

Lexington Theological Seminary 2017 Annual Security Report

In Compliance with Clery Act 34 CFR 668.46(b)

Introduction

Lexington Theological Seminary is required by federal and state law to provide certain information to the public about campus safety and security policies and on-campus crime.

As of January 1, 2014, the Seminary campus is located at *230 Lexington Green Circle, Suite 300, Lexington, KY 450503 – 3337* and all activities in direct support of the Seminary's educational purposes are conducted at/through that location. Lexington Theological Seminary controls no student housing facilities.

Lexington Theological Seminary's Clery Geography is defined as follows:

On Campus, consists of its offices on the third and fifth floors of the building, stairways and elevators servicing those floors, the building lobby and the parking lot adjacent to 230 Lexington Green Circle.

Public Property: All roads, parking lots and properties contiguous to the Seminary are privately owned by Lexington Green Partners, LLC. There is no public property adjacent to campus, therefore, no crime statistics for public property adjacent to campus are provided. *Non-campus*: From January 2014 through June 2014, the Seminary retained control of a portion of the Bosworth Memorial Library building (on the former campus at 631 South Limestone) for the purpose of final disposition of the contents of the former library. The Bosworth Memorial Library building is located approximately four miles from the new campus and at no time during 2014 were students allowed access to that location for any reason. All direct support of students' library functions have taken place at 230 Lexington Green since January 1, 2014. Therefore, for the reporting year 2014, the Seminary had no *Non-campus* buildings or properties for the purpose of crime reporting.

Campus Law Enforcement

No member of the campus community has law enforcement authority. All incidents of a criminal or emergency nature are referred to the appropriate civil or law enforcement authority.

Relationship with Law Enforcement The Seminary enjoys an excellent working relationship with the Lexington-Fayette County Police Department, Office of the Fayette County Sheriff and the Kentucky State Police as well as state, federal and local agencies dedicated to the safety and security of the community. Because of the size and location of the campus geography as well as the limited number of campus community members, no agreements such as memoranda of

understanding (MOU) between the Seminary and agencies for the investigation of alleged criminal offenses are in effect.

Monitoring of Student Criminal Activity Off-campus Lexington Theological Seminary does not officially recognize any off-campus organizations or off-campus housing facilities and does not participate in the monitoring or recording through local police agencies of the criminal activity of students when they are off-campus. On-campus violations of the law are referred to law enforcement agencies, the Campus Security Authority and to the Vice President for Academic Affairs and Dean. Clery and/or Minger reportable offenses are recorded in the Daily Crime Log for the current year.

Campus Security Authority The Chief Financial Officer is the designated Campus Security Authority (CSA). The CSA is responsible for campus safety and security procedures and reporting including timely warning reports and annual statistical disclosure of criminal offenses. Students and employees should report emergencies and/or criminal offenses to the CSA as soon as possible after the incident occurs. Contact information is:

Karen Wagers, Chief Financial Officer
Lexington Theological Seminary
230 Lexington Green Circle, Suite 300
Lexington, Kentucky 40503
(859) 280-1236
kwagers@lextheo.edu

In the absence of the CSA, (Chief Financial Officer,) students and employees should report emergencies and/or criminal offenses to the Vice President for Academic Affairs and Dean, who is also lead Title IX coordinator. Contact information is:

Loida I. Martell, Vice President for Academic Affairs and Dean
Professor of Constructive Theology
230 Lexington Green Circle, Suite 300
Lexington, Kentucky 40503
(859) 280-1256
lmartell@lextheo.edu

Safety of and Access to Campus Facilities

Lexington Theological Seminary has no campus residences. The Campus Security Authority (CSA) functions as liaison with Lexington Green building management and assists in all safety and security procedures performed in Seminary controlled areas. Access to Seminary facilities for maintenance and repairs by Lexington Green personnel is coordinated and scheduled by the CSA.

Computer and telecommunications equipment is maintained in a secured area on Seminary premises and access is controlled by Seminary staff.

Fire Safety: Lexington Green building management conducts an annual fire safety inspection of the building including Seminary campus areas. The inspection report and findings is sent by Lexington Green building management to the CSA for review and comment.

Building Access: Lexington Green Office Building #1 (230 Lexington Green Circle) is open from 7:00 a.m. – 7:00 p.m. Monday through Friday and 8:00 a.m. – 3:00 p.m. on Saturday. Access may be obtained after hours and on holidays via security access cards provided by the Campus Security Authority for Lexington Theological Seminary employees. Entry must be via the front, main entrances facing the parking lots. Tenants should not allow other persons to follow them into the building. Additionally, doors are not to be propped open during times that the building is “closed”.

Access to Campus Facilities: Offices and classrooms located on the 3rd and 5th floors of Building #1 are open to campus community members and visitors during normal business hours. Faculty and employees are provided with keys to individual offices and are encouraged to lock doors when offices are not occupied. After hours, campus facilities are locked and can be accessed by key cards and touch pad codes provided to community members by the Campus Security Authority on an as-needed basis.

Security Guard: The Mall at Lexington Green provides a roving security guard Monday through Sunday from 5:00 p.m. – 1:00 a.m. During summer months, the security guard drives a golf cart to monitor all of the properties. During winter months a marked vehicle is used. The security guard can be reached during the hours listed above at 859/983-3809 for any safety concerns.

Emergency Reporting, Response and Evacuation Procedures

All members of the on-campus community are instructed to review guidelines annually to ensure that all Seminary safety and security policies and procedures are followed. Procedures for reporting a crime or emergency as well as emergency procedures for the campus (see Attachment 3, Campus Security Checklist) are mailed to students as part of their preparation packages for every on-campus intensive. These procedures are provided to new employees upon hiring and circulated to staff members on an annual basis.

The Campus Security Authority is responsible for notification and supervision of the campus community in the case of a significant emergency or dangerous situation occurring on the campus and involving an immediate threat to the health or safety of students and/ or employees. Depending upon the nature of any non-criminal emergency, specific guidelines issued by the Seminary in cooperation with Lexington Green Partners, LLC are to be followed. These instructions are available to all members of the campus community and to the public in the Student Handbook at: <https://www.lextheo.edu/wp-content/uploads/2015/07/Appendix-M-Campus-Safety-Security-Policies-June-2015-attachment-4.pdf>

Responding to Emergencies or Dangerous Situations: Timely Warnings & Emergency Notifications to the Campus Community

Because Lexington Theological Seminary's primary focus is distance education, there are limited numbers of students and faculty regularly "on campus." Disseminating emergency information to persons outside the Seminary's Clery geography will be considered on a case-by-case basis. The CSA will consult with the proper authorities to determine who, if anyone, off-campus and/or among the larger community should be notified.

Emergency Notification is initiated in response to any significant emergency or dangerous situation that is currently occurring on or imminently threatening the campus such as civil disturbance, criminal activity, acts of God, gas leaks, tornadoes, contagious viruses, fire etc.

If a significant emergency or dangerous situation is suspected, the Campus Security Authority will confirm that a significant threat exists by whatever means is appropriate for the situation. In the absence of the CSA, the Vice President for Academic Affairs and Dean will be responsible for carrying out emergency procedures. Further, it is required that all members of the Administration be familiar with all safety and security procedures and assist as appropriate.

In the case of criminal activity, Lexington police (and Lexington Green office building management, if appropriate) will be consulted. In the case of a health emergency the Lexington Department of Health will be consulted. In the case of natural disasters, information will be obtained from the most reliable source immediately available, including but not limited to municipal sources, utilities personnel, police and fire personnel, local radio and television stations and the Lexington Green office building management.

Upon confirmation of the situation/emergency, the following actions will be initiated by the Campus Security Authority: The security authority will notify all administrative officers on campus; will determine which physical areas of the campus and/or campus community members are affected by the situation and will develop specific instructions (according to existing health and safety policies) to advise of the nature of the emergency situation and its immediacy and to ensure the immediate safety of the persons involved, e.g. an order to evacuate, orders to seek shelter and where, orders recommended by the health department according to the threat, request for fire, safety and/or health assistance, etc.

