursing Dean	(740) 266-1221
Jill Duska, Coordinator of Student Affairs	(740) 266-1230

Students and employees are encouraged to promptly and accurately report all crimes to security personnel and law enforcement agencies when the victim of such crime elects to, or is unable to, make such a report.

The campus security personnel report to the local and State Police Departments when necessary. Written reports of all security incidents occurring on the campus are logged daily.

Trinity School of Nursing does not have a policy that encourages pastoral counselors and professional counselors to inform persons they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

Eastern Gateway Community College has declared no part of its campus or grounds a public place. The only persons permitted on college property are those with legitimate need to be on campus related to the mission and goals of the college such as taking part in classes or activities sponsored by the college or Trinity School of Nursing, attending activities sponsored by outside organizations approved through the college's outside building use policy, visitors touring EGCC or Trinity School of Nursing as part of the admissions process, or vendors doing business with EGCC or Trinity School of Nursing. The college reserves the right to question individuals on college property regarding their identity and reason for being at the college and request or order the individual(s) to leave college property if the reason for being on campus is not directly or indirectly related to the college's mission and goals as stated above. As appropriate, EGCC or Trinity School of Nursing will utilize the resources of local law enforcement agencies in maintaining a safe and secure campus environment.

Trinity School of nursing students are expected to abide by local, state and federal laws whether on campus or at an off-campus activity, clinical, etc.

### **TIMELY WARNING POLICY**

In the event that a situation arises that in the judgement of the Vice President of Administrative Services or designee constitutes an ongoing or continuing threat, a campus-wide timely warning will be issued. In accordance with the Clery Act, EGCC uses SNAP (Student Notification Alert Program) to notify EGCC and Trinity School of Nursing students and employees of any campus emergency. Upon confirmation of an incident on a campus or in the immediate area of a campus, an emergency notification will be sent via SNAP without delay. This notification will be sent using voice message on cell phone or land line, text message, and/or email message.

All students and employees are urged to subscribe to SNAP to receive timely warnings as well as weather-related or emergency closings. Information on subscribing to SNAP can be

found at [www.egcc.edu](http://www.egcc.edu) and flyers that are distributed to all Trinity students and employees. When receiving a call from the SNAP system, the number 222-222- 2222 may appear.

In addition to the SNAP warning above, Trinity School of Nursing will inform the students or employees in a timely manner, of any known criminal activity that may be a threat to students or employees at the hospital. The Coordinator of Student Affairs, or their designee, will initiate these timely warning notifications. Such notification will be posted in the Skills Lab, on student/employee bulletin boards and/or on the Hospital's intranet system (Meditech) and/or through the use of the One Call Now <sup>TM</sup>. System. Notification will occur without delay and take into account the safety of the students as well as the community. Any report will withhold the names of victims as confidential.

Students and employees get access to the One Call Now system upon admission or employment. Students and employees provide phone numbers and/or email addresses to the Coordinator of Student Affairs. This information will be used for the purpose of entering them into the One Call Now communication system. Students and employees are required to update their contact information if changes occur by utilizing the Change Form located in the School office.

### **SEX OFFENDER NOTIFICATION**

The Victims of Trafficking and Violence Protection Act of 2000; Campus Sex Crimes Prevention Act; Section 1601 of Public Law: 106-386 (H.R. 3244) requires institutions of higher education to advise its campus community where it can obtain information about registered sex offenders. Students may seek information regarding local sex offenders from the Ohio Attorney General at [www.communitynotification.com](http://www.communitynotification.com). The Electronic Sex Offender Registration and Notification (eSCORN) may be reached at [www.icrimewatch.net/ohio.php](http://www.icrimewatch.net/ohio.php).

### **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

Since Trinity School of Nursing is housed in leased space on the Eastern Gateway Community College campus, the EGCC Emergency response and Evacuation procedures are followed. As required by 34 CFR 668.46 (g), Eastern Gateway Community College has established policies related to emergency response and evacuation procedures in the event of fire or other building evacuation emergencies, as well as tornado alert protocols. All students and are strongly encouraged to register with the College's early alert system "SNAP". Students will receive important emergency information via the SNAP system, including emergency situations in the buildings, weather alerts, and weather or other closings. Students should register to receive the SNAP alerts on their cell phone, land line, and e-mail to ensure that they have the most up to date information.

For the safety of all persons using the college's facilities, emergency alarm and building evacuation procedures are detailed below. All students should read and become familiar with these procedures.

***Reporting Fire or Other Emergencies. and Building Evacuation Procedures.***

1. Any person seeing a fire or heavy smoke during day hours should pull the closest fire alarm box located throughout the buildings. The person should then seek the closest employee to report his/her name and the location of the fire. Any other emergency where the safety of persons in the building(s) is in immediate jeopardy also should be handled in the manner above.
2. If no fire or heavy smoke is observed but smoke is smelled or seen, the person noticing the smoke should not pull the alarm box. The person should inform the closest employee of the situation. Any other emergency which may require the evacuation of the building(s) should be reported in this manner. If there is any doubt regarding the potential seriousness of the emergency, the procedures outlined in No. 1 should be followed.
3. The bell chime/flashing lights are the signal that the building is to be evacuated because of fire or other emergency.
4. When this signal is heard or seen all students, college employees and visitors should proceed in an orderly manner to the closest exit. All outside exits are marked with a sign over the door. Each classroom has a sign with the closest exit identified. In addition, a map and detailed evacuation instructions are posted in each classroom. All doors should be left open during building evacuation.
5. Once outside, persons evacuating the building should congregate in the closest parking lot, staying at least 300 feet from the building(s). Evacuation of the building(s) does not mean automatic cancellation of class. Students and staff should remain in the parking lot area until a college official (president, vice president, dean or security staff) informs them to leave the grounds. Likewise, no person should re-enter the building(s) until advised to do so by one of these officials.
6. During evening hours of operation, the emergency notification and evacuation plan will be that outlined above. Security personnel will coordinate the alarm and evacuation procedures.

**TORNADO ALERT PROCEDURE**

1. Any person hearing a radio or television announcement of a tornado watch should report this information either directly or through a college employee to the switchboard operator.
2. Any person either hearing an announcement of a tornado warning for the immediate vicinity of the college or sighting a tornado should report this information either directly or through a college employee to the switchboard operator.
3. The security staff will sound an air horn which signals the imminent approach of a tornado. Upon hearing this sound, students and staff should proceed in an orderly manner according to this plan: Warning is three short blasts on a hand-held air horn, a 15-second delay followed by three short blasts again. This alert will last for three minutes. Do not panic or run but proceed to the closest emergency shelter area listed below.  
**2nd Floor Rooms** 2500-2527 will go to ground floor interior hallway, both sides of hallway; stay clear of doors and glass  
**Ground Floor Rooms** 1500-1546 will go to the ground floor interior hallway, both sides of hallway; stay clear of doors and glass  
**2nd Floor Rooms** 2200-2217 will go to the ground floor interior hallway, both sides of hallway; stay clear of doors and glass

**Ground Floor Rooms** 1201-1217 will go to the ground floor interior hallway, both sides of hallway; stay clear of doors and glass

**Rooms 2600-2631** Go to maintenance area garage loading dock area; stay clear of doors and glass

**Rooms 2000-2102** Ground floor north wing interior hallways; stay clear of doors and glass  
Notification to disperse will be one long blast, a 15-second delay, one long blast, 15-second delay. This will continue for one minute.

4. During evening hours information about the approach of a tornado will be delivered to the security personnel who will instruct the security staff to sound the alarm. The shelter locations will remain the same. During weekend hours the security guard should verbally instruct persons in the building regarding the location of the closest shelter area.

### **FIRE AND TORNADO INFORMATION. DISTRIBUTION AND ALARM TEST PROCEDURES**

1. Periodically, the college will sound the evacuation and tornado alarms so that the students and employees are familiar with each signal. Students will not leave class or the building during the test procedure. Students or employees who cannot hear the alarm(s) should report this fact and the location to the security staff or the vice president for student affairs.

2. Any time either alarm system sounds other than announced system tests times and dates all students, visitors and employees will implement the evacuation or tornado procedures. In case of any doubt when the alarm sounds, it should be assumed that the situation is not a test but a real emergency.

Trinity School of Nursing students and employees will be immediately notified by EGCC upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of the campus community. EGCC staff will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the SNAP notification system, unless issuing a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. The Security Department personnel will assume the responsibility for determining the existence of a significant emergency and for determining who should be notified, the content of the notification, and initiating the SNAP notification.

EGCC administration in conjunction with the Security Department, if necessary, will determine how much information is appropriate to disseminate at different points in time. If the Security Department determines that local and/or state agencies should be contacted, those entities will assume the responsibility for disseminating emergency information to the larger community.

In cases of emergency, students will receive an automated voice and/or text message, and/or email message indicating the nature of the matter.

Trinity School of Nursing follows the policies found in the Trinity EOC (Emergency Codes) Manual during an emergency at the hospital. A copy of the Trinity EOC (Emergency Codes)

Manual can be accessed in Policy Manager located on all School computers. The emergency codes are as follows:

Code Red - Fire  
Code Adam - Infant/Child Abduction  
Code Black - Bomb/Bomb Threat  
Code Grey - Severe Weather  
Code Orange – Hazardous Material Spill/Release  
Code Blue – Medical Emergency/Adult  
Code Pink – Medical Emergency/Pediatric  
Code Yellow – Disaster  
Code Violet - Violent Patient/Combative  
Code Silver - Person with Weapon/Hostage Situation  
Code Brown - Missing Adult Patient  
Code Decon - Decon Team  
Code Green - Oxygen Loss  
Code Exit - Evacuation  
Code Purple - Utilities

In case of an emergency listed above, a student, employee, or School Official should call 8911 (West) or 7911 (East) to report the emergency and initiate the code procedures.

Emergency response and evacuation procedures are introduced to students during their orientation to the program. Procedures are reviewed during orientation the subsequent courses. Students are reminded via an announcement in class each semester to notify the Coordinator or Student Affairs to update their contact information for emergency notification if necessary.

The emergency response and evacuation procedures are tested annually. Notification of the Emergency Responses and Evacuation procedures will be emailed to the students, faculty, and staff prior to the annual test.

Testing of the One Call Now System is conducted annually. If a student did not receive the test emergency notification via One Call Now, he or she is encouraged to review/edit the contact information submitted for the One Call Now System. Students and faculty are asked to give feedback regarding the drill, which is used to evaluate and revise procedures as necessary. Documentation of annual testing will include a description of the tests, date of the test, test starting ending time and whether the test was announced or unannounced.

#### **SECURITY OF AND ACCESS TO CAMPUS FACILITIES, INCLUDING OFF-CAMPUS PROPERTY, AND SECURITY CONSIDERATIONS USED IN THE MAINTENANCE OF CAMPUS FACILITIES.**

Trinity Health System School of Nursing is a department of Trinity Health System. The School does not own, rent, or control any "off-campus" property. The school does rent space

at the Eastern Gateway Community College campus. On-Campus housing is not available. The School does not recognize any "off-campus" student organizations. Trinity Health System School of Nursing has declared no part of its campus or grounds a public place.

The School of Nursing strives to provide a safe environment for all students and employees and expects the cooperation of these individuals to maintain it. Student identification (ID) badges **MUST** be worn at all times while engaged in class or clinical activities at the School of Nursing, Trinity Medical Center East, Trinity Medical Center West, and for any other off Campus clinical experiences. Classes and clinical experiences are held primarily Monday through Friday during the day. The School is officially closed on all designated holidays and weekends.

Maintenance checks are made routinely. Items in need of repair should be reported to the School of Nursing Receptionist by the student or employee. The Security personnel make routine checks for maintenance/safety purposes. Any defective equipment and/or any potentially hazardous environmental conditions should also be reported to the appropriate School/security personnel.

**PROGRAMS DESIGNED TO INFORM STUDENTS AND EMPLOYEES ABOUT SECURITY PROCEDURES AND PRACTICES ARE TO ENCOURAGE STUDENTS AND EMPLOYEES TO BE RESPONSIBLE FOR THEIR OWN SECURITY AND THE SECURITY OF OTHERS. PROGRAMS DESIGNED TO INFORM STUDENTS AND EMPLOYEES ABOUT THE PREVENTION OF CRIME.**

The School of Nursing will offer during orientation, in conjunction with the Security Department, a program introducing campus security procedures and practices. Security personnel will inform students and employees of the proper reporting of incidents and their response to such reporting. They offer information regarding crime prevention for situations occurring both on and off campus. This program will also encourage the students to be responsible for their own security and the security of others.

A program consisting of independent review of pamphlets and brochures dealing with crime prevention and safety will be offered during the year. These publications will be available to students and employees in the Trinity Health System Office of Admissions and Financial Aid. Additionally, students participate in a non-violent crisis intervention course as part of one of their nursing courses. Employees also have the option to attend the non-violent crisis intervention course offered by the hospital.

Students are also encouraged to visit the OPE Campus Security Statistics Website at [www.ope.ed.gov/security](http://www.ope.ed.gov/security).

The School strives to provide a safe, secure environment for students and employees. The cooperation and involvement of these individuals are essential for the success of a campus safety program. Students and employees must assume responsibility for knowing the procedures outlined in this policy and for taking simple, common sense precautions.

## **THE POSSESSION, USE, OR SALE OF ALCOHOLIC BEVERAGES AND ILLEGAL DRUGS AND ENFORCEMENT OF STATE UNDERAGE DRINKING LAWS AND FEDERAL AND STATE DRUG LAWS; AND DRUG AND ALCOHOL ABUSE EDUCATION PROGRAMS.**

The School prohibits the possession, use, sale, or distribution of alcohol, illegal drugs, and/or dangerous substances. The School has the right to dismiss any student found to be involved in these prohibited activities. Any individual who has violated any state or federal law in regards to alcohol or drugs will be referred to the appropriate law enforcement agency.

School policies and procedures regarding the use of alcohol and drugs are contained in the policy on the Prevention of Substance Abuse. The Program for the Prevention of Substance Abuse provides standards of conduct that clearly prohibit the unlawful possession, use, or distribution of drugs and alcohol by students and employees on the institution's property or any part of the institution's activities. It also contains a description of the health risks associated with the use of illicit drugs and the abuse of alcohol, as well as a description of drug and alcohol counseling, treatment, or rehabilitation programs that are available to students and employees. It informs students and employees of the School's/Hospital's position on the abuse of illicit drugs and alcohol and advises them of the consequences. Additionally, it provides guidelines for faculty in dealing with problems of substance abuse which interfere with the student nurse's performance in the clinical or classroom areas, and pose a threat to the safety and welfare of the public.

The School accepts its responsibility to assist the student in recognizing substance dependence and views substance abuse as preventable and treatable. The School supports the student's right to confidentiality in all matters dealing with suspected substance abuse. Those students who are experiencing problems due to substance abuse are referred to appropriate counseling or treatment programs.

The Program for the Prevention of Substance Abuse is reviewed with students and employees during orientation. Each student and employee has online access to the School's Program for the Prevention of Substance Abuse. In addition, copies of the School's Program for the Prevention of Substance Abuse are maintained in the Office of Admissions and Financial Aid.

## **CAMPUS SECURITY DISCLOSURES/ SEXUAL ASSAULT PROGRAM**

### **(A) EDUCATION PROGRAMS TO PROMOTE THE PRIMARY PREVENTION AND AWARENESS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING.**

Trinity Health System School of Nursing prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking. During Orientation of incoming students and new employees, information related to hospital/campus security procedures and practices is presented. This program will include definitions of domestic violence, dating violence,

sexual assault, and stalking to promote awareness of these offenses to students and employees. In addition, the program will define consent and present 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. The program will also present information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks.

A program consisting of independent review of literature dealing with domestic violence, dating violence, sexual assault, and stalking will be made available to students and employees in the Office of Admissions and Financial Aid.

Trinity Health System School of Nursing education programs utilize the following definitions:

- 1. Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.
- 2. Sexual Harassment:** Conduct on the basis of sex that satisfies one or more of the following:
  - (i) A school employee conditioning education benefits on participation in unwelcome sexual conduct (i.e., quid pro quo); or
  - (ii) Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
  - (iii) Sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).
- 3. Sex Offenses:** Any sexual act directed against another person, without the consent of the victim, including instances where the complainant 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 complainant.
  - Sodomy-** Oral or anal sexual intercourse with another person, forcibly, and/or against that person's will (non-consensually), or not forcibly or against that person's will in instances in which the complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.
  - Fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the complainant, 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** – Sexual intercourse between persons who are related to each other within the degrees herein marriage is prohibited by law.
  - Statutory Rape** – Sexual intercourse with a person who is under the statutory age of consent.