All members of the campus community will be notified without delay as to the nature of the emergency or threat and the actions to be taken. Broadcast e-mail messages, local television and radio announcements, door-to-door notification and/or telephone page announcements might be employed, depending on the nature of the situation, persons to be notified and urgency for response. When the emergency situation is cleared, a notification will be sent advising of the same.

Lexington Theological Seminary will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of the civil authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Timely Warning is issued on a case-by-case basis after consideration of the nature of the situation and the threat of continuing danger to the community. Situations which might warrant a timely warning include Clery offenses committed within the Seminary's Clery geography as well as other actions which potentially pose a threat to campus community members. In this case, the crime has already occurred but, in the opinion of the CSA, represents an ongoing threat to students and employees. The intent of a timely warning is to enable members of the campus community to protect themselves. The warning will include information about the incident or crime which triggered the warning, the time, date and location of the occurrence and steps which should be taken to ensure individual safety.

The CSA will provide this information by broadcast e-mail alert and/or telephone page announcement to the campus community as soon as it is available and deemed appropriate for broadcast. Additionally, any combination of dissemination methods may be used to provide additional information and follow-up. If a victim requests anonymity, this request must be honored to the extent permitted by law. Accordingly, no information should be included in any campus crime report, emergency notification or timely warning that would personally identify the victim without his/her consent.

Annual Test of the Emergency Notification and Timely Warning Procedures: An Annual test of the emergency notification and timely warning procedures will be conducted, unannounced or announced, during each calendar year.

The Campus Security Authority will initiate each test and state the nature of the (test) emergency as well as performance goals. Notifications will be made as described above, according to the declared emergency. Results and recommended improvements will be reported by the CSA for Administration approval. Details of the test including time, date, actions taken, and response/findings will be recorded. Changes or improvements to the procedures ascertained as a result of the test will be placed into effect as soon as possible. Results of the Seminary's 2016 Emergency Notification Testing are provided in Attachment 6.

Evacuations The Campus Security Authority is responsible for initiating this process. In the absence of the designated CSA, the Vice President for Academic Affairs and Dean will serve as acting CSA. Because Lexington Theological Seminary facilities are located in the office building at 230 Lexington Green Circle, the emergency evacuation procedures contained in the Emergency Building Information Handbook issued by Lexington Green Partners, LLC will be followed. This handbook has been incorporated into staff, faculty and student handbooks as Appendix M, Attachment 4 <https://www.lextheo.edu/wp-content/uploads/2015/07/Appendix-M-Campus-Safety-Security-Policies-June-2015-attachment-4.pdf> .

Standards of Conduct for the Campus Community and Due Process for Responding to Complaints

Policies and procedures involving campus security are included in the Seminary's on-line **Student Handbook** which is available to the public as well as the campus community on the Seminary website at <https://www.lextheo.edu/appendix-m-emergency-procedures/>.

Students who engage in inappropriate conduct of any nature including sexual harassment, discrimination or sexual misconduct in any form will face action up to and including criminal prosecution and expulsion from the Seminary. Students may be dismissed at any time at the will of the faculty. Disciplinary actions for less extreme violations of the code of conduct are described as follows: The Office of the Dean receives and reviews all complaints and concerns about a student's conduct. No anonymous charges will be given consideration. If the Office of the Dean finds that a student's behavior is harmful to others, creates an impediment to the teaching mission of the Seminary or violates Seminary policy and/or procedures, the Dean will discuss the behavior with the student. If the conduct is considered to be of a serious nature, the Office of the Dean has the option to: suspend the student immediately for a period of time deemed appropriate for the misconduct; impose non-academic probation for a specified time period not to exceed one year. If after the suspension/probationary period, it is found that the student has not corrected the behavior that resulted in the disciplinary action, the Dean may permanently suspend the student from his or her academic program.

A more detailed discussion of Seminary policy regarding student conduct is available in the online Student Handbook at <http://www.lextheo.edu/3-0-community-life/> which is available at any time to members of the public as well as the campus community. This section of the handbook also includes the Seminary's policies regarding the possession, use and sale of alcoholic beverages, drugs and firearms, discrimination and harassment and other policies important to the campus community, as well as availability of counseling, support and referral services.

Employees and/or faculty members whose performance or behaviors do not meet expected standards, including but not limited to offenses such as criminal activity, sexual harassment, discrimination or sexual misconduct in any form may be subject to any of the following disciplinary actions: oral reprimand, written reprimand, suspension, counseling or dismissal. Depending on the severity or frequency of the performance deficiencies, Lexington Theological Seminary may skip any of the identified actions and may, where appropriate, move immediately to dismissal. A more detailed explanation of Employee Disciplinary Policy and Procedure is provided in Attachment 5 of this report.

Although it is hoped that misunderstandings, disputes, disagreements, and other matters can be handled informally between the parties involved, there may be times when the institution must become involved in the resolution, either informally or formally. The Seminary's Grievance Policy, which is available for review at <https://www.lextheo.edu/appendix-b-grievance-procedures-2/> outlines those processes. A grievance can be filed by students and employees/faculty. It is the Seminary's policy to provide a prompt, fair and impartial

investigation and resolution in all cases involving disciplinary complaints, including dating violence, domestic violence, sexual assault or stalking.

Policy Regarding Possession, Use and Sale of Alcohol and Illegal Drugs

All Seminary members are prohibited from the unlawful possession, use, dispensation, distribution, or manufacture of illicit drugs on Seminary property, on Seminary business, or at Seminary-sponsored activities.

All Seminary employees, as a condition of employment, and all students must notify the appropriate Seminary official of any criminal drug statute conviction for a violation occurring on Seminary property, during Seminary business, or at any Seminary-sponsored activity, no later than five days after such conviction. Although not required, it would be helpful to notify the appropriate Seminary official of charges made.

Students and employees are required to abide by the laws of the state in which they reside concerning alcoholic beverages and tobacco use, and when in Kentucky by Kentucky state laws. For information concerning Kentucky alcohol laws, see the United States Policy and Information System Site: http://alcoholpolicy.niaaa.nih.gov/APIS_State_Profile.html?state=KY . To access laws for other states, visit: www.consumer.ftc.gov/articles/0388-alcohol-laws-state .

Federal Penalties for drug trafficking should be reviewed at the DEA website: <http://www.dea.gov/druginfo/ftp3.shtml> . **Kentucky drug control issues and help links can be accessed at the Office of Kentucky Drug Control Policy website:** <http://odcp.ky.gov/Pages/default.aspx>

Public intoxication and being publicly under the influence on campus are prohibited and unlawful by the Ordinances of our County. Seminary policy prohibits being intoxicated or under the influence in public areas of campus.

For more information on policy and sanctions associated with illegal drugs and alcohol see the Student Handbook, Appendix E, <http://www.lextheo.edu/appendix-e-illicit-drugs-alcohol-tobacco-and-firearms-policy/> Through its Illicit Drugs, Alcohol, Tobacco and Firearms Policy, Appendix E of the Seminary Handbook, the Seminary presents its policies and procedures to encourage those choices and habits that lead to good physical, mental and spiritual health. The Seminary does not support those behaviors that place health at risk and that have been proven to compromise the health and safety of campus community members. Education is encouraged in appropriate classes, available literature, modeling by one another, and any other manner that is consistent and appropriate in our community practices.

By virtue of its inclusion in the Handbook, this policy and any revisions shall be considered to be distributed annually, online, to students, faculty and staff. The Dean and Chief Financial Officer review and interpret the policies and procedures relevant to this policy

statement on an annual basis. These two administrators shall be jointly responsible for maintaining records of the annual review of this policy statement.

The Seminary offers no formalized drug or alcohol-abuse education programs because of the difficulties inherent in offering such programs within a distance education environment. It is the Seminary's policy to address the needs of the campus community on an individual, case-by-case basis. For training, professional resources, and appropriate referral, students and faculty members are encouraged to contact the Dean; and staff members are encouraged to contact the Chief Financial Officer.

Various resources and reference materials which may be helpful to members of the campus community are provided in the Student Handbook, Appendix M, section IV and can be accessed at: <https://www.lextheo.edu/appendix-m-emergency-procedures/>

Reporting of Criminal Actions and WAVA Offenses

It is the policy of Lexington Theological Seminary to ensure that victims and witnesses to crime are aware of their right to report criminal acts and sexual offenses to the police and to the Campus Security Authority. All members of the campus community are encouraged to report Seminary policy violations to the appropriate office (e.g., student conduct violations to the Office of the Dean). If a reporting person requests anonymity, this request must be honored to the extent permitted by law. Accordingly, no information should be entered on an incident form or made public in any way that would personally identify the victim without his/her consent. Seminary policy and procedures for reporting crimes and offenses are provided in the Student Handbook, Appendix M, which is available for review by the general public as well as members of the campus community at <https://www.lextheo.edu/appendix-m-emergency-procedures/>

A crime is "reported" when it is brought to the attention of the Campus Security Authority (or the Vice President for Academic Affairs and Dean if the CSA is unavailable) and/or local law enforcement. The crime might be reported by a victim, witness or third party or even by the offender. The Clery Act requires that the following offenses occurring on campus be included in reported statistics:

- Criminal Offenses: Criminal Homicide, including Murder and Non-negligent Manslaughter, and Manslaughter by Negligence; sexual assault including Rape, Fondling, Incest and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft and Arson.
- "Hate Crimes" would be any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias.
- Violence Against Women Act (WAVA) offenses including any incidents of Domestic Violence, Dating Violence and Stalking.

- Arrests and Referrals for Disciplinary Action are included in the statistics when they apply to Weapons Law violations, Carrying, Possessing, etc. Drug Abuse Violations and Liquor Law Violations. Names of victims and/or offenders are not included in the statistical reporting.

Individuals having knowledge of a sex-based offense (including dating violence, domestic violence and stalking) are strongly urged to timely report that crime to the police and to contact the Campus Security Authority to discuss options for safe and positive intervention on behalf of the victim.

Any member of the campus community suffering a crime or WAVA offense on campus will be referred to appropriate counseling resources by either the Campus Security Authority or the Vice President for Academic Affairs and Dean, as appropriate.

Short procedures for reporting a crime or emergency as well as emergency procedures for the campus shall be mailed to students as part of their preparation packages for every on-campus intensive. These procedures shall be provided to new employees upon hiring and circulated to staff members on an annual basis.

- All members of the campus community are instructed to dial 911 in cases of imminent danger, e.g. crime in progress, fire, accident, health emergency, etc. as soon as possible. After the emergency has been addressed, the initiating person should report the incident to the Campus Security Authority (CSA). All on-campus events of a criminal or emergency nature must be reported to the designated CSA who will prepare a crime incident report and/or will activate the timely warning or emergency notification system, if appropriate. Events occurring after business hours should be reported on the next business day.
- For non-emergency situations, any person who is a victim or witness or who has knowledge of any criminal activity or dangerous situation on campus should report it immediately to the Campus Security Authority (CSA).

Persons reporting a crime/WAVA Offense will be asked to provide information including a description of the incident, the date and time the incident occurred, to whom it was reported (other than the CSA,) and whether it was perceived to be motivated by hate or bias. If the Campus Security Authority believes that the information received was provided in good faith, the CSA will complete a Crime Incident Report. "In good Faith" means there is a reasonable basis for believing that the information is not simply rumor or hearsay. That is, there is little or no reason to doubt the validity of the information. The incident report will be retained for appropriate follow-up and annual reporting. A sample of the Crime Incident Report Form is provided in the Student Handbook, at <https://www.lextheo.edu/wp-content/uploads/2015/07/Appendix-M-Campus-Safety-Security-Policies-June-2015-attachment-2.pdf>

Dating Violence, Domestic Violence, Sexual Assault and Stalking Reporting and Prevention

The Seminary's Policy on sexual discrimination, harassment and sexual misconduct is provided as Appendix C of the Seminary Handbook which is located on the Seminary website at: <http://www.lextheo.edu/appendix-c-policy-statement-on-sexual-harassment-discrimination/> Lexington Theological Seminary will not tolerate domestic violence, dating violence, sexual assault, stalking or harassment, discrimination or sexual misconduct in any form by any member of the campus community. A criminal charge and a disciplinary charge may be pursued at the same time; however, individuals may pursue a disciplinary complaint without pursuing criminal charges. Definitions are provided below:

Sexual Harassment: For the purposes of this policy, sexual harassment is defined as unwelcome or unwanted sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature when: (a) submission to or rejection of this conduct is used explicitly or implicitly as a factor in decisions affecting hiring, evaluation, promotion, other aspects of employment or academic advancement; or (b) such conduct is sufficiently severe, persistent, or pervasive as to substantially interfere with an individual's employment or studies or creates an intimidating, hostile or offensive environment. Examples of sexual harassment include, but are not limited to, unwanted sexual advances, demands or requests for sexual favors in exchange for favorable treatment; repeated sexual jokes or propositions, verbal abuse of a sexual nature; graphic, verbal commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling, touching, pinching, assault, coerced sexual acts or insulting, obscene or demeaning comments or gestures; display in the workplace or common areas of sexually suggestive objects or pictures.

Sexual Discrimination: Sexual discrimination is the practice of using a person's gender as the basis for hiring, termination, promotion, compensation, acceptance, expulsion, evaluation or other employment or academic activities.

Sexual Misconduct: For the purposes of this policy, sexual misconduct means any act of a sexual nature which disrupts or negatively impacts the educational mission of the Seminary, including but not limited to sexual assault, indecent exposure; public displays of pornography; possession, creation or distribution of child pornography; causing another person to witness or observe any sexual act without his or her clear, voluntary consent; videotaping, photographing or otherwise recording sex acts without the clear, voluntary consent of all individuals involved.

Sexual Assault is defined as an offense that meets the definition of Rape, Fondling, Incest or Statutory Rape as used in the Uniform Crime Reporting (UCR) system of the Federal Bureau of Investigation (Appendix A of 34 UCR Part 668). The term includes all forcible sex offenses (any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent; this includes attempts and non-forcible offenses (any unlawful, non-forcible sexual intercourse.) Specific offenses are defined below:

Rape: The carnal knowledge of a person, forcibly and/ or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth.)

Fondling: The touching of the private parts of another person for the purpose of sexual gratification, forcibly and against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent. (In Kentucky the age of consent is sixteen (16) years old.)

Incest: Non-forcible sexual intercourse between persons who are related to each other within degrees wherein marriage is prohibited by law.

Domestic Violence: For the purposes of this policy, domestic violence is defined as a felony or misdemeanor crime of violence committed by a former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with, or has cohabited with the victim as a spouse or intimate partner; by a person similarly situated to a spouse of a victim under the domestic violence laws of the jurisdiction in which the crime of violence occurred; by any other person against an adult or youth victim who is protected from that person's acts under the domestic violence or family violence laws of the jurisdiction in which the crime of violence occurred. Domestic violence as defined in KRS 403.720 (1), (2), (4) means physical injury, serious physical injury, sexual abuse, assault, or the infliction of fear of imminent physical injury, serious physical injury, sexual abuse, or assault between family members or members of an unmarried couple. Kentucky law defines "family member" as a current or former spouse, a parent, a grandparent, a child, or a stepchild. Also, where the victim is a child, any person living in the same household as the child is considered a family member. "Member of an unmarried couple" refers to people who have a child or children together.

Dating Violence: For the purposes of this policy "Dating Violence" is defined as violence committed by a person who is or has been in a social relationship of a romantic nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of 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.

Stalking: For the purposes of this policy, stalking is defined as 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 stress. Course of conduct means two or more 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 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.

Stalking In The First Degree (KRS508.140) is defined as intentionally stalking another person and making an explicit or implicit threat with the intent to place that person in reasonable fear of sexual contact, serious physical injury, or death; and a protective order has been issued, or a criminal complaint is currently pending, or the defendant has been convicted of or pled guilty within the previous five (5) years to a felony or to a Class A misdemeanor against the same victim or victims; or the act or acts were committed while the defendant had a deadly weapon on or about his person. Stalking In The Second Degree: (KRS508.150) is defined as intentionally stalking another person and making an explicit or implicit threat with the intent to place that person in reasonable fear of sexual contact, serious physical injury, or death.