**4. Domestic Violence:** A felony or misdemeanor crime of violence committed  
By a current or former spouse or intimate partner of the complainant;  
By a person with whom the complainant shares a child in common;  
By a person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner;  
By a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;  
By any other person against an adult or youth complainant 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.

**5. Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant.  
The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.  
For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.  
Dating violence does not include acts covered under the definition of domestic violence.  
Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**6. 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 purposes of this definition:

*Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

*Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.

*Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**7. Consent:** Having permission. It requires that both parties are fully conscious, have equal ability to act, are positive and sincere in their desires, and have clearly communicated their intent. If one uses force, threat, intimidation, or takes advantage of the other person's mental incapacities or physical helplessness then there is no consent.

**8. Programs to prevent dating violence, domestic violence, sexual assault, and stalking:**

Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels

Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees.

**9. Awareness programs:** Community-wide or audience specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration

**10. Bystander intervention:** Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking

Bystander intervention includes:

- Recognizing situations of potential harm
- Understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene.
- A bystander can notify any official of the school who has the authority to institute corrective measures on behalf of the school about an alleged Title IX violation.

**11. Ongoing prevention and awareness campaigns:** Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution

**12. Primary prevention programs:** Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe direction.

**13. Risk reduction:** Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence

A program consisting of independent review of literature dealing with domestic violence, dating violence, sexual assault, and stalking is made available to students and employees in the Admissions and Financial Aid Office.

Resources for the information presented at orientation and the literature available include, but are not limited to the following:

#### Bystander Intervention

<http://www3.aifs.gov.au/acssa/pubs/issue/i17/issues17.pdf>

[http://www.humanrights.gov.au/sites/default/files/content/sexualharassment/bystander/bystander\\_june2012.pdf](http://www.humanrights.gov.au/sites/default/files/content/sexualharassment/bystander/bystander_june2012.pdf)

<https://www.health.ny.gov/publications/2040.pdf>

[http://www.nsvrc.org/sites/default/files/Publications\\_NSVRC\\_Booklets\\_Engaging-Bystanders-in-Sexual-Violence-Prevention.pdf](http://www.nsvrc.org/sites/default/files/Publications_NSVRC_Booklets_Engaging-Bystanders-in-Sexual-Violence-Prevention.pdf)

#### Sexual Assault

<https://rainn.org/> Rape, Abuse, and Incest National Network

<https://www.rainn.org/get-information/sexual-assault-prevention/campus-safety-sexual-assault>

#### Sexual Violence

<http://pavingtheway.net/> PAVE (Promoting Awareness Victim Empowerment

<http://www.nsvrc.org/> National Sexual Violence Resource Center

[http://www.ncdsv.org/ncd\\_resources.html](http://www.ncdsv.org/ncd_resources.html) National Center for Domestic and Sexual Violence

#### Victims of Crime

<http://www.victimsofcrime.org/home>

#### Healthy Relationships

<http://healthysex.com/> Promoting Healthy Loving Sex, and Intimacy

#### Stalking

<http://www.victimsofcrime.org/our-programs/stalking-resource-center> Stalking Resource Center

#### Domestic Violence

<http://www.womenslaw.org/> Women's Law.org

[http://www.ncdsv.org/ncd\\_resources.html](http://www.ncdsv.org/ncd_resources.html) National Center for Domestic and Sexual Violence

In addition to the program presented at orientation and the literature available, a presentation is offered annually to students and employees by staff from the ALIVE Shelter, a local domestic Violence shelter. Awareness of sexual assault, domestic violence, dating violence, stalking, and available resources is periodically posted within individual bathroom stalls within the building. Information related to the topics of domestic violence, dating violence,

sexual assault, and stalking is also presented as lecture content in the Mental Health portion of N204, Nursing Care of the Patient in Crisis. A Non-violent Crisis Intervention class is offered every year to students and faculty.

Bystanders are the largest group of people involved in violence – they greatly outnumber both the perpetrators and the victims. Bystanders have a range of involvement in assaults. Some know that a specific assault is happening or will happen, some see an assault or potential assault in progress, and some know that assaults do happen. Regardless of how close to the assault they are, bystanders have the power stop assaults from occurring and to get help for people who have been victimized.

We are not advocating that people risk their own safety in order to be an active bystander. Remember, there is a range of actions that are appropriate, depending on the situation. If you or someone else is in immediate danger, calling 911 is the best action a bystander can take.

What can bystanders do to make a difference?

**Believe someone** who discloses a sexual assault, abusive relationship, or experience with stalking or cyberstalking.

**Watch out for your friends and fellow students**– if you see someone who looks like they are in trouble, ask if they are okay. If you see a friend doing something shady, say something.

**Speak up** – if someone says something offensive, derogatory, or abusive, let them know that behavior is wrong and you don't want to be around it. Don't laugh at racist, sexist, homophobic jokes. Challenge your peers to be respectful.

**Silent Stare** - Remember, you don't have to speak to communicate. Sometimes a disapproving look can be far more powerful than words.

**Humor** - Reduces the tension of an intervention and makes it easier for the person to hear you. Do not undermine what you say with too much humor. Funny doesn't mean unimportant.

**Group Intervention** - There is safety and power in numbers. Best used with someone who has a clear pattern of inappropriate behavior where many examples can be presented as evidence of his problem.

**Bring it Home** - Prevents someone from distancing himself from the impact of his actions. Example: "I hope no one ever talks about you like that." Prevents someone from dehumanizing his targets. Example: What if someone said your girlfriend deserved to be raped or called your mother a whore?"

**We're friends, right....?** - Reframes the intervention as caring and non-critical.

Example: “Hey Chad.....as your friend I’ve gotta tell you that getting a girl drunk to have sex with her isn’t cool, and could get you in a lot of trouble. Don’t do it.”

**Distraction** – Create a distraction. Snaps someone out of their “sexist comfort zone.” Example: Ask a man harassing a woman on the street for directions or the time. Allows a potential target to move away and/or to have other friends intervene. Example: Spill your drink on the person or interrupt and start a conversation with the person.

**Step in and separate the two people.** Let them know your concerns and reasons for intervening. Be a friend and let them know you are acting in their best interest. Make sure each person makes it home safely.

**Evaluate the situation and people involved to determine your best move.** You could directly intervene yourself, or alert friends of each person to come in and help. If the person reacts badly, try a different approach.

(Adapted from Men Can Stop Rape, [www.mencanstoprape.org](http://www.mencanstoprape.org), 2006 and William and Mary Sexual Assault Services (2008) and Virginia Tech Stop Abuse (2014)

Warning signs of abuse:

- Wants to move too quickly into the relationship.
- Early in the relationship flatters you constantly, and seems "too good to be true."
- Wants you all to him- or herself; insists that you stop spending time with your friends or family.
- Insists that you stop participating in hobbies or activities, quit school, or quit your job.
- Does not honor your boundaries.
- Is excessively jealous and accuses you of being unfaithful.
- Wants to know where you are all of the time and frequently calls, emails, and texts you throughout the day.
- Criticizes or puts you down; says you are crazy, stupid, and/or fat/unattractive, or that no one else would ever want or love you.
- Takes no responsibility for his or her behavior and blames others.
- Has a history of abusing others.
- Blames the entire failure of previous relationships on his or her former partner; for example, "My ex was totally crazy."
- Takes your money or runs up your credit card debt.

(Adapted from <http://nnedv.org/resources/stats/gethelp/redflagsofabuse.html>)

General Safety tips to reduce your risk of violence or crime:

- Trust your instincts. If a place or situation doesn’t feel right, it probably isn’t.
- Avoid working or studying alone in a building at night.

- Avoid shortcuts and isolated areas when walking after dark.
- Don't walk alone after dark.
- Don't leave personal property lying around unattended.
- Keep your car doors locked.
- Don't leave valuables visible in your car.
- When approaching your vehicle carry your keys so you can enter quickly.
- Always check your rear seat for intruders.
- Keep your vehicle windows up and doors locked when traveling.
- Never attach your name or address to keys.
- Report any suspicious activity or criminal activity.
- Never prop open exterior doors.
- Report any unlocked doors that should be locked or other irregularities.
- Drive on well-traveled and well-lit streets.
- Never hitchhike and never pick up hitchhikers.
- Program emergency numbers in your cell phone for easy access.
- Stay alert to your surroundings.
- Be careful about posting your location on social media.
- Don't remain in a situation in which you feel uncomfortable, threatened, or pressured.
- Do not place yourself in a situation where you are alone with people you do not know well.
- Do not accept an invitation to go alone to the residence, apartment or room of someone you do not know well. Instead, arrange to meet in a public place where there are other people or arrange to be accompanied by friends.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together.
- Watch out for your friends and vice versa. If a friend seems out of it, is way too intoxicated, or is acting out of character, get him or her to a safe place immediately.
- Support your friends; intervene if you see them making decisions that are harmful to themselves or others.
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, get a new one. Don't accept drinks from people you don't know or trust.
- Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason.
- Make up an excuse. If you don't want to hurt a person's feelings, it is better make up a reason to leave than to stay and be victimized. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- If someone tries to enter your stopped vehicle, sound the horn and drive away.
- If your vehicle breaks down, raise the hood and wait in your locked car for help.
- Be aware that an accident may be staged to provide the other driver with an opportunity to commit a criminal act.

- Park in a well-lit location at night. Do not get out of your vehicle if you see anything suspicious.
- If you suspect you are being followed, run in a different direction, go to the other side of the street and yell for help, or head quickly for a lighted area or a group of people.

**(B) POSSIBLE SANCTIONS OR PROTECTIVE MEASURES FOLLOWING A FINAL DETERMINATION OF AN INSTITUTIONAL DISCIPLINARY PROCEDURE REGARDING RAPE, AQUAINTANCE RAPE, DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT OR STALKING.**

When a student has been accused of rape, acquaintance rape, domestic violence, dating violence, or stalking, a hearing will be held based on procedural due process (refer to Title IX Formal/Informal Resolution Policy for Title IX offenses and the Student Grievance/Appeals Process for non-Title IX offenses). Outcome of the hearing will determine sanctions regarding the student. Sanctions are as follows:

1. If the student is found innocent of the incident, all charges will be dismissed without prejudice to the student.
2. If the student is found guilty of said incident, he/she will face sanctions up to and including dismissal from Trinity Health System School of Nursing.

In addition to on-campus disciplinary procedures, students should be aware that prosecution by law enforcement authorities could occur.

Trinity School of Nursing will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the school against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of the crime or offense, the results will be provided to the next of kin of the victim upon written request.

**CRIMINAL CHARGES AND PROSECUTION**

If a victim of sexual assault reports the crime to the police, the police will investigate and make a determination about the case. At that point, the decision can be made about pressing charges. The suspect must be identified, arrested and is usually released on bond. A judge holds a preliminary hearing and determines if there is probable cause for pressing charges. If so, the case goes to the Grand Jury. If the Grand Jury returns an indictment against the suspect, formal charges are made and the case will go to trial. Trial outcome may be a verdict of guilty, not guilty, or hung jury. Sentencing will vary.

**CIVIL SUIT**

A victim can also file civil law suits against the assailant within one year. An attorney must be hired. The standard of proof in a civil suit is determined by a "preponderance of evidence" and is generally considered easier than "beyond a reasonable doubt" for proving wrongdoing. Restitution in the form of a monetary award is the punitive action.

**(C) PROCEDURES VICTIMS SHOULD FOLLOW IF A SEX OFFENSE, DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT OR STALKING HAS OCCURRED INCLUDING THE IMPORTANCE OF PRESERVING EVIDENCE AND TO WHOM ALLEGED OFFENSES SHOULD BE REPORTED.**

Trinity School of Nursing will not tolerate sexual offenses committed on campus sites or any off-campus, school sponsored activity. Victims of such offenses should preserve evidence in support of a criminal offense and report the offense to the local police who will have jurisdiction in the matter and to the security supervisor or officer on duty who will assist the victim in contacting the police if requested. Sexual/gender harassment, sexual assault, domestic or dating violence or stalking should also be reported to the Title IX Coordinator, Amber Marino. Mrs. Marino's office is located in the Trinity Suite of offices, 4000 Sunset Boulevard, Steubenville, Ohio 43952. She can be reached at (740)266-1226. Her email address is [abouyoucas@trinityhealth.com](mailto:abouyoucas@trinityhealth.com). Bob Herceg, Interim Security Supervisor, is the Title IX Deputy Coordinator and he can be reached at (740) 264-5596. If you are unable to reach either Mrs. Marino or Mr. Herceg, report the incident to any school employee. The school will assist in contacting local law enforcement if the victim consents.

In the event of a sex offense domestic violence, dating violence, sexual assault, or stalking has occurred, the complainant can:

1. Call the police or School security and notify Title IX Coordinator.
2. Go to a hospital emergency room if necessary. Refer to interdepartmental policy PE-regarding sexual molestation and assault (rape).
3. Contact counseling services if necessary.

When assisting sexual assault complainants, the choice of action is always the complainants alone. One may provide that person information on how to seek medical attention to receive tests and alleviate fears about sexually transmitted disease and pregnancy, and to collect evidence, which can be used if the victim chooses to prosecute the rapist. The complainant may be counseled not to change clothes, bathe, or douche before a medical examination in order to preserve evidence that may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, or stalking, or in obtaining a protection order, should the complainant choose to take this route. The complainant should preserve evidence, including but not limited to, clothing, bedding, text messages, photographs, screenshots, emails, social media posts, video surveillance, and names of witnesses. The complainant should be informed of available psychiatric services by emergency room personnel and/or School officials.

**(D) OPTIONS TO NOTIFY PROPER LAW ENFORCEMENT AUTHORITIES, INCLUDING ON-CAMPUS AND LOCAL POLICE, AND THE OPTION TO BE ASSISTED BY CAMPUS AUTHORITIES IN NOTIFYING LAW ENFORCEMENT AUTHORITIES IF THE VICTIM SO CHOOSES, OR OPTION TO DECLINE TO NOTIFY SUCH AUTHORITIES.**

Complainants of domestic violence, dating violence, sexual assault, or stalking have several options regarding notification of proper law enforcement authorities. Complainants have the option of contacting School security directly. They can be reached at 740-264-5591 ext. 1695. Complainants can also contact the Steubenville Police Department directly at (740) 283-5353, Jefferson County Sheriff at (740) 283-8600, or can call 911. A complainant, or other person, also has the option of reporting the incident to a School official that can assist them in notifying School security and local law enforcement authorities if the complainant so chooses. Security personnel will respond at the receipt of report from student, employee, or school official. The security personnel will assess the situation and determine if there is a need for other emergency services to be summoned or contacted. Although complainants are encouraged to report incidents of sex offense, domestic violence, dating violence, sexual assault, or stalking to Security personnel and law enforcement officials, they do have the option to decline notification to those authorities.

**(E) THE RIGHTS OF VICTIMS AND THE INSTITUTION'S RESPONSIBILITIES REGARDING ORDERS OF PROTECTION, NO CONTACT ORDERS, RESTRAINING ORDERS, OR SIMILAR LAWFUL ORDERS ISSUED BY A CRIMINAL, CIVIL, OR TRIBAL COURT.**

A no-contact /protective order is a legal order issued by a magistrate or judge, ordering someone to physically stay away from you and/or avoid all contact with you. No-contact orders do not physically prevent anything, they just give police the power to enforce or arrest when an order is violated. Most no-contact orders expire within a certain timeframe. No-contact orders can be contact-preventing orders or can be distance-based (asked to stay 100 yards away at all times). In the event that a protective order is issued between students, Trinity Health System School of Nursing will make all reasonable accommodations to afford both parties access to the school's in both education program or activity.

Trinity School of Nursing does not issue orders of protection. A complainant may be referred to the ALIVE Shelter at (740) 283-3444 or the Sexual Assault Help Center at (304) 234-1783 or the Sexual Assault 24-hour hotline at (304) 234-8519. These agencies have Victim Advocates that can assist a complainant in obtaining a protection order. A complainant may also contact the Steubenville Police Department at (740) 282-5353 to obtain information regarding obtaining a protection order.

Trinity School of Nursing will abide by and enforce an order of protection, no-contact order, restraining order, or similar lawful order issued by a criminal, civil, or tribal court as prescribed by the court.

**(F) PROCEDURES FOR INSTITUTIONAL DISCIPLINARY ACTION IN CASES OF ALLEGED DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT OR STALKING**

When allegations of domestic violence, dating violence, sexual assault, or stalking are made, Trinity School of Nursing will provide a prompt, fair, and impartial investigation and resolution. The proceedings will 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 investigation and hearing process that protects the safety of victims and promotes accountability.

A clear and convincing standard of evidence will be the standard that will be used during any proceeding arising from the report of alleged domestic violence, dating violence, sexual assault, or stalking.

In cases of alleged domestic violence, dating violence, sexual assault, or stalking, the accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. If either party does not have an advisor, the school will provide a non-biased advisor at no cost to the party. Both the accuser and the accused shall be simultaneously informed in writing of the result of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking. They will also be informed of the institution's procedures for the respondent and the complainant to appeal the results of the institutional disciplinary proceeding and of any changes to the results that occurs prior to the time that such results become final and when such results become final.

The procedural due process is outlined in the Title IX Formal/Informal Resolution Policy at the end of this section. The procedural due process for non-Title IX offenses is outlined in Student Grievance/Appeals Process.

**(G) INFORMATION ABOUT HOW THE INSTITUTION WILL PROTECT THE CONFIDENTIALITY OF COMPLAINANTS, INCLUDING HOW PUBLICALLY AVAILABLE RECORDKEEPING WILL BE ACCOMPLISHED WITHOUT THE INCLUSION OF IDENTIFYING INFORMATION ABOUT THE COMPLAINANT, TO THE EXTENT PERMISSIBLE BY LAW.**

Trinity School of Nursing will protect the confidentiality of complainants in the event of an alleged incident of domestic violence, dating violence, sexual assault, or stalking. Any timely warning issued will withhold the names of victims or alleged perpetrators. Crime statistics that are reported annually as part of the Crime Awareness and Campus Security Act or noted in the daily crime log will not identify victims of crimes or persons accused of crimes. Any documentation pertaining to a disciplinary proceeding related to reports of incidents of domestic violence, dating violence, sexual assault, or stalking will remain in a separate file locked in the office of the Dean of the School of Nursing. This documentation will not become part of the student's individual educational record.

**(H) WRITTEN NOTIFICATION OF STUDENTS AND EMPLOYEES ABOUT EXISTING COUNSELING, HEALTH, MENTAL HEALTH, VICTIM ADVOCACY, LEGAL ASSISTANCE, FINANCIAL AID, AND OTHER SERVICES AVAILABLE FOR COMPLAINANTS, BOTH ON CAMPUS AND IN THE COMMUNITY:**

If the victim of sexual assault is treated at a hospital emergency room facility, the hospital personnel will inform the victim of available referral agencies. Trinity School of Nursing also notifies students and employees of existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, financial aid, and other services. Agencies include:

Trinity Health System Emergency Department - (740) 264-8011

Trinity Health System Pastoral Care - (740) 264-8130 or (740) 283-7749

ALIVE Shelter – (740) 283-3444

Sexual Assault Help Center – (304) 234-1783

Family Services Association – (740) 283-4763

Jefferson Behavioral Health System (740) 264-7751

Jefferson Behavioral Health System 24-hour hotline number (740) 264-1627

Jefferson County Prevention and Recovery Board (740) 282-1300

Southeastern Ohio Legal Services (740) 283-4781

Catholic Charities Legal Immigration Services (Canton Office) (330) 297-7250

Trinity School of Nursing Coordinator of Student Affairs (740) 266-1230

Title IX Coordinator (740) 266-1226

**(I) WRITTEN NOTIFICATION OF COMPLAINANTS ABOUT OPTIONS FOR, AND AVAILABLE ASSISTANCE IN, CHANGING ACADEMIC, LIVING, TRANSPORTATION, AND WORKING SITUATIONS IF SO REQUESTED BY THE COMPLAINANT AND IF SUCH ACCOMMODATIONS ARE REASONABLY AVAILABLE, REGARDLESS OF WHETHER THE VICTIM CHOOSES TO REPORT THE CRIME TO CAMPUS POLICE OR LAW ENFORCEMENT.**

A student or employee who reports that the student or employee is a complainant of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off campus, shall be provided with a written explanation of the student or employee's rights and options.

Students will be notified in writing of options for change of academic situations by the Dean of Trinity Health System School of Nursing. These changes will be on an individual basis. . The student may request to be reassigned to another clinical group, clinical site, course specific clinical rotation, or clinical instructor. The student may also request to withdraw from the program and be reinstated the following year. The student may change their seat in class and request reassignment in a group activity or group project.

Protective measures that may be instituted include an escort from School/Hospital Security when walking to and from vehicle. Classroom doors can be locked while classes in session.

If necessary, all entrances to the school can be locked and only authorized individuals permitted to enter the premises. Security can be alerted to provide extra surveillance of School/Hospital properties. Local police will be alerted if threat level warrants.

If a student would like to request a change to academic, transportation, or other situation, or would like to request other protective measures, the student should make a written request to Melissa Hassan, Dean of Trinity Health System School of Nursing. Mrs. Hassan can be reached at her office in the School of Nursing or at (740) 266-1221. Accommodations or protective measures that are requested by a student will be provided if they are reasonably available, regardless of whether the victim chooses to report the crime to School/Hospital Security or local law enforcement. The Dean will make the final decision regarding the requested changes.

Trinity School of Nursing will maintain as confidential any accommodations or protective measures provided to the complainant, to the extent that maintaining such confidentiality would not impair the ability of the school to provide the accommodations or protective measures. The Dean will determine what information about a complainant should be disclosed and to whom the information will be disclosed. Only information that is necessary to provide the accommodations or protective measures in a timely manner will be disclosed. The complainant will be told which information will be shared, with whom it will be shared, and why.

### **Anti-Hazing Policy**

*Hazing is defined by Trinity School of Nursing as doing, requiring, or encouraging any act or behavior regardless of the participant's willingness or reluctance that is associated with initiation into or continued affiliation with any student or other organization/group that causes or creates a substantial risk of physical or mental harm or humiliation to any person.*

**Hazing is a violation of School policy and state law.** Hazing is therefore strictly prohibited on and off campus when involving Trinity School of Nursing students. All alleged hazing incidents will be processed through the School as well as reported to civil authorities. The School will investigate all reported hazing incidents following the same procedure as outlined in the Title IX investigation policy. The School reserves the right to process incidents that occur outside of school property and when classes are not in session. It is a violation of School policy to have knowledge of a hazing incident and fail to report it. All suspected instances of hazing should be reported to a Trinity School of Nursing faculty member. Trinity School of Nursing is committed to reviewing all reports of hazing. Anonymous reports are accepted; however, the School's ability to obtain additional information may be compromised and the ability to investigate anonymous reports may be limited.

The School will maintain a report of all violations of this policy that are reported and result in a charge of violation of this policy. The School will update the report bi-annually on

January 1 and August 1 of each year and will post the updated report on the School's website.

Trinity School of Nursing shall provide annually at least one program on hazing prevention education to all members, prospective members, and anyone who is employed by or volunteers with the organization. The education may be provided in person, electronically, or both. Trinity School of Nursing will maintain a record of individuals who have completed the program.

If hazing occurs and is done on the basis of sex, it will be addressed as both hazing and a Title IX offense as outlined in the Title IX policy.

Violation of this policy will be considered a Group II Code of Conduct violation and Disciplinary action may range from written reprimand to dismissal.

**Ohio Revised Code, section 2903.31 defines hazing as:**

“Hazing means doing any of the following, or pressuring, causing, forcing, soliciting, or coercing any person to do any of the following for the purpose of initiative, admitting, or affiliating an individual into or with a student group or student organization; continuing or enhancing an individual's membership or status in a student group or student organization; or perpetuating or furthering a tradition or ritual of a student group or student organization:

- (a) Engage in any conduct prohibited by federal and/or state and/or municipal criminal law, regardless of whether an arrest is made, or criminal charges are brought;
- (b) Take into their body any food, liquid (including alcohol), drug, or other substance that subjects the person to a substantial risk of mental or physical harm; and/or;
- (c) Cause or create a substantial risk of causing mental or physical harm to another and/or engage in any act or omission that contributes to the death of another.

**Anti-hazing resources:**

<https://hazingprevention.org/>

<https://stophazing.org/>

**Link to Collin's Law:**

<https://ohiohouse.gov/legislation/134/sb126>

**Title IX Policy: Non-Discrimination, Harassment, and Retaliation on the Basis of Sex**

**PURPOSE**

The School of Nursing strives to maintain an environment in which all are treated with courtesy, respect, and dignity. The School of Nursing does not discriminate on the basis of race, color, religion, sex, national origin, age, ancestry, or disability in the admission of

students, employment of individuals, or in activities conducted by the School in accordance with Title IX of the 1972 Education Amendments, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975. The School will not tolerate conduct by any person, which constitutes sexual harassment, including sexual violence of any student/employee. The following person has been designated to handle inquiries regarding non-discrimination policies: Melissa Hassan MSN, RN, Dean of Trinity School of Nursing, 4000 Sunset Blvd., Suite 2631, Steubenville Ohio 43952, 740-266-1221, [mhassan@trinityhealth.com](mailto:mhassan@trinityhealth.com) .

In accordance with Title IX of the Education Amendments of 1972 and the Final Rule update of 2020, Trinity Health System School of Nursing will not tolerate conduct by any person, which constitutes sexual harassment, including sexual violence of any student/employee. For the purpose of this policy, sexual harassment, including acts of sexual violence must be unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Trinity Health System School of Nursing's education program or activity.

## **HARASSMENT**

For the purposes of this policy, harassment is defined as slurs or other verbal or physical conduct relating to an individual's race, color, national origin, veteran status, ancestry, religion, disability, age or sex (including sexual harassment as afore defined in this document) by an employee, student, third party, or vendor.

Acts of harassment can take a variety of forms, ranging from subtle pressure for sexual activity to physical assault or racial or ethnic slurs. Examples of conduct that are defined as harassment include:

- verbal kidding regarding race, sex, age, etc.
- continued or repeated verbal abuse of a sexual nature, including graphic commentaries about a person's body, sexually suggestive objects or pictures in the work area that may offend the person, sexually degrading words to describe the person, or propositions of a sexual nature;
- unwelcome physical contact, such as patting, pinching, touching, or frequent brushing against another person's body;
- threats or insinuations that the person's status or conditions may be adversely affected by not submitting to sexual advances.

In accordance with the U.S. Department of Education's Dear Colleague Letter (April 4, 2011); sexual violence is defined as physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to a complainant's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability. A number of acts fall into the category of sexual violence, including rape, sexual

assault, sexual battery, and sexual coercion. All such acts of sexual violence are forms of sexual harassment.

## **WHAT IS TITLE IX?**

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.”

Title IX is a federal law that prohibits discrimination based on sex in educational programs or activities that receive federal financial assistance. All forms of sexual or gender-based harassment, including but not limited to, dating and domestic violence, stalking, and sexual assault are violations of Title IX. Title IX protects individuals of all genders and sexual orientations and applies to students, faculty, staff members, and other participants in educational programs and activities.

The U.S. Department of Education’s Title IX regulations recognize that sexual harassment, including sexual assault, is unlawful sex discrimination. The Final Rule requires a prompt response to reports of sexual harassment. The Final Rule improves the clarity and transparency of the requirements for how schools must respond to sexual harassment under Title IX so that every complainant receives appropriate support, respondents are treated as responsible only after receiving due process and fundamental fairness, and school officials serve impartially without bias for or against any party.

For the purpose of this policy, the following definitions apply:

- “Education program or activity” includes locations, events, or circumstances over which the institution exercised substantial control over the accused student and the context in which the harassment occurs, as well as any buildings owned or controlled by an officially recognized student organization.
- “Deliberate indifference” is defined as a response to sexual harassment that is clearly unreasonable in light of the known circumstances.
- “Actual knowledge” occurs only if a school official with the authority to institute corrective measures receives notice of sexual harassment.
- “Complainant” means an individual who is alleged to be the victim of conduct that could constitute harassment or discrimination on the basis of sex; or retaliation for engaging in a protected activity.
- “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination on the basis of sex; or retaliation for engaging in a protected activity.

- “Formal Complaint” is defined as a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation of sexual harassment.
- “Supportive Measures” is defined as individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment.

## **TITLE IX DEFINITION OF SEXUAL HARASSMENT**

The Title IX Definition of sexual harassment covers three categories of conduct:

- Quid pro quo sexual harassment by employees;
- Sexual assault, dating violence, domestic violence, and stalking, as defined by the Clery Act and VAMA:
- Any other “unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it denies a person access to the recipient’s education program or activity.”

### **Title IX Contact Information**

Trinity Health System School of Nursing encourages those who have experienced any form of sex discrimination to report the incident promptly and to seek all available assistance. The school takes complaints very seriously and will work with the complainant and respondent to ensure their safety and to remedy the situation.

The Title IX Coordinator oversees implementation of the Title IX Policy on Non-Discrimination, Harassment, and Retaliation on the Basis of Sex. Other responsibilities include coordinating efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this policy.

The following person has been designated to handle inquiries regarding the Title IX Policy:

**Amber Marino, MSN, RN, Title IX Coordinator**

Trinity Health System School of Nursing  
 4000 Sunset Boulevard Suite 2631-I  
 Steubenville, OH 43953  
 Phone: 740-266-1226  
 Email: [abouyoucas@trinityhealth.com](mailto:abouyoucas@trinityhealth.com)

Trinity Health System School of Nursing has classified all employees as Mandated Reporters or Campus Security Authorities (CSAs) as per the Clery Act of any knowledge

they have that a member of the school community is experiencing harassment, discrimination, and/or retaliation under this policy. Mandated Reporters must promptly share with the Title IX Coordinator all know details of a report made to them in the course of their employment.

Complainants may want to carefully consider whether they share personally identifiable details with the Mandated Reporters, as those details must be shared with the Title IX Coordinator.

The Clery Act defines these Campus Security Authorities individuals as “an official of an institution who has significant responsibility for student and campus activities, including but not limited to student discipline and campus judicial proceedings. An official is defined as a person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.”

Copies of this policy are given to students at Orientation and are accessible in the Student Handbook.

## **CONFIDENTIAL RESOURCES**

If a Complainant would like the details of a sexual harassment incident to be kept confidential without automatically triggering a report to the Title IX office and coordinator at the Trinity Health System School of Nursing, the Complainant may speak with:

- Off-campus Counselor (non-employees)
- Licensed professional counselors and other medical providers
- Local rape crisis counselors
- Domestic Violence resources
- Clergy/Chaplains

## **SUPPORTIVE MEASURES**

Trinity Health System School of Nursing will offer and implement appropriate and reasonable supportive measures to all parties upon notice of alleged harassment, discrimination, and /or retaliation. Supportive measures are individualized services to restore or preserve equal access to education, protect student and employee safety, or deter sexual harassment. Every situation is unique, and individuals react to sexual harassment differently. The Final Rule gives complainants control over the school-level response best meeting their needs. It respects complainants’ wishes and autonomy by giving them the clear choice to file a formal complaint, separate from the right to supportive measures. The Title IX Coordinator will promptly contact the complainant confidentially to discuss the available supportive measures, consider the complainant’s wishes with respect to supportive

measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and will explain to the complainant the process for filing a formal complaint. These supportive services are without fee or charge. Examples of some community-based supportive measures are listed previously in this section.

## **HOW TO REPORT/FILE A COMPLAINT**

Reporting and providing notice are different from filing a complaint. A report is defined as notification of an incident of sexual misconduct to the Title IX Coordinator/designee by any responsible employee or reporting person. Filing a complaint initiates the formal resolution process.

Notice or complaints of discrimination, harassment, and/or retaliation may be made by contacting the Title IX Coordinator. Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator.