Consent: While Kentucky law does not define consent for sexual conduct, Kentucky law indicates the following constitute lack of consent* (KRS 510.020): (a) Forcible compulsion; (b) incapacity to consent; or (c) If the offense charged is sexual abuse, any circumstance in addition to forcible compulsion or incapacity to consent in which the victim does not expressly or impliedly acquiesce in the actor's conduct.

A person is deemed incapable of consent when he or she is: (a) Less than sixteen (16) years old; (b) An individual with intellectual disability or an individual that suffers from a mental illness; (c) mentally incapacitated; (d) physically helpless; or (e) under the care or custody of the state or local agency pursuant to court order and the actor is employed by or working on behalf of the state or local agency. Note: The provisions of subsection (3)(e) of this section shall not apply to persons who are lawfully married to each other and no court order is in effect prohibiting contact between parties.

Persons to whom this policy applies include the administration, faculty, staff, on-site mentors, trustees and students of Lexington Theological Seminary, as well as to contractors and others who may be on campus. Lexington Theological Seminary will not tolerate sexual harassment, discrimination, or misconduct; domestic violence; dating violence; or stalking on its campus or in any off-campus setting related to the Seminary including, but not limited to, business trips, meetings, and school-related social events.

The Seminary recognizes that not every advance or consent of a sexual nature constitutes harassment/misconduct. Whether a particular action or incident is a personal social relationship without a discriminatory effect requires a determination based on all the facts and surrounding circumstances. False accusations of sexual harassment can have a serious detrimental effect on innocent parties and all others who are concerned. This policy shall not be used to bring frivolous or malicious charges against fellow students, faculty members, or employees. Such charges may result in discipline against the offending individual pursuant to applicable Seminary disciplinary procedures.

Penalties for students found guilty of sexual harassment, discrimination, misconduct or retaliation under this policy may include expulsion or suspension from the Seminary. Staff and

faculty found guilty of sexual harassment, discrimination, misconduct or retaliation may be dismissed, suspended without pay, or removed from their positions. At a minimum, the offender will be reprimanded and a written record shall be placed in the individual's academic/personnel file. Additional action may include referral to counseling, clinical supervision by a licensed psychotherapist to reflect on one's ministry, additional curricular or extra-curricular requirements, withholding of promotion, reassignment, or reduction in duties.

Procedures Victims Should Follow The victim of a sex-based offense (including sexual assault, dating violence, domestic violence or stalking) should promptly report the incident to the Campus Security Authority who will prepare a Crime Incident Report. A copy of the report form is available in Appendix M, Attachment 2 of the Student Handbook, <https://www.lextheo.edu/wp-content/uploads/2015/07/Appendix-M-Campus-Safety-Security-Policies-June-2015-attachment-2.pdf> No information is to be included on this form that would personally identify the victim without his/her consent.

If a student or employee reports that he or she is a victim of domestic violence, dating violence, sexual assault or stalking, regardless of where the offense occurred, the Seminary will provide the victim with a written explanation of his or her rights and options. A copy of this explanation is provided here as Attachment 1. Additionally, the CSA will provide the victim with a referral list of helpful resources, provided here as Attachment 2.

The Seminary encourages (but does not require) victims to also file a police report in all cases involving potential criminal conduct; however, victims may choose to first report the incident to the Campus Security Authority who will assist with reporting sexual misconduct/assault and in obtaining medical support and information regarding available legal resources as well as counseling and support services.

If the offense was committed by a member of the campus community, the victim may also choose to make a formal or informal complaint to the Appeals/Grievance Committee. In such cases, see Appendix B: Grievance Procedures, <http://www.lextheo.edu/appendix-b-grievance-procedures/> for steps to follow and disciplinary actions which may be taken. The Seminary proceedings will embody a prompt, fair and impartial process from the initial investigation to the final result and will be conducted by trained individuals. The standard of evidence used to determine responsibility is a "preponderance" of evidence. This determination is based on the greater weight of the evidence and does not require a standard beyond a reasonable doubt. The Committee will conduct its deliberations in private and will decide the case based on evidence presented at the hearing (if conducted) and in the investigation team's report. The Committee will communicate its findings and intended action in writing to the complainant, respondent, and President within five workdays subsequent to the hearing. The President is responsible for ensuring implementation of any actions recommended. However, should the President find that there was insufficient evidence to support the Committee's decision or that the proceedings were not conducted according to this policy, the President may remand the matter to the Committee for reconsideration.

Depending on the nature of the dispute/complaint, the respondent will be subject to the disciplinary procedures listed in Seminary policy. Both parties will be notified of the outcome of the deliberations. However, due to confidentiality laws, should the respondent be subject to disciplinary action, only the respondent and those responsible for implementation will be notified of the action.

If either party is dissatisfied with the decision of the Committee, that individual has the right to appeal the decision in writing to the President of the Seminary. If, upon review of the hearing record and the investigative team's report, the President finds that there was insufficient evidence to support the Committee's decision or that the proceedings were not conducted according to this policy, the President may remand the matter to the Committee for consideration. If the President determines that there was sufficient evidence and the proceedings were conducted according to the policy, then the President shall implement the recommendation of the Committee immediately. The President shall have ten workdays to render a decision. For further information on disciplinary procedures in case of sexual offense see the Seminary Handbook, Appendix C at <https://www.lextheo.edu/appendix-c-policy-statement-on-sexual-harassment-discrimination/>

Victim's Academic Situation Lexington Theological Seminary will provide alternatives for a victim's academic situation (such as changing class assignments so that a victim need not attend class in the same classroom with the accused) after an alleged sex offense, if requested by the victim and if alternatives are reasonably available.

National Sexual Assault Hotline Additional information on sexual assault and free confidential counseling may be obtained by contacting the toll free, 24-hour National Sexual Assault Hotline, operated by RAINN (Rape, Abuse & Incest National Network) at 1-800-656-HOPE or the RAINN website: www.rainn.org.

Medical Care/Emergency Room Examination An individual who has been the victim of a sex-based offense is urged to seek medical evaluation as soon as possible, ideally within 72 hours of the incident. Any person who has been the victim of a sex-based offense may go directly to the emergency room of any local hospital for medical attention. For life-threatening conditions, call 911, or 9, then 911 from a campus phone. Sexual assaults for which individuals seek medical treatment must be reported to the appropriate police unit by health care officials. However, victims are not required to criminally prosecute the case or file a police report, unless the sexual assault survivor is a minor.

Medical-Legal Evidence Collection A person who has been the victim of sex-based offenses (particularly rape, forcible oral copulation, or sodomy) is encouraged to request collection of medical-legal evidence. Collection of evidence entails interaction with police and a police report. Prompt collection of physical evidence is essential should a person later decide to pursue criminal prosecution and/or a civil action. If the sex-based offense occurred within 72 hours, a confidential exam can still be administered at local hospitals. However, the sooner sex-based offenses are reported, the more likely evidence will remain. To help preserve evidence, the victim is encouraged to try to avoid:

- bathing or douching;
- washing hands or face;
- urinating;
- drinking any liquids;
- if oral contact has occurred, the victim is encouraged to refrain from smoking, eating, or brushing their teeth;
- if clothes are changed, soiled clothes should be placed in a paper bag (plastic can destroy crucial evidence).

Questions about evidence collection can be directed to the local Rape Crisis Center.

Sexual Violence – Protection Orders A protection order is a legal order issued by a court, which requires one person to stop harming, harassing, threatening, abusing, and/or stalking another person. A court looks at the facts and circumstances of the case to determine what actions the alleged individual may not engage in. Emergency protective orders (EPO) and domestic violence orders (DVO) provide protection from harm by a family member or someone in a domestic relationship. In Kentucky, a Domestic Violence Order (DVO) is filed at the Circuit or District Courthouse in the county where the victim lives. If the victim has fled the county of residence to escape the abuser, the victim may go to the Courthouse in the county to which the victim has fled.