## **PROMPTNESS**

All allegations are acted upon promptly by Trinity School of Nursing once it has received notice or a formal complaint. Complaints can take 60-90 business days to resolve, typically. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but the School will avoid all undue delays within its control.

## **JURISDICTION**

This policy applies to the educational programs and activities of Trinity School of Nursing, to conduct that takes place on the campus or on property owned or controlled by Trinity, or at School-sponsored events. The Respondent must be a member of the School's community for its policies to apply. Trinity School of Nursing may also extend jurisdiction to off-campus and/or to online conduct when the Title IX Coordinator determines that the conduct affects a substantial School interest.

## **RETALIATION**

It is prohibited for Trinity School of Nursing or any member of the School's community to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

The exercise of rights protected under the First Amendment does not constitute retaliation.

Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated. Trinity School of Nursing is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation.

### **BURDEN OF PROOF**

Burden of proof refers to whom has the responsibility of showing a violation has occurred. It is always the responsibility of the Trinity School of Nursing to satisfy the burden of proof. The respondent does not have the burden to prove that a violation did not occur.

### **STANDARD OF PROOF**

The School uses the clear and convincing standard of the evidence standard in investigations of complaints alleging violations of this policy and any related violations. This means that the evidence is highly and substantially more likely to be true than untrue.

### **RESOLUTION FOLLOWING NOTICE AND/OR FILING OF FORMAL COMPLAINT**

More in-depth information related to this process can be found directly following this policy in the policy titled “Resolution Process for Alleged Title IX Violations”

Following receipt of notice or a complaint of an alleged violation of this Policy, the Title IX Coordinator engages in an initial assessment, which is typically one to five business days in duration.

The parties may each have an Advisor of their choice present with them for all meetings and interviews within the resolution process, if they so choose. The parties may select whomever they wish to serve as their Advisor as long as the Advisor is eligible and available.

Trinity School of Nursing will initiate at least one of three responses:

1. Offering supportive measures because the Complainant does not want to proceed formally;
2. An informal resolution; or
3. A Formal Grievance Process including an investigation and a hearing.

• If an informal resolution option is preferred, the Title IX Coordinator assesses whether the complaint is suitable for informal resolution and may seek to determine if the Respondent is also willing to engage in informal resolution.

Informal Resolution can include three different approaches:

- 1) When the parties agree to resolve the matter through an alternate resolution mechanism;
- 2) When the Respondent accepts responsibility for violating policy, and desires to

- accept a sanction and end the resolution process; or
- 3) When the Title IX Coordinator can resolve the matter informally by providing supportive measures to remedy the situation.

- If a Formal Grievance Process is preferred, the Title IX Coordinator determines if the alleged misconduct falls within the scope of Title IX. If it does, the Title IX Coordinator will initiate the formal investigation and grievance process, directing the investigation to address an incident, and/or a pattern of alleged misconduct, and/or a culture/climate issue, based on the nature of the complaint.

This process will include:

- 1) A notification of investigation and allegations to all parties.
- 2) Appointment of trained investigators.
- 3) Appointment of Decision Maker(s).
- 4) Interviewing of Complainant, Respondent and all relevant witnesses.
- 5) Creation of final investigative report.
- 6) Referral for hearing where applicable.
- 7) Live recorded hearing with cross examination of all parties.
- 8) Appointment of Appeals Officer.
- 9) Appeal.

The investigation and grievance process will determine whether the Policy has been violated. If so, the School will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to harassment or discrimination, their potential recurrence, or their effects.

If it does not, the Title IX Coordinator determines that Title IX does not apply and will “dismiss” that aspect of the complaint and assesses which policies may apply. Dismissing a complaint under Title IX is procedural and does not limit the School’s authority to address a complaint with the appropriate process and remedies.

Trinity School of Nursing must dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

1. The conduct alleged in the formal complaint would not constitute sexual harassment as defined in the Policy hereinabove, even if proved; and/or
2. The conduct did not occur in an educational program or activity controlled by the School (including buildings or property controlled by recognized student organizations), and/or the School does not have control of the Respondent; and/or
3. The conduct did not occur against a person in the United States; and/or
4. At the time of filing a formal complaint, a Complainant is not participating in or attempting to participate in the education program or activity of the School.

## **SANCTIONING**

Upon a finding that a violation has occurred, the School has the authority to impose sanctions upon the respondent. The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

The sanctions described in this policy are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed by external authorities.

Student sanctions may include, but are not limited to:

- Warning
- Required Counseling
- Probation
- Suspension
- Expulsion
- Organizational Sanctions
- Other Actions

Employee sanctions may include can range from verbal/written warning to termination and will be determined by and follow Trinity Medical Center Human Resource Policies.

## **APPEALS**

All requests for appeal consideration must be submitted in writing to the Title IX Coordinator within 5 business days of the delivery of the written finding of the Decision-maker. Any party may appeal the findings only under the grounds described below.

An Appeal Decision-maker will be designated by the Title IX Coordinator. Any party may appeal, but appeals are limited to the following grounds:

- A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, failure to correctly apply the evidentiary standard).
- To consider new evidence, unknown or unavailable during the investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included.
- The sanctions-imposed fall outside the range of sanctions the Recipient has designated for this offense and the cumulative record of the Respondent.

## **RECORD KEEPING**

Trinity School of Nursing will maintain for a period of seven years, records of:

1. Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under federal regulation;
2. Any disciplinary sanctions imposed on the Respondent;
3. Any remedies provided to the Complainant designed to restore or preserve equal access to the School's education program or activity;
4. Any appeal and the result therefrom;
5. Any Informal Resolution and the result therefrom;
6. All materials used to train Title IX Coordinators, Investigators, Decision-makers, and any person who facilitates an Informal Resolution process. Trinity School of Nursing will make these materials available on the school website, and
7. Any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment, including:
  1. The basis for all conclusions that the response was not deliberately indifferent;
  2. Any measures designed to restore or preserve equal access to the School's education program or activity; and
  3. If no supportive measures were provided to the Complainant, document the reasons why such a response was not clearly unreasonable in light of the known circumstances.

Trinity School of Nursing will also maintain any and all records in accordance with state and federal laws.

## **RESOLUTION PROCESS FOR ALLEGED TITLE IX VIOLATIONS**

### **1. Overview**

Trinity School of Nursing will act on any formal or informal notice/complaint of violation of the policy on Equal Opportunity, Harassment, and Nondiscrimination that is received by the Title IX Coordinator or any other Official with Authority by applying these procedures.

The procedures below apply only to qualifying allegations of sexual harassment (including sexual assault, dating violence, domestic violence, and stalking, as defined below) involving students, staff, administrators and faculty members.

### **2. Notice/Complaint**

Upon receipt of a complaint or notice to the Title IX Coordinator of an alleged violation of the Policy, the School will begin a prompt, initial assessment to determine the next steps needing to be taken by the School.

The School will initiate at least one of three responses:

1. Offering supportive measures because the Complainant does not want to proceed formally; and/or
2. An informal resolution; and/or
3. A Formal Grievance Process including an investigation and a hearing.

The investigation and grievance process will determine whether the Policy has been violated. If so, the School will promptly implement effective remedies designed to ensure that it is not deliberately indifferent to harassment or discrimination, their potential recurrence, or their effects.

### **3. Initial Assessment**

Following receipt of notice or a complaint of an alleged violation of this Policy, the Title IX Coordinator will engage in an initial assessment, which is typically one to five business days in duration. The steps in an initial assessment can include:

- If notice is given, the Title IX Coordinator seeks to determine if the person impacted wishes to make a formal complaint, and will assist them to do so, if desired.

If they do not wish to do so, the Title IX Coordinator will determine whether to initiate a complaint because a violence risk assessment indicates a compelling threat to health and/or safety.

- If a formal complaint is received, the Title IX Coordinator will assess its sufficiency and will work with the Complainant to make sure it is correctly completed.
- The Title IX Coordinator will reach out to the Complainant to offer supportive measures.
- The Title IX Coordinator will work with the Complainant to ensure they are aware of their right to have an Advisor.
- The Title IX Coordinator will work with the Complainant to determine whether the Complainant prefers a supportive and remedial response, an informal resolution option, or a formal investigation and grievance process.
- If a supportive and remedial response is preferred, the Title IX Coordinator will work with the Complainant to identify their wishes and then seek to facilitate implementation. No Formal Grievance Process is initiated, though the Complainant can elect to initiate one later, if desired.

- If an informal resolution option is preferred, the Title IX Coordinator will assess whether the complaint is suitable for informal resolution and may seek to determine if the Respondent is also willing to engage in informal resolution.
- If a Formal Grievance Process is preferred, the Title IX Coordinator will determine if the misconduct alleged falls within the scope of Title IX:
- If it does, the Title IX Coordinator will initiate the formal investigation and grievance process, directing the investigation to address:
- Risk Assessment
  - an incident, and/or
  - a pattern of alleged misconduct, and/or
  - a culture/climate issue, based on the nature of the complaint.
- If it does not, the Title IX Coordinator will determine that Title IX does not apply (and will “dismiss” that aspect of the complaint, if any) and will assess which policies may apply. Please note that dismissing a complaint under Title IX is just procedural and does not limit the School’s authority to address a complaint with an appropriate process and remedies.

#### **A) Risk Assessment**

In some cases, the Title IX Coordinator may determine that a risk assessment should be conducted by the Dean or the Director of Student Affairs.

A risk assessment can aid in ten critical and/or required determinations, including:

- Emergency removal of a Respondent on the basis of immediate threat to physical health/safety;
- Whether the Title IX Coordinator should pursue/sign a formal complaint absent a willing/able Complainant;
- Whether to put the investigation on the footing of incident and/or pattern and/or climate;
- To help identify potential predatory conduct;
- To help assess/identify grooming behaviors;
- Whether it is reasonable to try to resolve a complaint through informal resolution, and what modality may be most successful;
- Whether to permit a voluntary withdrawal by the Respondent;
- Assessment of appropriate sanctions/remedies (to be applied post-hearing), and/or
- Whether a Clery Act Timely Warning/Trespass order/Persona-non-grata is needed.

Risk assessment is the process of evaluating the actionability of aggressive or violent behavior by an individual against another person or group following the issuance of a direct or conditional threat. It is used to assess any potential violence or danger, regardless of the presence of a vague, conditional, or direct threat. A risk assessment authorized by the Title IX Coordinator should occur in collaboration with the Dean or Director of Student Affairs. Where a risk assessment is required by the Title IX Coordinator, a Respondent refusing to

cooperate may result in a charge of failure to comply within the appropriate student or employee conduct process.

#### **B) Dismissal (Mandatory or Discretionary)**

Trinity School of Nursing must dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

1. The conduct alleged in the formal complaint would not constitute sexual harassment as defined in the Policy hereinabove, even if proved; and/or
2. The conduct did not occur in an educational program or activity controlled by Trinity School of Nursing (including buildings or property controlled by recognized student organizations), and/or the School does not have control of the Respondent; and/or
3. The conduct did not occur against a person in the United States; and/or
4. At the time of filing a formal complaint, a complainant is not participating in or attempting to participate in the education program or an activity of Trinity School of Nursing.

The School may dismiss a formal complaint or any allegations therein if, at any time during the investigation or hearing:

1. A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; or
2. The Respondent is no longer enrolled in or employed by the School; or
3. Specific circumstances prevent the School from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. Upon any dismissal, the School will promptly send written notice of the dismissal and the rationale for doing so simultaneously to all parties. This dismissal decision is appealable by any party under the procedures for appeal.

#### **4. Counterclaims**

Trinity School of Nursing is obligated to ensure that the grievance process is not abused for retaliatory purposes. The School permits the filing of counterclaims but uses an initial assessment, described above, to assess whether the allegations in the counterclaim are made in good faith. Counterclaims determined to have been reported in good faith will be processed using the grievance procedures below. Investigation of such claims may take place after resolution of the underlying initial allegation, in which case a delay may occur. Counterclaims may also be resolved through the same investigation as the underlying allegation, at the discretion of the Title IX Coordinator. When counterclaims are not made in good faith, they will be considered retaliatory and may constitute a violation of this policy.

#### **5. Right to an Advisor**

The parties may each have an Advisor of their choice present with them for all meetings and interviews within the resolution process, if they so choose. The parties may select whoever

they wish to serve as their Advisor if the Advisor is eligible and available. Parties are advised to keep in mind potential conflicts of interest when selecting an Advisor.

The School may permit parties to have more than one Advisor upon special request to the Title IX Coordinator. The decision to grant this request is at the sole discretion of the Title IX Coordinator and will be granted equitably to all parties.

**a) Who Can Serve as an Advisor**

The Advisor may be a friend, mentor, family member, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. The parties may choose Advisors from inside or outside of the School community.

The Title IX Coordinator will also offer to assign a trained Advisor for any party if the party so chooses. If the parties choose an Advisor from the pool available from Trinity School of Nursing, the Advisor will be trained by the School and be familiar with Trinity School of Nursing's resolution process.

**b) Advisors in Hearings/Trinity School of Nursing-Appointed Advisor**

Under U.S. Department of Education regulations applicable to Title IX, cross-examination is required during the hearing, but must be conducted by the parties' Advisors. The parties are not permitted to directly cross-examine each other or any witnesses. If a party does not have an Advisor for a hearing, Trinity School of Nursing will appoint a trained Advisor for the limited purpose of conducting any cross-examination.

A party may reject this appointment and choose their own Advisor, but they may not proceed without an Advisor. If the party's Advisor will not conduct cross-examination, Trinity School of Nursing will appoint an Advisor who will do so thoroughly, regardless of the participation or non-participation of the advised party in the hearing itself. Extensive questioning of the parties and witnesses will also be conducted by the Decision-maker(s) during the hearing.

**c) Advisor's Role**

The parties may be accompanied by their Advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help the parties prepare for each meeting and are expected to advise ethically, with integrity, and in good faith.

The School cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not or cannot afford an attorney, the School is not obligated to provide an attorney.

**d) Pre-Interview Meetings**

Advisors may request to meet with the administrative officials conducting interviews/meetings in advance of these interviews or meetings. This pre-meeting allows Advisors to clarify and understand their role and the School's policies and procedures.

**e) Advisor Violations of Trinity School of Nursing Policy**

All Advisors are subject to the same Trinity School of Nursing policies and procedures, whether they are attorneys or not. Advisors are expected to advise their advisees without disrupting proceedings. Advisors should not address School officials in a meeting or interview unless invited to (e.g., asking procedural questions). The Advisor may not make a presentation or represent their advisee during any meeting or proceeding and may not speak on behalf of the advisee to the Investigator(s) or other Decision-maker(s) except during a hearing proceeding, during cross-examination.

The parties are expected to ask and respond to questions on their own behalf throughout the investigation phase of the resolution process. Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any resolution process meeting or interview. For longer or more involved discussions, the parties and their Advisors should ask for breaks to allow for private consultation.

Any Advisor who oversteps their role as defined by this policy will be warned only once. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting will be ended, or other appropriate measures implemented. Subsequently, the Title IX Coordinator will determine how to address the Advisor's noncompliance and future role.

**f) Sharing Information with the Advisor**

The School expects that the parties may wish to share documentation and evidence with their Advisors related to the allegations. Parties may share this information directly with their Advisor or other individuals if they wish. Doing so may help the parties participate more meaningfully in the resolution process.

**g) Privacy of Records**

Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by the School. The School may seek to restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by the School's privacy expectations.

#### **h) Expectations of an Advisor**

The School generally expects an Advisor to adjust their schedule to allow them to attend School meetings when planned but may change scheduled meetings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay. Trinity School of Nursing may also make reasonable provisions to allow an Advisor who cannot attend in person to attend a meeting by telephone, video conferencing, or other similar technologies as may be convenient and available.

#### **i) Expectations of the Parties with Respect to Advisors**

A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout. The parties are expected to provide timely notice to the Title IX Coordinator if they change Advisors at any time.

The parties are also expected to inform the Investigator(s) of the identity of their Advisor at least two (2) business days before the date of their first meeting with Investigators (or as soon as possible if a more expeditious meeting is necessary or desired).

### **6. Resolution Processes**

Resolution proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accordance with Trinity School of Nursing policy. While there is an expectation of privacy around what Investigators share with parties during interviews, the parties have discretion to share their own knowledge and evidence with others if they so choose.