The court information for Fayette County, Kentucky is:

Fayette County Circuit Clerk
120 N. Limestone St.
Room 103
Lexington, KY 40507-1152
Phone: (859) 246-2141

- To view a copy of the Domestic Violence Petition/Motion for Kentucky, see: <http://courts.ky.gov/resources/legalforms/LegalForms/27501.pdf>
- For further information on filing a petition in Kentucky and the types of protection available, see Office of the Kentucky Attorney General's webpage at: <http://ag.ky.gov/family/victims/Pages/domestic.aspx>
- For information on enforcement of Out-of-State protection orders by Kentucky law enforcement, see the Department for Human Services webpage at: <http://chfs.ky.gov/NR/rdonlyres/7BE6EA33-2EF7-41A8-8711-D8A88192A9C5/0/OutofStateDomesticViolenceOrders.htm>

Lexington Theological Seminary has no Security or Police Department. No member of the campus community has law enforcement authority. Incidents of violation of no-contact, restraining and protective orders are handled in the same way as other criminal incidents.

Any employee who holds a lawful no contact or restraining order may directly petition the President of the Seminary for special work accommodation during the term of the order,

including but not limited to consideration of restricting interaction/contact with a Seminary student or employee named in the order, etc. Any student who holds a lawful no contact or restraining order may directly petition the Vice President for Academic Affairs for special academic accommodation during the term of the order, including but not limited to consideration of academic needs and issues, restricting interaction/contact with a Seminary student or employee named in the order, etc. The Seminary will make every reasonable effort to cooperate with the party/parties involved in order to honor the terms of the no contact or restraining order. The Seminary will require that the student/employee provide a copy of the court order for its records.

Advising Crime Victims Any person suffering a crime on campus will be referred to appropriate counseling resources by either the Campus Security Authority or the Vice President for Academic Affairs and Dean, as appropriate.

Pastoral Support and Referrals: The Seminary will offer pastoral support to any member of the campus community who is a victim of a sex offense. The Dean will arrange for said support. Pastoral support persons shall be members of the clergy and others who receive confidences in their capacity as spiritual advisors, counselors or other positions. Referral information for crisis intervention, general counseling or medical attention will also be provided as determined by the Dean and pastoral support person.

Confidentiality: Lexington Theological Seminary will preserve victim confidentiality to the extent possible and allowed by law. The Seminary will exercise sensitivity with respect to the privacy concerns of the reporting person; however, these concerns must be balanced against the Seminary's legal obligations as well as its need to protect the campus community and to insure that appropriate disciplinary processes are implemented. Notification to a parent or guardian of a victim of an incident of sexual misconduct or sexual assault will be made, if necessary, in accord with the requirements of applicable privacy and reporting laws, including but not limited to the Family Educational Rights Privacy act.

The crime statistics included in the Seminary's annual state and federal compliance reports and the daily crime log do not include any information that would identify the victim or the person accused of committing a crime. Crime incident reports are retained by the Campus Security Authority in secure storage. All Appeals/Grievance Committee documentation relating to offenses reported to the Committee is retained by the Committee Chair in secure storage.

Positive Options for Bystander Intervention

The following advice and counsel concerning bystander intervention is provided for any member of the campus community who might notice a behavior of concern and interpret the behavior as a problem:

Bystander Intervention is a helping behavior whereby a bystander intervenes directly or indirectly in emergency or non-emergency situations. Examples of situations where active bystander intervention has proven effective include sexual assault, domestic violence, dating

violence, stalking, discrimination, bullying and hazing, eating disorders, alcohol and drug abuse, and issues of academic integrity.

Positive bystander intervention strategies begin when individuals notice the behavior of concern and interpret the behavior as a problem. Always be aware of your personal safety while being an active bystander. Intervene only when it is safe to do so. The goal of bystander intervention is to save lives and prevent possible acts of violence.

The basic active bystander intervention strategy for emergency and non-emergency situations is to report the incident to the Campus Security Authority (CSA). Emergency notifications can also be made by calling 9-1-1 from a cell phone or 9, followed by 911 from a Seminary phone.

Additional strategies include:

- Encourage victims to self-report; never dismiss claims of sexual violence or domestic violence; never place blame on the victim of an act of violence.
- Intervene and ask if a person needs help (e.g., "Do you need a ride?" or "Do you want me to call someone to help?").
- Do not leave another person alone in a situation in which you feel uncomfortable; develop a buddy system.
- Use distraction techniques such as humor, reframing, redirection, or personalization to reduce tension between individuals and to stall for time in which to intervene.
- Recruit help; group interventions can make individuals aware of patterns of behaviors of concern.
- If you are confident that it is safe for you to do so, address the potential perpetrator directly - Ask her/him to stop what she/he is doing, that it is not acceptable or condoned by you or your peers or the Seminary.
- Create a distraction to divert the attention of the potential perpetrator (for example: start a conversation about something else, suggest that they are needed to assist with something, etc.)
- Enlist the help of a friend or other bystander(s). Draw their attention to the situation and quickly strategize with them to step in. Ask them to join you in approaching the potential victim or perpetrator or to contact authorities such as the police, Campus Security Authority or Seminary officer/faculty member while you address the parties involved.

Additional information about the role of positive bystander intervention can be found at the National Sexual Violence Resource center website, specifically:

http://www.nsvrc.org/sites/default/files/Publications_NSVRC_Booklets_Engaging-Bystanders-in-Sexual-Violence-Prevention.pdf

Educational Programs to Promote Awareness & Prevention

Through its *Sexual Discrimination and Harassment Policy*, the Seminary provides notice that sexual harassment, discrimination or misconduct in any form including dating violence,

domestic violence, sexual assault and stalking will not be tolerated. The procedures specified in the policy will be utilized to punish/correct incidents of harassment and to allow all students, faculty, and staff to prevent, report, and eliminate these behaviors from this campus. A copy of this policy is included in the Student Handbook and is made available to all members of the campus community on the Seminary website at <https://www.lextheo.edu/appendix-c-policy-statement-on-sexual-harassment-discrimination>. New employees and students are required to review the policy upon employment/admission and all members of the campus community are instructed to review the policy annually.

Through its *Campus Safety and Security Policies*, Appendix M of the Seminary Handbook, the Seminary presents its policies and procedures to ensure a safe, friendly campus environment with a mindset of trust, respect and dedication to excellence. All new employees and students are required to review the policy. A safe environment depends on the ongoing cooperation and involvement of individuals in safeguarding themselves and others; as such, annually, a copy of the current Annual Security Report is sent to all campus community members including students, faculty and staff. At that time, all members of the campus community are also directed to review Seminary safety and security policies and procedures online at: <https://www.lextheo.edu/appendix-m-emergency-procedures/>

Through its *Illicit Drugs, Alcohol, Tobacco and Firearms Policy*, Appendix E of the Seminary Handbook, the Seminary presents its policies and procedures to encourage those choices and habits that lead to good physical, mental and spiritual health. The Seminary does not support those behaviors that place health at risk and that have been proven to compromise the health and safety of campus community members. Education is encouraged in appropriate classes, available literature, modeling by one another, and any other manner that is consistent and appropriate in our community practices. By virtue of its inclusion in the Handbook, this policy and any revisions shall be considered to be distributed annually online at <https://www.lextheo.edu/appendix-e-illicit-drugs-alcohol-tobacco-and-firearms-policy/> to students, faculty and staff. The Vice President of Academic Affairs and Dean and the Chief Financial Officer shall review and interpret the policies and procedures relevant to this policy statement on an annual basis. These two administrators shall be jointly responsible for maintaining records of the annual review of this policy statement.

Materials are provided to the campus community in several situations including preparation for periodic student intensives, as annual mailings, as periodic notifications in response to active safety and security issues. The *Campus Security Checklist* (Attachment 3) is mailed to all students scheduled for classes on campus, along with their class preparation materials

The Seminary is committed to educate students and the campus community on how to identify early warning signs of violence and understand the appropriate responses. In this regard, a combination of on-line and print resources is used to inform new students and employees about crime and violence prevention and educate the campus community about sexual violence prevention, self-protection and safety.

Materials are provided to the campus community in several situations: included in preparation material for periodic student intensives, as annual mailings, as periodic notifications in response to active safety and security issues.