Trinity School of Nursing encourages parties to discuss this with their Advisors before doing so.

#### **a) Informal Resolution**

An Informal Resolution can include three different approaches:

- When the parties agree to resolve the matter through an alternate resolution mechanism;
- When the Respondent accepts responsibility for violating policy, and desires to accept a sanction and end the resolution process; or
- When the Title IX Coordinator can resolve the matter informally by providing supportive measures to remedy the situation.

To initiate Informal Resolution, a Complainant needs to submit a formal complaint, as defined above. If a Respondent wishes to initiate Informal Resolution, they should contact the Title IX Coordinator.

It is not necessary to pursue Informal Resolution first in order to pursue a Formal Grievance Process, and any party participating in Informal Resolution can stop the process at any time and begin or resume the Formal Grievance Process.

Prior to implementing Informal Resolution, The School will provide the parties with written notice of the reported misconduct and any sanctions or measures that may result from participating in such a process, including information regarding any records that will be maintained or shared by Trinity School of Nursing.

The School will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the parties to participate in Informal Resolution.

#### **b) Respondent Accepts Responsibility for Alleged Violations**

The Respondent may accept responsibility for all or part of the alleged policy violations at any point during the resolution process. If the Respondent indicates an intent to accept responsibility for all the alleged misconduct, the formal process will be paused, and the Title IX Coordinator will determine whether Informal Resolution can be used according to the criteria in that section above.

If Informal Resolution is applicable, the Title IX Coordinator will determine whether all parties and the School are able to agree on responsibility, sanctions, and/or remedies. If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of the School policy and implements agreed-upon sanctions and/or remedies, in coordination with other appropriate administrator(s), as necessary.

This result is not subject to appeal once all parties indicate their written assent to all agreed upon terms of resolution. When the parties cannot agree on all terms of resolution, the Formal Grievance Process will resume at the same point where it was paused.

When a resolution is accomplished, the appropriate sanction or responsive actions are promptly implemented in order to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

#### **7. Team Member Training**

In the event that a formal complaint is filed, and the complaint is found to be a Title IX policy violation, a hearing will be carried out. The hearing will consist of many roles, including the Title IX Coordinator, People with the authority to make change, Investigators, Decision Makers (Adjudicators), and Appeals Officers. The roles will be assigned by the Title IX Coordinator on a case by case basis. These team members receive annual training based on their respective roles. The training includes, but is not limited to:

- The scope of Trinity Health System School of Nursing’s Policy and Procedures
- How to conduct investigations and hearings that protect the safety of Complainants and Respondents, and promote accountability
- Reporting, confidentiality, and privacy requirements
- Applicable laws, regulations, and federal regulatory guidance
- How to implement appropriate and situation-specific remedies
- How to investigate in a thorough, reliable, and impartial manner
- How to uphold fairness, equity, and due process
- How to weigh evidence
- How to conduct questioning
- How to assess credibility
- Impartiality and objectivity
- How to render findings and generate clear, concise, evidence-based rationales
- The definitions of all offenses
- How to apply definitions used by Trinity School of Nursing with respect to consent (or the absence or negation of consent) consistently, impartially, and in accordance with policy
- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes
- How to serve impartially by avoiding prejudgment of the facts at issue, conflicts of interest, and bias
- Any technology to be used at a live hearing
- Issues of relevance of questions and evidence
- Issues of relevance to create an investigation report that fairly summarizes relevant evidence
- How to determine appropriate sanctions in reference to all forms of harassment, discrimination, and/or retaliation allegations

## **8. Formal Grievance Process: Notice of Investigation and Allegations**

The Title IX Coordinator will provide written notice of the investigation and allegations (the “NOIA”) to the Respondent upon commencement of the Formal Grievance Process. This facilitates the Respondent’s ability to prepare for the interview and to identify and choose an Advisor to accompany them. The NOIA is also copied to the Complainant, who is to be given advance notice of when the NOIA will be delivered to the Respondent.

The NOIA will include:

- A meaningful summary of all of allegations,
- The identity of the involved parties (if known),
- The precise misconduct being alleged,
- The date and location of the alleged incident(s) (if known),
- The specific policies implicated,
- A description of the applicable procedures,
- A statement of the potential sanctions/responsive actions that could result,

- A statement that Trinity School of Nursing presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination,
- A statement that determinations of responsibility are made at the conclusion of the process and that the parties will be given an opportunity to inspect and review all directly related and/or relevant evidence obtained during the review and comment period,
- A statement about Trinity School of Nursing's policy on retaliation,
- Information about the privacy of the process,
- Information on the need for each party to have an Advisor of their choosing and suggestions for ways to identify an Advisor,
- A statement informing the parties that Trinity School of Nursing Policy prohibits knowingly making false statements, including knowingly submitting false information during the resolution process,
- Detail on how the party may request disability accommodations during the interview process,
- The name(s) of the Investigator(s), along with a process to identify, in advance of the interview process, to the Title IX Coordinator any conflict of interest that the Investigator(s) may have, and
- An instruction to preserve any evidence that is directly related to the allegations.

Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various charges.

Notice will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the parties as indicated in official Trinity School of Nursing records, or emailed to the parties' Trinity School of Nursing-issued email or designated accounts. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered. The parties will always be sent any notice simultaneously.

## **9. Resolution Timeline**

Trinity School of Nursing will make a good faith effort to complete the resolution process within a sixty-to-ninety (60-90) business day time period, including appeal, which can be extended as necessary for appropriate cause by the Title IX Coordinator, who will provide notice and rationale for any extensions or delays to the parties as appropriate, as well as an estimate of how much additional time will be needed to complete the process.

## **10. Appointment of Investigators**

Once the decision to commence a formal investigation is made, the Title IX Coordinator appoints team members to conduct the investigation usually within two (2) business days of determining that an investigation should proceed.

## **11. Ensuring Impartiality**

Any individual materially involved in the administration of the resolution process may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Title IX Coordinator will vet the assigned Investigator(s) to ensure impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. The parties may, at any time during the resolution process, raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with the Dean of Trinity Health System School of Nursing.

The Formal Grievance Process involves an objective evaluation of all relevant evidence obtained, including evidence which supports that the Respondent engaged in a policy violation and evidence which supports that the Respondent did not engage in a policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.

Trinity School of Nursing operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof.

## **12. Investigation Timeline**

Investigations are completed expeditiously, normally within thirty (30) business days, though some investigations may take weeks or even months, depending on the nature, extent, and complexity of the allegations, availability of witnesses, police involvement, etc. Trinity School of Nursing will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation.

## **13. Delays in the Investigation Process and Interactions with Law Enforcement**

Trinity School of Nursing may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include but are not limited to: a request from law enforcement to temporarily delay the investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions.

The School will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates if necessary. Trinity School of Nursing will promptly resume its investigation and resolution process as soon as feasible. During such a delay, the School will implement supportive measures as deemed appropriate.

Trinity School of Nursing's action(s) are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

#### **14. Steps in the Investigation Process**

All investigations are thorough, reliable, impartial, prompt, and fair. Investigations involve interviews with all relevant parties and witnesses; obtaining available, relevant evidence; and identifying sources of expert information, as necessary.

All parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence and expert witnesses, and to fully review and respond to all evidence on the record.

The Investigator(s) typically take(s) the following steps, if not already completed (not necessarily in this order):

- Determine the identity and contact information of the Complainant
- In coordination with campus partners (e.g., the Title IX Coordinator), initiate or assist with any necessary supportive measures
- Identify all policies implicated by the alleged misconduct and notify the Complainant and Respondent of all of the specific policies implicated
- Assist the Title IX Coordinator with conducting a prompt initial assessment to determine if the allegations indicate a potential policy violation
- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all witnesses and the parties
- Meet with the Complainant to finalize their interview/statement, if necessary
- Prepare the initial Notice of Investigation and Allegation (NOIA). The NOIA may be amended with any additional or dismissed allegations
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes (or transcript) of the relevant evidence/testimony from their respective interviews and meetings
- Make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance when possible
- When participation of a party is expected, provide that party with written notice of the date, time, and location of the meeting, as well as the expected participants and purpose
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of the other party and witnesses, and document in the report which questions were asked, with a rationale for any changes or omissions.
- Complete the investigation promptly and without unreasonable deviation from the intended timeline

- Provide regular status updates to the parties throughout the investigation
  - Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) with a list of witnesses whose information will be used to render a finding
  - Write a comprehensive investigation report fully summarizing the investigation, all witness interviews, and addressing all relevant evidence. Appendices including relevant physical or documentary evidence will be included
  - Prior to the conclusion of the investigation, provide the parties and their respective Advisors (if so desired by the parties) a secured electronic or hard copy of the draft investigation report as well as an opportunity to inspect and review all of the evidence obtained as part of the investigation that is directly related to the reported misconduct, including evidence upon which Trinity School of Nursing does not intend to rely in reaching a determination, for a ten (10) business day review and comment period so that each party may meaningfully respond to the evidence. The parties may elect to waive the full ten days.
  - The Investigator(s) may elect to respond in writing in the investigation report to the parties' submitted responses and/or to share the responses between the parties for additional responses
  - The Investigator(s) will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report. The Investigator(s) should document all rationales for any changes made after the review and comment period
  - The Investigator(s) shares the report with the Title IX Coordinator for their review and feedback
- The Investigator will incorporate any relevant feedback, and the final report is then shared with all parties and their Advisors through secure electronic transmission or hard copy at least ten (10) business days prior to a hearing. The parties are also provided with a file of any directly related evidence that was not included in the report

## **15. Role and Participation of Witnesses in the Investigation**

Witnesses (as distinguished from the parties) who are employees of Trinity School of Nursing are expected to cooperate with and participate in the School's investigation and resolution process. Failure of such witnesses to cooperate with and/or participate in the investigation or resolution process constitutes a violation of policy and may warrant discipline.

While in-person interviews for parties and all potential witnesses are ideal, circumstances may require individuals to be interviewed remotely. Skype, Zoom, FaceTime, WebEx, or similar technologies may be used for interviews if the Investigator(s) determine that timeliness or efficiency dictate a need for remote interviewing. Trinity School of Nursing will take appropriate steps to reasonably ensure the security/privacy of remote interviews.

Witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigator(s), though not preferred. If a witness submits a written statement but does not intend to be and is not present for cross examination at a hearing, their written statement may not be used as evidence.

#### **16. Recording of Interviews**

No unauthorized audio or video recording of any kind is permitted during investigation meetings. If Investigator(s) elect to audio and/or video record interviews, all involved parties must be made aware of and consent to audio and/or video recording.

#### **17. Evidentiary Considerations in the Investigation**

The investigation does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

#### **18. Referral for Hearing**

Provided that the complaint is not resolved through Informal Resolution, once the final investigation report is shared with the parties, the Title IX Coordinator will refer the matter for a hearing.

The hearing cannot be less than ten (10) business days from the conclusion of the investigation – when the final investigation report is transmitted to the parties and the Decision-maker—unless all parties and the Decision-maker agree to an expedited timeline.

#### **19. Hearing Decision-maker Composition**

Trinity School of Nursing will outsource the role of Decision-maker to qualified organizations or individuals in the event that an adjudicator without bias is unable to be fulfilled from the team members. The single Decision-maker will Chair the hearing.

The Decision-maker(s) will not have had any previous involvement with the investigation.

The Title IX Coordinator may not serve as a Decision-maker or Decision-maker in the matter but may serve as an administrative facilitator of the hearing if their previous role(s) in the matter do not create a conflict of interest. Otherwise, a designee may fulfill this role. The hearing will convene at a time determined by the Title IX Coordinator.

## **20. Evidentiary Considerations in the Hearing**

Any evidence that the Decision-maker(s) determine(s) is relevant and credible may be considered. The hearing does not consider: 1) incidents not directly related to the possible violation, unless they evidence a pattern; 2) the character of the parties; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Previous disciplinary action of any kind involving the Respondent may be considered in determining an appropriate sanction upon a determination of responsibility. This information is only considered at the sanction stage of the process.

The parties may each submit a written impact statement prior to the hearing for the consideration of the Decision-maker(s) at the sanction stage of the process when a determination of responsibility is reached.

After post-hearing deliberation, the Decision-maker renders a determination based on the clear and convincing standard of the evidence; whether the evidence suggests the complaint is highly and substantially more likely to be true than untrue.

## **21. Notice of Hearing**

No less than ten (10) business days prior to the hearing, the Title IX Coordinator will send notice of the hearing to the parties. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The notice will contain:

- A description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures, and a statement of the potential sanctions/responsive actions that could result.
- The time, date, and location of the hearing and a reminder that attendance is mandatory, superseding all other campus activities.
- Any technology that will be used to facilitate the hearing.
- Information about the option for the live hearing to occur with the parties located in separate rooms using technology that enables the Decision-maker(s) and parties to see and hear a party or witness answering questions. Such a request must be raised with the Title IX Coordinator at least five (5) business days prior to the hearing.
- A list of all those who will attend the hearing, along with an invitation to object to any Decision-maker on the basis of demonstrated bias. This must be raised with the Title IX Coordinator at least two (2) business days prior to the hearing.

- Information on how the hearing will be recorded and on access to the recording for the parties after the hearing.
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence, and the party's or witness's testimony and any statements given prior to the hearing will not be considered by the Decision-maker(s). For compelling reasons, the Decision-maker may reschedule the hearing.
- Notification that the parties may have the assistance of an Advisor of their choosing at the hearing and will be required to have one present for any questions they may desire to ask. The party must notify the Title IX Coordinator if they do not have an Advisor, Trinity School of Nursing will appoint one. Each party must have an Advisor present. There are no exceptions.
- A copy of all the materials provided to the Decision-maker(s) about the matter, unless they have been provided already.
- An invitation to each party to submit to the Decision-maker an impact statement prehearing that the Decision-maker will review during any sanction determination.
- An invitation to contact the Title IX Coordinator to arrange any disability accommodations, language assistance, and/or interpretation services that may be needed at the hearing, at least seven (7) business days prior to the hearing.
- Parties cannot bring mobile phones/devices into the hearing.

## **22. Alternative Hearing Participation Options**

If a party or parties prefer not to attend or cannot attend the hearing in person, the party should request alternative arrangements from the Title IX Coordinator at least five (5) business days prior to the hearing.

The Title IX Coordinator can arrange to use technology to allow remote testimony without compromising the fairness of the hearing. Remote options may also be needed for witnesses who cannot appear in person. Any witness who cannot attend in person should let the Title IX Coordinator know at least five (5) business days prior to the hearing so that appropriate arrangements can be made.

## **23. Pre-Hearing Preparation**

The Decision-maker, after any necessary consultation with the parties, Investigator(s) and/or Title IX Coordinator, will provide the names of persons who will be participating in the hearing, all pertinent documentary evidence, and the final investigation report to the parties at least ten (10) business days prior to the hearing.

Any witness scheduled to participate in the hearing must have been first interviewed by the Investigator(s) unless all parties and the Decision-maker assent to the witness's participation in the hearing. The same holds for any evidence that is first offered at the hearing. If the parties and Decision-maker do not assent to the admission of evidence newly offered at the hearing, the Decision-maker will delay the hearing and instruct that the investigation needs to be re-opened to consider that evidence.

The parties will be given a list of the names of the Decision-maker(s) at least five (5) business days in advance of the hearing. All objections to any Decision-maker must be raised in writing, detailing the rationale for the objection, and must be submitted to the Title IX Coordinator as soon as possible and no later than one day prior to the hearing. Decision-makers will only be removed if the Title IX Coordinator concludes that their bias or conflict of interest precludes an impartial hearing of the allegation(s).

The Title IX Coordinator will give the Decision-maker(s) a list of the names of all parties, witnesses, and Advisors at least five (5) business days in advance of the hearing. Any Decision-maker who cannot make an objective determination must recuse themselves from the proceedings when notified of the identity of the parties, witnesses, and Advisors in advance of the hearing. If a Decision-maker is unsure of whether a bias or conflict of interest exists, they must raise the concern to the Title IX Coordinator as soon as possible.

During the ten (10) business day period prior to the hearing, the parties have the opportunity for continued review and comment on the final investigation report and available evidence. That review and comment can be shared with the Decision-maker at the pre-hearing meeting or at the hearing and will be exchanged between each party by the Decision-maker.