- *Avoiding Sexual Coercion*: This pamphlet provides a comprehensive definition of sexual coercion and its various forms; seven questions to test for sexual coercion in a relationship; and tips for identifying coercion, avoiding it and getting help.
- *Dating Violence: Facts You Should Know*: This pamphlet provides a comprehensive definition of dating violence and its various forms in comparison to positive dating experiences; it explains that violence is not the fault of the victim; and provides tips for reducing the risk of dating violence and for ending unhealthy relationships.
- *Partner Abuse – What You Should Know*: This booklet provides a comprehensive definition of partner abuse and its various forms as well as important information on its prevention. Additionally, a “safety plan” is provided for the victim of partner abuse, including sources of help.
- *Emergency Checklist*: This Seminary handout outlines safety and reporting instructions for anyone working on campus or visiting.
- *Notification of Rights/Options*: This Seminary handout provides victims of a sexual offense with a summary of their rights and options.

Additional educational materials and links to trusted informational websites are made available electronically through links provided in the Student Handbook, the Annual Security Report and the campus library for campus community members. The Campus Security Authority is responsible for the design, update and selection of educational materials relating to crime, campus security and violence prevention.

Registered Sex Offenders Information on registered sex offenders living and working in the areas near Lexington Theological Seminary’s campus may be obtained through the following state law enforcement website: <http://kpsor.state.ky.us/> Lexington Theological Seminary is not responsible for the accuracy of data which appears on the state website. Students are encouraged to visit their home state’s law enforcement website to locate information on sex offenders residing in their area.

Annual Campus Safety and Security Reporting

Annual Security Report This report is prepared by the Campus Safety Survey Administrator (CSSA) under the direction of the Chief Financial Officer, who serves as Campus Security Authority (CSA) for the campus. The report embodies all Clery crime statistics and incident reports for the prior 3 years as well as safety and security policies and procedures. The completed report is posted on the Lexington Theological Seminary public website annually. A notice of availability of the report, including a link to the online document, is e-mailed to all current and prospective employees and students for their information. A listing of crime definitions for statistical reporting is provided in the Student Handbook, Appendix M, Attachment 5: <https://www.lextheo.edu/wp-content/uploads/2015/07/Appendix-M-Campus-Safety-Security-Policies-June-2015-attachment-5.pdf>

Throughout the year, a file is maintained by the Campus Security Authority on all reported incidents of offenses and crimes which occur on the Lexington Theological Seminary campus. The file includes:

- A crime log. Information contained in the log is gathered from the incident forms described below. The current year's crime log is available for public review at all times. Copies of the crime log for the prior two years will be made available to the public within two business days of request.
- Crime Incident Report Form(s) – one completed form for each reportable incident which has occurred on campus during the calendar year. The Campus Security Authority completes this form.

In addition to the incident reports and crime log information, crime and incident statistics gathered from the Police Crime Analysis Report (see below) are included in the statistical table for the report. Policy and procedure content of the Annual Security Report, as prescribed by the *Handbook for Campus Safety and Security Reporting*, U.S. Department of Education, <http://www2.ed.gov/admins/lead/safety/handbook.pdf>, Chapter 9, is also included.

Police Crime Analysis Report: Prior to August 1 of any report year, the Seminary's Campus Safety Survey Administrator (CSSA), under the direction of the Campus Security Authority prepares a letter to the Lexington-Fayette Urban County Division of Police, requesting crime and incident data for the preceding calendar year for Lexington Theological Seminary's defined Clery Geography. The request may be submitted by fax. The police response/report provides back-up information to the Seminary's crime log and incident reports. The report is reviewed and incidents which must be reported are noted. Electronic copies of the report are retained for a minimum of four years.

Minger Report: On or about mid-August, the Seminary President will receive a letter from General Counsel for the Kentucky Council on Postsecondary Education, informing the President that the Michael Minger Act Report for the prior year is to be filed by the end of the month. The report is filed on-line by Campus Safety Survey Administrator (CSSA) under the direction of the Campus Security Authority. There are six sections; the three narrative sections are updated only for changes from the prior year. The three tables are used to report (1) Crimes; (2) Criminal Attempts; and (3) Incidents if not included in 1 or 2 but included on the Seminary Crime Log. Current procedural requirements, definitions and filing and recordkeeping instructions are provided by the Kentucky Council on Postsecondary Education at <http://minger.ky.gov/definitions.asp>

Clery Report: On or about mid-July the Seminary President will receive a letter from the Director of the Policy and Budget Department of the United States Department of Education, Office of Postsecondary Education. This letter will notify of any upcoming changes to the *Clery* reporting requirements and will include web addresses for the Clery Act Handbook for Crime Reporting and a report filing website with current password for the Seminary.

The *Handbook for Campus Safety and Security Reporting*, U.S. Department of Education, <http://www2.ed.gov/admins/lead/safety/handbook.pdf> contains instructions and definitions which should be followed for completing the Clery Act information. Data for completion of the crime statistics section is drawn from review of the Crime Log and the Police Crime Analysis Report mentioned above as well as any reportable disciplinary actions. (Data for the prior two years appear automatically on the report.) The Disclosure of Policy Statements section reflects the latest version of approved and published Seminary policies which refer to the topics cited. This report is prepared by the Campus Safety Survey Administrator (CSSA) under the direction of the Campus Security Authority.

Annual Crime Statistics

A summary of Clery Act statistics for Lexington Theological Seminary for the period 2014-2016 is provided as Attachment 4 sections a-d of this report.

Attachment 1

Notification of Rights/Options

Lexington Theological Seminary

To be provided by the Campus Security Authority to any student or employee who reports he/she is a victim of a sexual offense including domestic violence and stalking.

Medical Care/Emergency Room Examination Any victim of a sex-based offense is urged to seek medical evaluation as soon as possible, ideally within 72 hours of the incident. The victim may go directly to the emergency room of any local hospital for medical attention. For life-threatening conditions, call 911, or – if calling from a campus phone – 9, then 911.

NOTE: Sexual assaults for which individuals seek medical treatment must be reported to the appropriate police unit by health care officials. However, victims are not required to criminally prosecute the case or file a police report, unless the sexual assault survivor is a minor.

Medical-Legal Evidence Collection The victim of a sex-based offense (particularly rape, forcible oral copulation, or sodomy) is encouraged to request collection of medical-legal evidence. Collection of evidence entails interaction with police and a police report. Prompt collection of physical evidence is essential should a person later decide to pursue criminal prosecution and/or a civil action. If the sex-based offense occurred within 72 hours, a confidential exam can still be administered at local hospitals. However, the sooner sex-based offenses are reported, the more likely evidence will remain. *To help preserve evidence, the victim is encouraged to try to avoid: bathing or douching; washing hands or face; urinating; drinking any liquids; if oral contact has occurred, the victim is encouraged to refrain from smoking, eating, or brushing their teeth; if clothes are changed, soiled clothes should be placed in a paper bag (plastic can destroy crucial evidence).*

To Whom an Offense May be Reported The complainant has the right to choose not to file a complaint with the Seminary. However, when the Seminary is made aware of an allegation of sexual assault, stalking, dating violence, or domestic violence, it must investigate and take action to protect the complainant or other members of the campus community. The victim of a sex-based offense (including sexual assault, dating violence, domestic violence or stalking) should promptly report the incident to the Campus Security Authority (CSA,) Karen Wagers, or to the Vice President of Academic Affairs, who will contact the CSA.

The Seminary encourages victims to also file a police report in all cases involving potential criminal conduct; however, victims may choose to first report the incident to the Campus Security Authority who will assist with reporting sexual misconduct/assault and in obtaining medical support and information regarding available legal resources as well as counseling and support services.

NOTE: If a reporting person requests anonymity, this request must be honored to the extent permitted by law. Accordingly, no information should be included in any campus crime report, emergency notification or timely warning that would personally identify the victim without his/her consent. For complete detail on all campus policies and procedures involving criminal and/or sexual offenses, grievance procedures and/or harassment policies and procedures, see the Student Handbook, Appendices B, C and M.