#### **24. Pre-Hearing Meetings**

The Decision-maker may convene a pre-hearing meeting(s) with the parties and their Advisors to invite them to submit the questions or topics they (the parties and their Advisors) wish to ask or discuss at the hearing, so that the Decision-maker can rule on their relevance ahead of time to avoid any improper evidentiary introduction in the hearing or provide recommendations for more appropriate phrasing. However, this advance review opportunity does not preclude the Advisors from asking at the hearing for a reconsideration based on any new information or testimony offered at the hearing. The Decision-maker must document and share their rationale for any exclusion or inclusion at this pre-hearing meeting.

The Decision-maker, only with full agreement of the parties, may decide in advance of the hearing that certain witnesses do not need to be present if their testimony can be adequately summarized by the Investigator(s) in the investigation report or during the hearing.

At each pre-hearing meeting with a party and their Advisor, the Decision-maker will consider arguments that evidence identified in the final investigation report as relevant is, in fact, not relevant. Similarly, evidence identified as directly related but not relevant by the Investigator(s) may be argued to be relevant. The Decision-maker may rule on these arguments pre-hearing and will exchange those rulings between the parties prior to the hearing to assist in preparation for the hearing. The Decision-maker may consult with legal counsel and/or the Title IX Coordinator or ask either or both to attend pre-hearing meetings. The pre-hearing meeting(s) will not be recorded.

## **25. Hearing Procedures**

At the hearing, the Decision-maker(s) has the authority to hear and make determinations on all allegations of discrimination, harassment, and/or retaliation and may also hear and make determinations on any additional alleged policy violations that have occurred in concert with the discrimination, harassment, and/or retaliation, even though those collateral allegations may not specifically fall within the same policy.

Participants at the hearing will include the Decision-maker, any additional panelists, the Investigator(s) who conducted the investigation, the parties or organizational representatives when an organization is the Respondent, Advisors to the parties, any called witnesses, the Title IX Coordinator and anyone providing authorized accommodations or assistive services.

The Decision-maker will answer all questions of procedure. Anyone appearing at the hearing to provide information will respond to questions on their own behalf.

The Decision-maker will allow witnesses who have relevant information to appear at a portion of the hearing in order to respond to specific questions from the Decision-maker(s) and the parties and will then be excused.

## **26. Joint Hearings**

In hearings involving more than one Respondent or in which two (2) or more Complainants have accused the same individual of substantially similar conduct, the default procedure will be to hear the allegations jointly.

However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent to be conducted separately if there is a compelling reason to do so. In joint hearings, separate determinations of responsibility will be made for each Respondent with respect to each alleged policy violation.

## **27. The Order of the Hearing – Introductions and Explanation of Procedure**

The Decision-maker explains the procedures and introduces the participants. This may include a final opportunity for challenge or recusal of the Decision-maker(s) on the basis of bias or conflict of interest. The Decision-maker will rule on any such challenge unless the Decision-maker is the individual who is the subject of the challenge, in which case the Title IX Coordinator will review and decide the challenge.

The Decision-maker and/or hearing facilitator may attend to: logistics of rooms for various parties/witnesses as they wait; flow of parties/witnesses in and out of the hearing space; ensuring recording and/or virtual conferencing technology is working as intended; copying and distributing materials to participants, as appropriate, etc.

## **28. Investigator Presents the Final Investigation Report**

The Investigator(s) will then present a summary of the final investigation report, including items that are contested and those that are not, and will be subject to questioning by the Decision-maker(s) and the parties (through their Advisors). The Investigator(s) will be present during the entire hearing process, but not during deliberations.

Neither the parties nor the Decision-maker(s) should ask the Investigator(s) their opinions on credibility, recommended findings, or determinations, and the Investigators, Advisors, and parties will refrain from discussion of or questions about these assessments. If such information is introduced, the Decision-maker will direct that it be disregarded.

## **29. Testimony and Questioning**

Once the Investigator(s) present their report and are questioned, the parties and witnesses may provide relevant information in turn, beginning with the Complainant, and then in the order determined by the Decision-maker. The parties/witnesses will submit to questioning by the Decision-maker(s) and then by the parties through their Advisors (“cross-examination”).

All questions are subject to a relevance determination by the Decision-maker. The Advisor, who will remain seated during questioning, will pose the proposed question orally, electronically, or in writing (orally is the default, but other means of submission may be permitted by the Decision-maker upon request or agreed to by the parties and the Decision-maker), the proceeding will pause to allow the Decision-maker to consider it, and the Decision-maker will determine whether the question will be permitted, disallowed, or rephrased.

The Decision-maker may explore arguments regarding relevance with the Advisors, if the Decision-maker so chooses. The Decision-maker will then state their decision on the question for the record and advise the party/witness to whom the question was directed, accordingly. The Decision-maker will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Decision-maker will limit or disallow questions on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), or abusive. The Decision-maker has final say on all questions and determinations of relevance, subject to any appeal. The Decision-maker may consult with legal counsel on any questions of admissibility. The Decision-maker may ask advisors to frame why a question is or is not relevant from their perspective but will not entertain argument from the advisors on relevance once the Decision-maker has ruled on a question.

If the parties raise an issue of bias or conflict of interest of an Investigator or Decision-maker at the hearing, the Decision-maker may elect to address those issues, consult with legal counsel, and/or refer them to the Title IX Coordinator, and/or preserve them for appeal.

If bias is not in issue at the hearing, the Decision-maker should not permit irrelevant questions that probe for bias.

### **30. Refusal to Submit to Cross-Examination and Inferences**

If a party or witness chooses not to submit to cross-examination at the hearing, either because they do not attend the meeting, or they attend but refuse to participate in questioning, then the Decision-maker(s) may not rely on any prior statement made by that party or witness at the hearing (including those contained in the investigation report) in the ultimate determination of responsibility. The

Decision-maker(s) must disregard that statement. Evidence provided that is something other than a statement by the party or witness may be considered.

If the party or witness attends the hearing and answers some cross-examination questions, only statements related to the cross-examination questions they refuse to answer cannot be relied upon. However, if the statements of the party who is refusing to submit to cross-examination or refuses to attend the hearing are the subject of the allegation itself (e.g., the case is about verbal harassment or a quid pro quo offer), then those statements are not precluded from admission.

The Decision-maker(s) may not draw any inference solely from a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions. If a party's Advisor of choice refuses to comply with Trinity School of Nursing's established rules of decorum for the hearing, The School may require the party to use a different Advisor. If a Trinity School of Nursing-provided Advisor refuses to comply with the rules of decorum, the School may provide that party with a different Advisor to conduct cross-examination on behalf of that party.

### **31. Recording Hearings**

Hearings (but not deliberations) are recorded by Trinity School of Nursing for purposes of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted.

The Decision-maker(s), the parties, their Advisors, and appropriate administrators of Trinity School of Nursing will be permitted to listen to the recording in a controlled environment determined by the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without permission of the Title IX Coordinator.

### **32. Deliberation, Decision-making, and Standard of Proof**

The Decision-maker(s) will deliberate in closed session to determine whether the Respondent is responsible or not responsible for the policy violation(s) in question. The clear and convincing standard of the evidence standard of proof is used. The hearing

facilitator may be invited to attend the deliberation by the Decision-maker, but is there only to facilitate procedurally, not to address the substance of the allegations.

When there is a finding of responsibility on one or more of the allegations, the Decision-maker(s) may then consider the previously submitted party impact statements in determining appropriate sanction(s).

The Decision-maker will ensure that each of the parties has an opportunity to review any impact statement submitted by the other party(ies). The Decision-maker(s) may – at their discretion – consider the statements, but they are not binding.

The Decision-maker(s) will review the statements and any pertinent conduct history provided by the Title IX Coordinator and will recommend the appropriate sanction(s) in consultation with the Title IX Coordinator.

The Decision-maker will then prepare a written deliberation statement and deliver it to the Title IX Coordinator, detailing the determination, rationale, the evidence used in support of its determination, the evidence disregarded, credibility assessments, and recommended sanctions.

This report typically should not exceed three (3) to five (5) pages in length and must be submitted to the Title IX Coordinator within two (2) business days of the end of deliberations, unless the Title IX Coordinator grants an extension. If an extension is granted, the Title IX Coordinator will notify the parties.

### **33. Notice of Outcome**

Using the deliberation statement, the Title IX Coordinator will work with the Decision-maker to prepare a Notice of Outcome. The Title IX Coordinator will then share the letter, including the final determination, rationale, and any applicable sanction(s) with the parties and their Advisors within 5 business days of receiving the Decision-maker(s) deliberation statement.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official School files, or emailed to the parties' Trinity School of Nursing-issued email or otherwise approved account. Once mailed, emailed, and/or received in- person, notice will be presumptively delivered.

The Notice of Outcome will identify the specific policy(ies) reported to have been violated, including the relevant policy section, and will contain a description of the procedural steps taken by Trinity School of Nursing from the receipt of the misconduct report to the determination, including any and all notifications to the parties, interviews with parties and witnesses, site visits, methods used to obtain evidence, and hearings held.

The Notice of Outcome will specify the finding on each alleged policy violation; the findings of fact that support the determination; conclusions regarding the application of the relevant policy to the facts at issue; a statement of, and rationale for, the result of each allegation to the extent Trinity School of Nursing is permitted to share such information under state or federal law; any sanctions issued which the School is permitted to share according to state or federal law; and any remedies provided to the Complainant designed to ensure access to Trinity School of Nursing's educational or employment program or activity, to the extent the School is permitted to share such information under state or federal law (this detail is not typically shared with the Respondent unless the remedy directly relates to the Respondent).

The Notice of Outcome will also include information on when the results are considered by Trinity School of Nursing to be final, any changes that occur prior to finalization, and the relevant procedures and bases for any available appeal options.

### **34. Sanctions**

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- Previous allegations or allegations involving similar conduct
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Decision-maker(s)

The sanctions will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

### **35. Respondent Withdrawal or Resignation While Charges Pending**

Students: If a student has an allegation pending for violation of the Policy on Non-Discrimination, Harassment, Retaliation on the Basis of Sex, Trinity School of Nursing may place a hold on a student's ability to graduate and/or to receive an official transcript/diploma.

Should a student decide to not participate in the resolution process, the process proceeds absent their participation to a reasonable resolution. Should a student Respondent

permanently withdraw from Trinity School of Nursing, the resolution process ends, as the School no longer has disciplinary jurisdiction over the withdrawn student.

However, Trinity School of Nursing will continue to address and remedy any systemic issues, variables that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation. The student who withdraws or leaves while the process is pending may not return to Trinity School of Nursing. A hold will be placed on their ability to be readmitted. They may also be barred from Trinity School of Nursing property and/or events.

If the student Respondent only withdraws or takes a leave for a specified period of time, the resolution process may continue remotely and that student is not permitted to return to Trinity School of Nursing unless and until the matter has been resolved and all sanctions fulfilled.

During the resolution process, Trinity School of Nursing may put a hold/notation on a responding student's transcript and/or place the student on probation for a pending disciplinary matter.

Employees: Should an employee Respondent resign with unresolved allegations pending, the resolution process ends, as Trinity School of Nursing no longer has disciplinary jurisdiction over the resigned employee.

However, the School will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment or discrimination.

The employee who resigns with unresolved allegations pending may not be eligible for rehire within the Trinity Health System which includes Trinity School of Nursing and the records retained by the Title IX Coordinator and Human Resources will reflect that status.

### **36. Complainant Withdrawal or Resignation Prior to Final Resolution**

Should the resolution process have to end due to withdrawal by Complainant, Trinity School of Nursing encourages the student to seek additional help with outside entities.

Trinity School of Nursing will continue to address and remedy any systemic issues, variables that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment or discrimination.

### **37. Appeals**

Any party may file a request for appeal, but it must be submitted in writing to the Title IX Coordinator within 5 days of the delivery of the Notice of Outcome.

A single Decision-maker will Chair the appeal. No Decision-maker will have been involved in the process previously, including any dismissal appeal that may have been heard earlier in the process. The Request for Appeal will be forwarded to the Appeal Decision-maker for consideration to determine if the request meets the grounds for appeal.

This review is not a review of the merits of the appeal, but solely a determination as to whether the request meets the grounds and is timely filed.

#### **a. Grounds for Appeal**

Appeals are limited to the following grounds:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

If any of the grounds in the Request for Appeal do not meet the grounds in this Policy, that request will be denied by the Decision-maker and the parties and their Advisors will be notified in writing of the denial and the rationale.

If any of the grounds in the Request for Appeal meet the grounds in this Policy, then the Appeal Decision-maker will notify the other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and/or the original Decision-maker(s).

The other party(ies) and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigators and the original Decision-maker(s) will be mailed, emailed, and/or provided a hard copy of the request with the approved grounds and then be given 5 business days to submit a response to the portion of the appeal that was approved and involves them. All responses will be forwarded by the Appeal Decision-maker to all parties for review and comment.

The non-appealing party (if any) may also choose to raise a new ground for appeal at this time. If so, that will be reviewed for standing by the Appeal Decision-maker and either denied or approved. If approved, it will be forwarded to the party who initially requested an appeal, the Investigator(s) and/or original Decision-maker(s), as necessary, who will submit their responses in 5 business days, which will be circulated for review and comment by all parties.

Neither party may submit any new requests for appeal after this time period. The Appeal Decision-maker will collect any additional information needed and all documentation

regarding the approved grounds and the subsequent responses and will render a decision in no more than 5 business days, barring exigent circumstances.

A Notice of Appeal Outcome will be sent to all parties simultaneously including the decision on each approved ground and rationale for each decision. The Notice of Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, and the rationale supporting the essential findings.

Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official institutional records, or emailed to the parties' Trinity School of Nursing-issued email or otherwise approved account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered.

#### **b. Sanction Status During the Appeal**

Any sanctions imposed as a result of the hearing are stayed during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

If any of the sanctions are to be implemented immediately post-hearing, then emergency removal procedures (detailed above) for a hearing on the justification for doing so must be permitted within 48 hours of implementation.

Trinity School of Nursing may still place holds on official transcripts, diplomas, graduations, and course registration pending the outcome of an appeal when the original sanctions included separation.

#### **c. Appeal Considerations**

- Decisions on appeal are to be deferential to the original decision, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so.
- Appeals are not intended to provide for a full re-hearing (de novo) of the allegation(s). In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the specific grounds for appeal.
- An appeal is not an opportunity for Appeal Decision-makers to substitute their judgment for that of the original Decision-maker(s) merely because they disagree with the finding and/or sanction(s).
- The Appeal Decision-maker may consult with the Title IX Coordinator on questions of procedure or rationale, for clarification, if needed. Documentation of all such consultation will be maintained.

- Appeals granted based on new evidence should normally be remanded to the original Investigator(s) and/or Decision-maker(s) for reconsideration. Other appeals may be remanded at the discretion of the Title IX Coordinator or, in limited circumstances, decided on appeal.
- Once an appeal is decided, the outcome is final: further appeals are not permitted, even if a decision or sanction is changed on remand (except in the case of a new hearing). In rare cases where a procedural [or substantive] error cannot be cured by the original Decision-maker(s) (as in cases of bias), the appeal may order a new hearing with a new Decision-maker(s).
- The results of a new hearing can be appealed, once, on any of the three available appeal grounds.
- In cases in which the appeal results in reinstatement to Trinity School of Nursing or resumption of privileges, all reasonable attempts will be made to restore the Respondent to their prior status, recognizing that some opportunities lost may be irreparable in the short term.

### **38. Long-Term Remedies/Other Actions**

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Education to the individual and/or the community
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation accommodations
- Implementation of long-term contact limitations between the parties
- Implementation of adjustments to academic deadlines, course schedules, etc. where possible as per curriculum requirements.

At the discretion of the Title IX Coordinator, certain long-term support or measures may also be provided to the parties even if no policy violation is found.

When no policy violation is found, the Title IX Coordinator will address any remedies owed by Trinity School of Nursing to the Respondent to ensure no effective denial of educational access.

Trinity School of Nursing will maintain the privacy of any long-term remedies/actions/measures, provided privacy does not impair the School's ability to provide these services.

### **39. Failure to Comply with Sanctions and/or Interim and Long-term Remedies and/or Responsive Actions**

All Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Decision-maker(s) (including the Appeal Chair/Panel).