Rights of the Parties Involved in the Case of an Institutional Disciplinary Procedure Both the accuser and the accused are entitled to: access information that will be used at the hearing; present relevant witnesses and other evidence; have others present during the hearing and related meetings or proceedings; protection under applicable privacy laws (e.g. FERPA); be informed in writing of the Seminary's grievance process; be informed (simultaneously) in writing of any change in the results of the process that occurs prior to the time the results become final as well as the final outcome of the grievance process; the presence of an advocate/advisor of her/his choice during the process. The advocate/advisor may advise the accuser/accused but may not participate in the hearing or address the Committee unless responding to a direct question from the chairperson to the advocate/advisor. NOTE: Confidential medical/counseling records and information regarding the victim's sexual history will not be provided to the accused and is not admissible at any disciplinary proceeding.

The standard of evidence used to determine responsibility is a "preponderance" of evidence. This determination is based on the greater weight of the evidence and does not require a standard beyond a reasonable doubt.

For the complete policy governing institutional disciplinary procedures see Appendix B, Grievance Procedure, of the *Student Handbook*.

Counseling, Health Services, Mental Health Services, Victim Advocacy, Legal Assistance and other Victim Services Any person suffering a crime on campus will be referred to appropriate counseling resources by either the Campus Security Authority or the Vice President for Academic Affairs and Dean, as appropriate.

Pastoral Support and Referrals: The Seminary will offer pastoral support to any member of the campus community who is a victim of a sex offense. The Dean will arrange for said support for students. The CSA will make these arrangements for employees. Pastoral support persons shall be members of the clergy and others who receive confidences in their capacity as spiritual advisors, counselors or other positions. Referral information for crisis intervention, general counseling or medical attention will also be provided as determined by the Dean/CSA and pastoral support person

Remedial Action for Sex-based Offenses In the event the Seminary Administration finds by a preponderance of the evidence that sex-based offenses did occur (regardless of whether the victim chooses to report the crime to the Campus Security Authority or local law enforcement), the Seminary will take immediate steps to end the misconduct, eliminate any hostile environment that has been created, prevent further sex-based misconduct and prevent retaliation. Additional remedial action including victim counseling, tutoring, changing intensive class assignments so that the victim and alleged perpetrator do not share the same on-site classes, no-contact orders and/or permitting a student to re-take a course may be applied. The accused may be required to participate in educational or counseling intervention.

Judicial No-Contact, Restraining and Protective Orders Emergency protective orders (EPO) and domestic violence orders (DVO) provide protection from harm by a family member or someone in a domestic relationship. To discuss your filing options in Fayette County, Kentucky, contact: Fayette County Circuit Clerk; 120 N. Limestone, Room 103, Lexington, KY 40507-1152, Phone: (859) 246-2141.

Any employee who holds a lawful no contact or restraining order may directly petition the President of the seminary for special work accommodation during the term of the order, including but not limited to consideration of restricting interaction/contact with a Seminary

student or employee named in the order, etc. Any student who holds a lawful no contact or restraining order may directly petition the Vice President for Academic Affairs for special academic accommodation during the term of the order, including but not limited to consideration of academic needs and issues, restricting interaction/contact with a Seminary student or employee named in the order, etc. The Seminary will make every reasonable effort to cooperate with the party/parties involved in order to honor the terms of the no contact or restraining order. The Seminary will require that the student/employee provide a copy of the court order for its records. Incidents of violation of no-contact, restraining and protective orders are handled by the Seminary in the same way as other criminal incidents (see Student Handbook, Appendix M, sections I.B and III.A.)

Attachment 2

Directory of Victim Assistance Services

To be provided by the Campus Security Authority to any student or employee who reports he/she is a victim of a sexual offense including domestic violence and stalking.

Kentucky Cabinet for Health and Family Services: Provides information, links and referrals to various statewide resources. Office of the Secretary, 275 East Main Street, Frankfort, KY 40621
 Hotline: CHFS Ombudsman Toll-Free 1-800-372-2973 Phone: Abuse Hotline: 1-800-752-6200
 Phone: Women, Infant and Children (WIC) Program: 1-800-462-6122
 Web: <http://chfs.ky.gov/>
 The Family Violence Prevention Branch of the Kentucky Cabinet for Health and Family Services:
<http://chfs.ky.gov/dcbs/dpp/violenceprevention.htm>

Kentucky Domestic Violence Association: 111 Darby Shire Circle, Frankfort, KY 40601
 Phone: Phone: 502-209-KDVA (5382)
 Web: <http://www.kdva.org>

Legal Aid Network of Kentucky: Phone: Local: 270-782-1924; Phone: Toll Free: 800-782-1924
 Hotline: First time callers: 866-452-9243
 Web: <http://kyjustice.org/home>

Kentucky Hotlines:

(Lexington) Bluegrass Rape Crisis Center: 859-253-2511 or 800-656 HOPE (4673)
 Lexington Mental Health Crisis Line 1-800-928-8000
 Drug and Alcohol Abuse Treatment Referral: 1-800-662- HELP (4356)

National Hotlines:

National Suicide Prevention Hotline: 1-800-273-TALK (8255); www.suicidepreventionlifeline.org
 Substance Abuse & Mental Health Services Association: 1-800-662-HELP (4357) www.samhsa.gov
 Mental Health Services Locator: <https://www.samhsa.gov/find-help>
 Rape, Abuse & Incest National Network (RAINN): 1-800-656-HOPE (4673) www.rainn.ORG
 National Domestic Violence Hotline: 1-800-799-7233 www.ndvh.org
 Department of Justice Office of Violence Against Women: www.usdoj.gov/ovw/
 Narcotics Anonymous (find a registered Narcotics Anonymous group in your area): www.na.org
 Alcoholics Anonymous (find a registered Alcoholics Anonymous group in your area):
www.aa.org

The Stalking Resource Center: Stalking Prevention & Protection Information
<http://www.victimsofcrime.org/our-programs/stalking-resource-center>

Directory of Crime Victim Services Enables crime victims to readily locate national and international assistance services and will help victim service providers make appropriate referrals. The directory allows users to search for victim services by location, type of victimization and type of service needed. Web: <http://ovc.ncjrs.gov/findvictimservices/default.html>

National Organization for Victim Assistance The National Organization for Victim Assistance (NOVA) provides victim and witness assistance for criminal justice and mental health professionals, advocates, researchers, victims and survivors, and related professionals.
Hotline: 1-800-TRY-NOVA (1-800-879-6682)

Phone: (703) 535-NOVA (6682)

Web: <http://www.trynova.org>

On –Campus Assistance: Students wishing to discuss personal concerns are invited to use any of the following services:

- Faculty: Each member of the faculty is available to students. The primary matters discussed with the faculty are academic and vocational; however, discussions with faculty are not limited to these issues.
- The Office of the Vice President for Academic Affairs: The Office works with students, advocates for students in appropriate circumstances, and works to assist individual students in solving problems that might inhibit academic progress.

Members of the campus community wishing to discuss personal concerns are invited to consult with the Campus Security Authority for referrals or recommendations.

Attachment 3

CAMPUS SECURITY CHECKLIST

Lexington Theological Seminary

- ☐ **In case of imminent danger from crime, fire or other emergency, dial “911” immediately and describe the situation to the responder; follow any instructions provided by the civil authorities.** (If dialing from a phone within the Seminary phone system, you must first dial “9”, then “911”. If dialing from your cell phone, be prepared to give your physical location if asked. The Seminary campus is located at 230 Lexington Green Circle, Lexington, Kentucky 40503)

 - In case of fire, activate the fire pull alarm located on the wall at each stairwell exit door. Activation of the fire alarm will automatically alert the fire department.
 - For specific evacuation or safe area instructions in case of bomb scare, earthquake, loss of power, elevator entrapment or severe weather, please refer to Lexington Green Emergency Building Information, Attachmen1 of the Campus Safety and Security Policies and Procedures in the Student Handbook.
- ☐ **In the case of any crime or offense of a non-emergency nature which is observed or of which a person has knowledge, the situation must be reported immediately to the Campus Security Authority (CSA), Karen Wagers, Chief Financial Officer, Room 316, extension 1236.** In the event the CSA is out of the office, the incident should be reported to the Vice President of Academic Affairs and Dean, Dr. Loida I. Martell, extension 1256.