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination from Trinity School of Nursing.

A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

### **40. Disabilities Accommodations in the Resolution Process**

Trinity School of Nursing is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to the School's resolution process.

Anyone needing such accommodations or support should contact the Title IX Coordinator, who will review the request and determine which accommodations are appropriate and necessary for full participation in the process.

### **41. Revision of this Policy and Procedures**

These procedures supersede any previous policy(ies) addressing harassment, sexual misconduct, discrimination, and/or retaliation and will be reviewed and updated annually by the Title IX Coordinator. Trinity School of Nursing reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

During the resolution process, the Title IX Coordinator may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules. The Title IX Coordinator may also vary procedures materially with notice (on the institutional website, with the appropriate effective date identified) upon determining that changes to law or regulation require procedural alterations not reflected in these procedures.

If government laws or regulations change – or court decisions alter – the requirements in a way that impacts this document, this document will be construed to comply with the most recent government regulations or holdings.

This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such policies and codes, generally.

## TITLE IX POLICY GLOSSARY

- **Advisor** means a person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct cross-examination for the party at the hearing, if any.
- **Complainant** means an individual who is alleged to be the victim of conduct that could constitute harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.
- **Complaint (formal)** means a document filed/signed by a Complainant or signed by the Title IX Coordinator alleging harassment or discrimination based on a protected class or retaliation for engaging in a protected activity against a Respondent and requesting that the Trinity School of Nursing investigate the allegation.
- **Confidential Resource** means an employee who is not a Mandated Reporter of notice of harassment, discrimination, and/or retaliation (irrespective of Clery Act Campus Security Authority status).
- **Day** means a business day when Trinity School of Nursing is in normal operation.
- **Education program or activity** means locations, events, or circumstances where Trinity School of Nursing exercises substantial control over both the Respondent and the context in which the sexual harassment or discrimination occurs and also includes any building owned or controlled by a student organization that is officially recognized by the Trinity School of Nursing.
- **Final Determination:** A conclusion by the preponderance of evidence that the alleged conduct occurred and whether it did or did not violate policy.
- **Finding:** A conclusion by the clear and convincing standard of evidence that the conduct did or did not occur as alleged.
- **Formal Grievance Process** means a method of formal resolution designated by Trinity School of Nursing to address conduct that falls within the policies included below, and which complies with the requirements of 34 CFR Part 106.45.

- **Hearing Decision-maker/adjudicator** refers to those who have decision-making and sanctioning authority within Trinity School of Nursing’s Formal Grievance process.
- **Investigator** means the person or persons charged by Trinity School of Nursing with gathering facts about an alleged violation of this Policy, assessing relevance and credibility, synthesizing the evidence, and compiling this information into an investigation report and file of directly related evidence.
- **Mandated Reporter** means an employee of Trinity School of Nursing who is obligated by policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator.
- **Notice** means that an employee, student, or third-party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.
- **Official with Authority (OWA)** means an employee of Trinity school of Nursing explicitly vested with the responsibility to implement corrective measures for harassment, discrimination, and/or retaliation on behalf of the School.
- **Parties** include the Complainant(s) and Respondent(s), collectively.
- **Recipient** means a postsecondary education program that is a recipient (Trinity School of Nursing) of federal funding.
- **Remedies** are post-finding actions directed to the Complainant and/or the community as mechanisms to address safety, prevent recurrence, and restore access to the Trinity School of Nursing’s educational program.
- **Respondent** means an individual who has been reported to be the perpetrator of conduct that could constitute harassment or discrimination based on a protected class; or retaliation for engaging in a protected activity.
- **Resolution** means the result of an informal or Formal Grievance Process.
- **Sanction** means a consequence imposed by Trinity School of Nursing on a Respondent who is found to have violated this policy.
- **Title IX Coordinator** is one official designated by Trinity School of Nursing to ensure compliance with Title IX and the School’s Title IX program. References to the Coordinator throughout this policy may also encompass a designee of the Coordinator for specific tasks.

## **Title IX Training used for this policy can be found at:**

([https://www.thompsoncoburn.com/docs/default-source/blog-documents/title-ix-training-slide-decks/2020-7-session-4-hearings.pdf?sfvrsn=f5895bea\\_2](https://www.thompsoncoburn.com/docs/default-source/blog-documents/title-ix-training-slide-decks/2020-7-session-4-hearings.pdf?sfvrsn=f5895bea_2))

### **Thompson Coburn's Title IX Training Series**

- **Module 1 – An Introduction to Managing Title IX Sexual Harassment on Campus:** <http://content.thompsoncoburn.com/video/Module-1-Fundamentals-of-the-Law.mp4>
- **Module 2 – Formal Complaints of Title IX Sexual Harassment:** <http://content.thompsoncoburn.com/video/Module-2-Formal-Complaints.mp4>
- **Module 3 – Title IX Investigations & Informal Resolutions:** <http://content.thompsoncoburn.com/video/Module-3-Investigations-and-Informal-Resolutions.mp4>
- **Module 4 – Title IX Hearings:** <http://content.thompsoncoburn.com/video/Module-4-Hearings.mp4>
- **Module 5 – Title IX Determinations:** <http://content.thompsoncoburn.com/video/Module-5-Determinations.mp4>
- **Module 6 – Title IX Appeals:** <http://content.thompsoncoburn.com/video/Module-6-Appeals.mp4>

### **Section 504 Grievance Procedure**

In accordance with Federal and State OCR (Office for Civil Rights) Guidelines, any student who believes Trinity Health System School of Nursing or any of the School's staff, faculty, and administrators have inadequately applied the principles of and/or regulations of Title VI of the Civil Rights Act of 1964 (race, color, national origin), and Section 504 of the Rehabilitation Act of 1973 (disability) she/he may bring forward a complaint which shall be referred to as a formal grievance. However, whenever possible and practical, an informal solution to the alleged grievance is encouraged and should be attempted at the staff, faculty, or administrative level. However, if an acceptable informal solution cannot be attained, formal Section 504 grievance procedures shall commence. The complainant may file a complaint directly with the Office for Civil Rights, U. S. Department of Education, and/or may use the internal grievance procedure indicated below.

#### **STEP 1**

An alleged formal discrimination grievance complaint should first be made within two school days of the date the incident occurred to the Coordinator of Student Affairs along with written notification of the alleged discrimination. The Dean, Melissa Hassan, will be notified. An informal solution to the alleged grievance will be initiated.

#### **STEP 2**

If not resolved, the alleged grievance will be investigated by Title IX Coordinator

#### **STEP 3**

If not resolved at Step 2, the decision may be appealed to a hospital administrator.

#### **STEP 4**

If not resolved at Step 3, the decision may be appealed by the complainant to the Office for Civil Rights, U. S. Department of Education  
600 Superior Avenue East  
Suite 750  
Cleveland, Ohio 44114-2611

**NOTE:** Parents/guardians do not have to be present at the informal complaint meeting. However, parent(s) and/or guardian(s) must be present for students under age 18 at all levels of the formal alleged discrimination process.

### **Education and Prevention**

In compliance with Title IX of the Education Amendments of 1972 and Dear Colleague letter from the Office for Civil Rights (OCR) on April 4<sup>th</sup> 2011, Trinity Health System School of Nursing maintains proactive policies and procedures in the education and prevention of Sexual Harassment and Sexual Violence.

Trinity School of Nursing in conjunction with Eastern Gateway Community College Security office distributes Campus Security Disclosures/Sexual Assault Program to all new students, faculty and staff at orientation. These programs and procedures are outlined in the Student Handbook and available to students, faculty and staff in the Office of Admissions and Financial Aid.

Policies, programs and procedures are annually reviewed. In addition, the Security Department receives annual updates regarding policy revisions and/or federal updates. Enrolled students are informed of policy revisions and updates from members of the Student Services/Integrity Committee.

Trinity School of Nursing's primary concern is student safety in all policies including those dealing with Sexual Harassment /Violence. Any rule violation will be addressed separately from the sexual violence allegation, allowing students to report incidents of sexual violence to the appropriate school and law enforcement authorities. **(Refer to the Student Grievance/Appeals Process in the Student Handbook and Catalog/Website)**

### **Disability Harassment**

In accordance with Section 504 of the Rehabilitation Act of 1973 and Title II of the American With Disabilities Act of 1990, which are enforced by the Office of Civil Rights, Trinity Health System School of Nursing will not tolerate disability harassment of any student by other students or school employees. The Disability Harassment Policy is reviewed at Orientation each fall and is accessible in the Student Handbook.

## **Disability Harassment Policy**

### **PURPOSE**

The School of Nursing strives to maintain an environment in which all are treated with courtesy, respect, and dignity. The School of Nursing does not discriminate on the basis of race, color, religion, sex, national origin, age, ancestry, or disability in the admission of students, employment of individuals, or in activities conducted by the School in accordance with Title IX of the 1972 Education Amendments, Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975. One form of such discrimination is harassment based upon one of the factors above. The School will not tolerate any action by any person, which constitutes harassment of any student/employee.

In accordance with Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990, which are enforced by the Office of Civil Rights, Trinity Health System School of Nursing will not tolerate disability harassment of any student by other students or school employees.

### **DEFINITION**

Disability harassment under Section 504 and Title II is intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the institution. Harassment may take many forms, including verbal acts (name-calling) and non-verbal acts (written statements/conduct that is physically threatening, harmful, or humiliating.)

A student's rights may be violated under the Section 504 and Title II regulations if the harassing conduct is sufficiently severe, persistent, or pervasive so that it creates a hostile environment affecting the student's ability to participate or benefit from the educational program.

### **PROCEDURE**

When a student files a complaint or if School officials learn of possible disability harassment, the School will immediately take the appropriate steps to investigate, eliminate the effects, and to prevent future harassment. Any student who believes he or she has been the victim of disability harassment should submit, in writing, the alleged act to the Coordinator, Student Affairs.

### **GRIEVANCE**

The student who believes he/she has been a victim of disability harassment may file a formal grievance utilizing the Student Grievance/Appeals Process and Section 504 Grievance Procedure.

## **DISCIPLINARY PROCESS**

Trinity Health System School of Nursing states that disability harassment is unacceptable, violates federal law, and will result in disciplinary action. The School of Nursing will take prompt and effective action to end the harassment and prevent it from recurring, and remedy the effects on the student who was harassed.

Any student of the School who, after appropriate investigation, is found to have engaged in disability harassment of a student will be subject to disciplinary action ranging from written reprimand to dismissal and referral to the appropriate law enforcement agency (Section II Code of Conduct – Group II no. 11 and Group III no. 5 – Trinity Health System Student Handbook).

Ways to prevent and eliminate disability harassment are as follows:

- Create a campus environment that is aware of disability concerns in programs outside the classroom
- Regularly assess existing policy and procedures and, if appropriate, modify same.

*Prepared according to United States Department of Education Dear Colleague Letter – July 25, 2000*

## **Essential Functions and Abilities of a Nursing Student**

Students accepted into this program will need the cognitive ability, emotional stability, and physical endurance to complete the program and practice professional nursing. When determining professional suitability for the practice of professional nursing, the nursing student must be able to do the following: exercise safe judgments based on assessment data, remain visibly calm in emergency situations, interact in a caring manner with others, follow directions, be flexible, and demonstrate honesty, integrity, commitment, cooperation, respect and accountability. The student must not pose a significant risk to the health and safety of himself or others.

The following are essential functions, abilities, and physical requirements for the nursing student:

- **Critical thinking ability** sufficient to collect, analyze, integrate, and generalize information and knowledge to make clinical judgments and management decisions that promote positive patient outcomes. Ability to identify cause/effect relationships and clinical situations, develop nursing care plans, and apply mathematical skills for calculating safe drug dosages
- **Interpersonal ability** sufficient to provide safe care to populations, as well as safety to self. Ability to establish a therapeutic relationship with patients, families, and health care team, maintain a positive relationship with instructors and peers, demonstrate self-control, and accept constructive criticism for professional development.

- **Communications skills** sufficient to speak, comprehend and write (print and cursive) in English at a level that meets the need for accurate, clear effective communication. Ability to explain procedures, initiate health teaching, document and interpret nursing actions and patient/client responses, and complete assignments and exams within specified time frames.
- **Physical abilities** sufficient to perform required patient care activities in a safe and effective manner for the entire length of the clinical experience. Ability to move around in clinical environments, administer cardio-pulmonary procedures, and walk/stand, twist, bend, stoop, kneel, reach, push and pull for extended periods.
- **Gross and fine motor skills** sufficient to provide safe, effective nursing care. Ability to lift up to 50 pounds, turn, reposition/ambulate patients, and manipulate small equipment and containers (i.e. syringes, vials, ampules, and medication packages) to administer medications.
- **Auditory ability** sufficient to monitor and assess patient health needs. Ability to hear faint body sounds, auditory alarms and normal speaking level sounds (i.e. blood pressure sounds, monitors, fire alarms, call bells, cries for help and person-to-person report).
- **Visual ability** sufficient to observe and assess patients and their environments. Ability to detect changes in physical appearance, color and contour, read medication labels, syringes, manometers, and written communication accurately.
- **Tactile ability** sufficient to perform physical assessment. Ability to palpate (i.e. pulses, changes in skin temperature, and anatomical abnormalities). and provide therapeutic interventions needed for examinations and procedures.

*This description of the essential abilities of the nursing student is meant to include the major areas of responsibility and is not intended to be limited to the above information.*

### **Disclosure of a Disability**

After acceptance into the nursing program, a copy of the form "Essential Functions and Abilities of the Nursing Student" is mailed to each new student to review, sign, and return to the School within two weeks of receipt. This information is outlined in the School Catalog/Website/Student Handbook. Disclosure of a disability prior to the program start date will allow the student time for their individual evaluation and submission of the written documentation to the School.

For reasonable accommodations to be considered, it is first necessary for the student to submit to Jill Duska, Coordinator of Student Affairs (740-266-1230) the most recent evaluation of the disability from a licensed/certified psychologist (with experience in the disability identified) or if appropriate, a medical doctor. The specific disability and recommendations should be described in the documentation submitted. The "Essential Functions and Abilities of the Nursing Student" serve as a guide for the need for written recommended accommodations.

Students who disclose a disability and request accommodation after the educational program begins, may experience a delay in the progress of their program until all required documentation is submitted and processed.

## **Students with Disabilities**

In accordance with the Americans with Disabilities Act (1990) the Trinity Health System School of Nursing will provide reasonable accommodations for qualified students with disabilities. The Students with Disabilities Policy is reviewed at Orientation and is accessible in the Student Handbook on the School's website.

## **Policy on Students with Disabilities**

In accordance with the Americans With Disabilities Act (1990), the Trinity Health System School of Nursing has adopted the following policy regarding students with disabilities.

The Americans With Disabilities Act of 1990 was passed in order to prohibit discrimination against qualified people with disabilities. The Act defines a disabled person as someone: a) who has a physical or mental impairment that substantially limits one or more of his or her major life activities; b) who has a record of such impairment; or c) who is regarded as having such an impairment. A "qualified individual with a disability" is one who, with or without reasonable accommodations or modifications, meets the essential eligibility requirements for participation in the program. The student must be able to meet all requirements for licensure **despite** disability, not **because of** said disability. The Rehabilitation Act does not impose an obligation on educational institutions to lower or substantially modify adopted standards to accommodate a disabled person. (The Act protects the disabled student by providing reasonable accommodations for said student, giving that student the opportunity to succeed.) In addition, the academic standards of the program should not be compromised and no undue burden should be placed upon the institution. **IT IS THE RESPONSIBILITY OF THE STUDENT TO DISCLOSE THE DISABILITY.** However, the School of Nursing is committed to protecting the privacy rights of students. In general, student records, files or general information are NOT released to anyone other than the student and faculty. Therefore, the student is encouraged to make needs known to his/her individual instructors.\*

Examples of disabilities include, but are not limited to:

*Physical impairments:* orthopedic, visual, speech, and hearing impairments; cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, HIV (symptomatic or asymptomatic), tuberculosis, addictions.

*Mental impairments:* retardation, organic brain syndrome, psychiatric disorders, learning disabilities.

*Examples of a record of such "impairment":* history of psychiatric illness; addiction to drugs or alcohol, physical illness, erroneously diagnosed with a condition.

*Examples of "regarded" as having a disability:* deformity not affecting function, i.e.: facial, trunk; mild diabetes mellitus, controlled by medication.

The School of Nursing, in defining nursing as a practice discipline with cognitive, sensory, affective, and psychomotor performance requirements, has adopted the Essential Functions and Abilities of a Nursing Student for admission and progression (copies of essential functions list available in the Office of Admissions and Financial Aid and can be viewed on the school's website/catalog). Each essential function has some examples of activities listed. These examples are derived from the School's curriculum objectives and are measured via the clinical appraisal tool. It is the responsibility of the student's clinical instructor, as well as each academic instructor involved with the student, to monitor students' ability to perform these essential functions. While admission to, progression in, and graduation from the nursing program is not based on the essential functions, these essential functions are used to assist each student in determining whether there is a need for accommodations or modifications. Once a student is deemed qualified for admission, a copy of the form "Essential Functions and Abilities of the Nursing Student" is mailed to each new student to review, sign, and return to the school within two weeks of receipt. Disclosure of a disability prior to the program start will allow the student time for their individual evaluations and submission of the written documentation to the school. If the student or faculty believes that the student cannot meet one or more of the essential functions without accommodations or modifications, the School will determine, on an individual basis, whether or not the necessary accommodations or modifications can be made reasonably.

"Reasonable accommodations" are accommodations that would: a) not fundamentally alter the nature of the program, and b) not pose an undue burden upon faculty and other students due to the level of supervision needed.

At this time, the school and the student must work together to find reasonable accommodations to insure the student's success. Faculty will be available to assure appropriate assistance and guidance. If the accommodations are not reasonable, this may be grounds for denial or dismissal. Through such a process, both the student and the School are entering the education contract fairly.

Adapted from:

Southern Regional Education Board (SREB) Council on Collegiate Education for Nursing (Reapproved 2004) The Americans With Disabilities Act: Implications For Nursing Education. On-Line. Retrieved 7/28/2016

<http://www.sreb.org/publication/Americians-disabilities-act>

*\*Clinical agencies in which the student is to practice, must be included as necessary, in the determination of and development of accommodations and modifications. The student must sign a release of information for these agencies. Procedures for accommodation will be reviewed on an annual basis, or as needed, to assure student feedback and the most appropriate assistance for the student.*

## **Social Networking Policy**

### **Purpose**

The purpose of this policy is to provide guidelines to students, faculty, and staff who engage in online social networking. Information published on social media networks that has to do with any aspect of the School/Hospital must comply with Trinity Health System's Non Disclosure Acknowledgement, HIPPA compliance, and the School of Nursing's Code of Conduct. This applies to posts/comments on any social networking site.

## **Philosophy**

Trinity Health System School of Nursing maintains that social networking is strictly a personal activity and any participation in such will be consistent with The American Nurses Association's (ANA) Code of Ethics, the Ohio Board of Nursing and Trinity Health System's core values.

## **Definition**

As used in this policy, "social networking" means communicating with others over the Internet for social purposes. Examples of social media include, but are not limited to Facebook, Twitter, YouTube, LinkedIn, Instagram, Pinterest, Podcast, blogs, comment boards, virtual worlds, chat rooms and other online group discussion forums or social networks. This can also included media sites that are offered by television networks, newspapers, and magazines.

## **Guidelines for Personal/School Affiliated Social Networking**

**Please remember that social networking sites are in fact public forums.** This means that the information that is posted or shared can be viewed by others. Please keep in mind these guidelines and consider carefully when posting.

### **PERSONAL USE**

These social media guidelines and best practices apply to all personal use of social media, including but not limited to use:

- during clinical and non-clinical time
- whether your affiliation with the CommonSpirit/TrinityHealth network of care is specifically identified on social media, known, or presumed
- via your individual, personal social media channels, regardless of whether you accessed the channel through a private or company communications network

**Our general rule for all personal use is simple:** You are personally responsible for how you behave online. If you identify CommonSpirit/TrinityHealth in your social media profiles or content, you should act and communicate professionally as you would in any other public setting. Even if you don't mention CommonSpirit/TrinityHealth, you need to be careful as you may be quickly associated with CommonSpirit/TrinityHealth if you attract online attention.

1. On personal social networking sites, posts/comments by students involving the School/Hospital in any manner is prohibited. When posting on any social networking site posts/comments should reflect the personal views of the social networking member only, not Trinity School of Nursing/Hospital. Tagging, check-ins or any comments reflecting Trinity School of Nursing/Hospital are prohibited.
2. When commenting on the School affiliated Facebook page, all comments should be ethical, professional and accurate. The Administrator reserves the right to delete any comment that is deemed inappropriate.
3. The Administrator is responsible for generating all posts on the School affiliated Facebook page. Students will be permitted to comment only to these posts.
4. Posts/comments should be respectful and in good taste. Negative or unprofessional posts/comments are unacceptable.
5. Posts/comments should never directly or indirectly reflect patients, diagnoses or any content related to patient care or clinical experiences.
6. Personal photos on the student's personal social networking site should be tasteful.
7. Photos posted on the School affiliated Facebook page will require a Consent or Refusal to Photograph or Videotape.
8. Photos in which patients are identified or patient privacy and confidentiality are breached are unacceptable.
9. With the exception of the School affiliated Facebook page, interaction between current students and faculty/staff on personal social media accounts is prohibited.
10. Questions/concerns are only to be addressed in proper, approved channels of communication set forth by the School except for social networking sites that have been developed and are monitored by the site Administrator/School affiliated Facebook page.
11. Students are prohibited from accessing all social networking sites during clinical or classroom time/lecture.
12. In the event that the student is no longer enrolled in the School, the Administrator will remove the student from the School affiliated Facebook page.
13. **The Administrator reserves the right to remove any student who fails to abide by the guidelines for social networking.**

### **Violation of Policy**

Trinity School of Nursing will not tolerate violations of the social networking policy. All reports of such behavior will be investigated. If activity on a social networking site is considered an infraction of school policy, it will be handled according to the disciplinary process. **Violation of this policy can result in disciplinary action ranging from written reprimand to dismissal from the program.**

### **Facilities**

The School of Nursing is located within Eastern Gateway Community College on an 84.7 acre tract of land in Steubenville, Ohio. The building is an air-conditioned, smoke-free 3 story structure built in 1967 with additional construction and renovations in 1972, 1976,

1978, 1983, 1989, 1993, and 1996. The main building is 72,395 sq. feet and includes a library, student lounge, computer laboratories, 25 classrooms, 31 laboratories, bookstore, and 316 space parking area.

Trinity School of Nursing has dedicated usage of 13 faculty/staff offices, reception area, skills/assessment laboratories and storage area. Other areas and facilities in the building are shared with Eastern Gateway staff and students.

The student lounge is a large room with multiple areas for eating, studying, or socializing. It contains many tables, chairs, sofas and grouped seating arrangements, as well as coffee, tea, and vending machines. There are also televisions and a recreational hockey game table. Membership to Trinity YMCA is available at the student rate.

A Skills/Assessment laboratory is located on the ground floor of the building. The laboratory consists of 10 curtained stations equipped with hospital beds, medical equipment, and low fidelity simulation mannequins. It houses various models, supplies, simulators, and other instructional materials. The laboratory also contains 6 computers, a laptop, LCD projector, screen, built in sound system and plentiful conference tables and seating.

The library located on the first floor contains textbooks, periodicals, and computers. Trinity School of Nursing has a reserved section of the library for Nursing references and textbooks. The library is accessible during and after school hours; Monday through Thursday from 8:00am until 6:00pm and Friday from 8:00am until 5:00pm.

Classrooms and lecture halls with state-of-the-art technology are located throughout the facility. Faculty and administrative offices, along with a spacious 445 ft. storage room, are located on the first floor of the building. All areas are temperature controlled and the campus complies with the Americans with Disabilities Act. Trinity School of Nursing is open Monday through Friday 7:30am - 4:00pm. Security is on campus at all times when the building is open. All entrances and exits are locked when the building is not open.

### **Physical Access for Handicapped Students**

The lower west entrances of Eastern Community College are constructed to provide access to the school for the physically handicapped. Parking for the handicapped is provided at that entrance, as well as other areas in the spacious parking lots.

### **Career Services**

Trinity Health System School of Nursing incorporates career service opportunities into the curriculum via a variety of methods. During the final course of the program, *N205 Transition to Professional Practice*, professional growth and accountability are augmented through a preceptorship within Trinity Health System and through classroom seminars. The seminars entail career-focused topics such as educational advancement, resume writing, and job interviewing. Shadowing and/or interviewing with a potential employer is encouraged.

Trinity Health System recognizes student achievement with a recruitment luncheon at the end of the last course. All students receive job listings offered by Trinity Health System via Meditech, the Hospital's information system. Other career opportunities are posted on the bulletin board near the Skills Lab. The Employee Tuition Forgiveness Scholarship/Loan Program is a career service opportunity leading to job placement within the Health System.

## **STUDENT OF THE MONTH RECOGNITION PROGRAM**

**I. PURPOSE.** To outline the procedures for eligibility, nomination, selection, and recognition of students for the Student of the Month Program.

**II. GOAL.** It is the policy of Trinity School of Nursing (TSON) to recognize our outstanding students who exemplify behaviors reflective of the Core Values, Quality Principles, Standards of Performance, Quality Improvement efforts, and those who go above and beyond the call of duty. This continuing recognition program is administered by the TSON Student Services Committee.

### **III. PROCEDURE.**

#### **A. Eligibility.**

1. Any Trinity School of Nursing Student, who is free of disciplinary actions within the current semester at the time of the nomination, is eligible.
2. A nominee may be re-nominated if he/she was not selected for the honor in a given month.
3. Any student who has been selected as Student of the Month will not be eligible for selection again during the current school year.

#### **B. Nomination Procedure.**

1. The Student Services Committee sends the nomination form to all students via Meditech on the first day of the month. Nomination forms are also available upon request.
2. Nominations may be made by any Trinity School of Nursing student.
  - a. In the event there are no nominations received for a given month, previous nominations (within the preceding three [3] months) will be reviewed for selection.
  - b. In the event of no eligible nominations, the faculty/staff of TSON will be eligible to submit a nomination for any non-clinical/academic performance by a student.
3. Nomination Forms are to be submitted to MaryBeth Wilson.

4. Nominations must be submitted to the Student Services Committee by the 15<sup>th</sup> of each month.

C. Selection.

1. The Student Services Committee Chairperson, or his/her designee, will screen all nominations to determine that all eligibility requirements are met.
2. The Student Services Committee Chairperson will convene a meeting of the Student of the Month Committee. The nominee profiles are given to these Committee members with names of the nominees blacked out. A majority vote of the quorum of this Committee will select the Student of the Month.
3. A message, via Trinity email, with the nominee's name will then be sent to his/her clinical instructor, or faculty member (if applicable), for comments. The comments are to be returned to the Student Service Committee Chairperson or his/her designee, by the 1<sup>st</sup> of the month. The nominee will not be submitted for voting without the clinical instructor's/faculty member's support of the nomination. (Note: Comments are required by the clinical instructor/faculty member.)

D. Recognition and Awards for the selected individual will consist of the following:

1. Two complimentary meal tickets in the Cafeteria.
2. A Certificate of Recognition.
3. Student's Picture and Name is displayed on the bulletin board outside of Skills Lab.
4. Recognition by a Student Services Committee representative in Skills Lab/newspaper/hospital information system.

**Laptop Computer Policy**

Students are permitted to use laptop computers for note-taking during lecture sessions. Power supply to the laptop computer must be provided by the student's computer battery.

**Lost and Found**

Lost and found items are to be turned in to security at Eastern Gateway Community College. Individuals who have lost items should check with the security office or officer(s) periodically to determine if the missing item has been found. Lost and found items are logged in with security. Items that have been turned in to security will be kept for at least thirty (30) days. After thirty (30) days, the item may be disposed of.

## **Snack Bar, Food Service and Lounges**

Students are responsible for their meals. Students may purchase meals in any of the Hospital food service areas.

Lunch service is available at the EGCC Campus snack bar which is located in the student lounge. The service is available Monday through Friday at the posted hours. Coin operated vending machines are provided for the convenience of students at the Steubenville Campus and in the Pugliese Center.

## **Parking at Trinity Health System Campus**

Students are required to park in the following areas, when on clinical:

- 1. YMCA parking lot (West)**
- 2. Lower Level(s) of the garage (4<sup>th</sup> level and below)(East)**
- 3. NEVER PARK in PATIENT PARKING (see Policy Manager)**

Students should follow specific agency-parking rules for outside clinical experiences.

## **Auto Safety/Parking Restrictions at Eastern Gateway Community College**

Standard regulations of driving and safety are expected to be observed by all drivers on all property owned or under the control of Eastern Gateway Community College. Parking passes will be required for any automobiles parked on property owned or under the control of Eastern Gateway Community College. Parking passes will be issued through the security office (or their designee). To obtain a parking pass you must present your registration and proof of insurance, and complete a parking pass form. Parking passes are provided on a semester basis. Tickets are given and fines levied for violations of auto safety rules and parking facility violations.

Parking is not allowed in the driveway encircling Eastern Gateway Community College. This is a designated fire lane and illegally parked vehicles may be ticketed by College security and/or the Steubenville Police Department. Vehicles may also be towed at the owner's expense if illegally parked. Security may ticket, levy fines or place "boots" on illegally parked cars. The severity of the action will depend on the length and frequency of illegal actions.

## **Trinity Health System Smoke Free Campus**

Trinity Health System Campuses, buildings, property, parking lots, and operated vehicles are smoke free. Students and employees are prohibited from smoking or using tobacco products during any and all parts of their work shift. Students and employees are not allowed to leave the workplace to smoke or use tobacco products. Students and employees are not permitted to smoke or use tobacco products during breaks or lunch breaks. This policy applies to all smoking products, including, but not limited to cigarettes, cigars, pipes,

and herbal tobacco products. Smoking and tobacco use is prohibited in all facilities owned or used by the Health System, including vehicle spaces, parking lots, and garages. This includes inside/outside personal vehicles parked on any Trinity Health System property. Students of Trinity Health System School of Nursing who do not adhere to this policy will face disciplinary action.

### **Eastern Gateway Community College Tobacco Free Campus**

Trinity School of Nursing is located on Eastern Gateway Community College Campus. In accordance with the directives of the Ohio Department of Higher Education, it is a tobacco free campus. The prohibition includes all areas of property owned and/or operated by the College. It also includes areas contiguous to property owned and/or operated by the College, including sidewalks surrounding the sites. This prohibition includes, but is not limited to cigarettes, cigars, smokeless tobacco, snuff, vapes, and electronic cigarettes. Any vehicle owned or operated by the College is subject to the same prohibition. Security is authorized to ticket or levy fines for violators of this policy.

### **Bulletin Boards**

The main bulletin boards (outside of TSON main office #2631) are used for all important notices. All notices and materials are to be removed by the person posting the notice after it has become ineffective. Notices are to be posted at least the day before they are to become effective. Students are responsible for checking the bulletin boards on a daily basis.

### **Lockers**

Lockers are available on the EGCC Campus and are issued free of charge by the college receptionist on a first come, first served basis. It is the student's responsibility to either renew with the receptionist and security, or clean out the locker by the end of the summer term. Lockers that have not been renewed will be opened and the contents will be disposed of at the end of the summer term. No personal locks may be used on the lockers. Eastern Gateway Community College retains the right to access and inspect the lockers at any time.

### **Cell Phones/Smart Watches/Pagers**

The use of a cell phone is prohibited within designated patient care areas during Hospital/clinical experiences. A smart device may be worn for the watch function only and placed on airplane mode during clinical experiences. The watch must display a second hand. Personal pagers and cellular phones/smart devices should not be in an audible state during class, clinical and /or clinical labs. Cell phones/smart devices are never to be utilized for calculator functions and should never be in use during test reviews.

## **Emergency Phones/Surveillance**

Emergency phones are located strategically throughout the hallways of the EGCC Campus. These phones are designed to call security and the receptionist; and if no one internal is available to answer the calls will roll over to 911. The phones are designed to automatically direct security to the location of the phone being used. If the phone is accidentally activated, those responding should be informed that there is not an emergency.

There are emergency buzzers located in key areas of the EGCC Campus that notify security of an emergency.