EMERGENCY PROCEDURES FOR STUDENTS AND VISITORS

Whenever possible, all persons present in classroom facilities, offices, common areas and/or the library will be instructed by the Campus Security Authority to take the recommended action according to the nature of the situation, however, in the absence of instruction, please follow the procedures below according to the emergency situation encountered.

CRIME: If you witness a violent crime, dial 911 immediately. If you notice activity that is suspicious, report it to Karen Wagers, the Chief Financial Officer and Campus Security Authority (CSA) immediately. If you are unable to contact the CSA, notify another Seminary officer or faculty member. The Campus Security Authority will notify the police and also alert building management, if warranted.

To decrease the possibility of automobile crimes:

- Do not leave your vehicle unattended with the engine running.
- Lock your vehicle.
- Do not leave phones, laptops, tablets, CDs, tapes, GPS devices, loose change, etc. visible through vehicle windows; lock such items in glove compartment or in trunk before entering the parking lot.
- Take purses and wallets with you. Do not leave purses in the car or the trunk.

MEDICAL EMERGENCY: Immediately call 911 in the event of a medical emergency. Provide the street address, the floor and suite number (*Lexington Theological Seminary’s street address is: 230 Lexington Green Circle, Suite 300*), your name, the number you are calling from and the nature of the emergency. Stay on the telephone if at all possible or have someone relay messages to you from the 911 operator. Have someone contact building management.

- Avoid moving the patient. Evaluate the patient, getting as much information as possible from the patient or if the patient is unresponsive, from anyone that saw the actions leading up to or preceding the emergency. Provide all information to the 911 operator and wait for directions.
- Have someone meet emergency personnel at building entrance with elevator locked off to bring to location of patient.

ELEVATOR ENTRAPMENT: ThyssenKrupp Elevator Company is called automatically from the elevator telephones. They will respond immediately.

FIRE: In case of fire

- **Activate fire pull alarm located on the wall at each stairwell exit door.** If safely possible, notify the CSA or a Seminary officer or faculty member.
 - o Activation of the fire alarm will automatically notify the fire department and will alert occupants on the floor where the alarm was pulled in addition to one floor above and one floor below with a fire alarm signal (a slow whoop ten seconds) and a taped message to evacuate only those three floors.
- **Exit the building through the nearest stairway.** Never use the elevators in any fire emergency.
 - o If occupants fully exit the building, gather away from the building with other building occupants so that once everyone has evacuated, a head count can be taken.

LOSS OF POWER: The buildings emergency generators allows the building to have power supplied to emergency exit lighting, the fire sprinkler system and the main entry door lock system.

- If it is necessary to exit the building, follow the lighted exit signs to the nearest stairway. **DO NOT USE ELEVATORS.**
- Once outside, stay clear of downed power lines, trees or limbs.

EARTHQUAKE:

- Immediately drop, cover and hold on. Drop to the floor; take cover under a sturdy desk or table, and hold on to it firmly. Be prepared to move with it until the shaking stops. If you are not near a desk or table, drop to the floor against the interior wall and protect your head and neck with your arms. Avoid exterior walls, windows, hanging objects, mirrors, tall furniture, large appliances, and kitchen cabinets with heavy objects or glass. Do not go outside. Remain in your safe place until the shaking has stopped or you are directed otherwise. Seek safety where you are at the time of the incident.
- Do not use the telephone except to call for help or to report serious emergencies. The electricity may go out, elevator, fire and burglar alarms may start ringing and/or the sprinkler system may activate. Expect to hear noise from breaking glass, cracks in walls and falling objects.
- If outdoors, get into an open area away from the building and power lines. Do NOT go back in the building

TORNADO/SEVERE WEATHER:

- Move to safe area on the floor (toward center of building), such as restrooms, fire stairwells or interior rooms with no glass.
- Do not attempt to go to the first floor lobby.
- If outdoors go to low lying area and remain there until storm passes.

Attachment 4a - Criminal Offenses

Offense	Year	On Campus	On-Campus Student Housing	Non-Campus	Public Property
	2014	0	NA	NA	NA
Murder/Non-Negligent Manslaughter	2015	0	NA	NA	NA
	2016	0	NA	NA	NA
	2014	0	NA	NA	NA
Manslaughter by Negligence	2015	0	NA	NA	NA
	2016	0	NA	NA	NA
	2014	0	NA	NA	NA
Rape	2015	0	NA	NA	NA
	2016	0	NA	NA	NA
	2014	0	NA	NA	NA
Fondling	2015	0	NA	NA	NA
	2016	0	NA	NA	NA
	2014	0	NA	NA	NA
Incest	2015	0	NA	NA	NA
	2016	0	NA	NA	NA
	2014	0	NA	NA	NA
Statutory Rape	2015	0	NA	NA	NA
	2016	0	NA	NA	NA
	2014	0	NA	NA	NA
Robbery	2015	0	NA	NA	NA
	2016	0	NA	NA	NA
	2014	0	NA	NA	NA
Aggravated Assault	2015	0	NA	NA	NA
	2016	0	NA	NA	NA
	2014	0	NA	NA	NA
Burglary	2015	0	NA	NA	NA
	2016	0	NA	NA	NA
	2014	0	NA	NA	NA
Motor Vehicle Theft	2015	0	NA	NA	NA
	2016	0	NA	NA	NA
	2014	0	NA	NA	NA
Arson	2015	0	NA	NA	NA
	2016	0	NA	NA	NA

Attachment 4b – WAVA Offenses

Offense	Year	On Campus	On-Campus Student Housing	Non-Campus	Public Property
	2014	0	NA	NA	NA
Domestic Violence	2015	0	NA	NA	NA
	2016	0	NA	NA	NA
	2014	0	NA	NA	NA
Dating Violence	2015	0	NA	NA	NA
	2016	0	NA	NA	NA
	2014	0	NA	NA	NA
Stalking	2015	0	NA	NA	NA
	2016	0	NA	NA	NA

Attachment 4c – Arrests & Disciplinary Referrals

Offense	Year	On Campus	On-Campus Student Housing	Non-Campus	Public Property
	2014	0	NA	NA	NA
Arrests: Weapons Law Violations	2015	0	NA	NA	NA
	2016	0	NA	NA	NA
	2014	0	NA	NA	NA
Disciplinary Referrals: Weapons Law Violations	2015	0	NA	NA	NA
	2016	0	NA	NA	NA
	2014	0	NA	NA	NA
Arrests: Drug Abuse Violations	2015	0	NA	NA	NA
	2016	0	NA	NA	NA
	2014	0	NA	Na	NA
Disciplinary Referrals: Drug Abuse Violations	2015	0	NA	NA	NA
	2016	0	NA	NA	NA
	2014	0	NA	NA	NA
Arrests: Liquor Law Violations	2015	0	NA	NA	NA
	2016	0	NA	NA	NA
	2014	0	NA	NA	NA
Disciplinary Referrals: Liquor Law Violations	2015	0	NA	NA	NA
	2015	0	NA	NA	NA

Attachment 4d – Hate Crimes & Unfounded Crime Reports

- There were no reported Hate Crimes for the years 2014, 2015 or 2016.
- There were no unfounded crimes in 2014, 2015 or 2016.

Attachment 5

Employee Disciplinary Policy & Procedure

Employees whose performance or behaviors do not meet expected standards may be subject to any of the following disciplinary actions, provided that, depending on the severity or frequency of the performance deficiencies, LTS may skip any of the identified actions and may, where appropriate, move immediately to dismissal of the employee.

Oral Reprimand: The manager will notify the employee, orally, that performance and/or behavior needs improvement. The notification will include a discussion of the necessary remedial actions. The manager shall document the date and time of the oral reprimand in his/her files. If satisfactory remedial action is not taken after one oral reprimand, a written reprimand typically shall be given.

Written Reprimand: The manager will notify the employee, in writing, that performance/behavior needs improvement. The reprimand shall include details regarding the deficiencies and required remedial action(s). The reprimand may include stipulations for continued employment. Written reprimands may or may not be preceded by oral reprimands. If the written reprimand is preceded by oral reprimands, the written one shall include references to the oral. A copy of the written reprimand is placed in the employee's personnel file, and is signed by the employee to indicate receipt.

The reprimanded employee may respond in writing to any written reprimand, but is not required to do so. The written response, if any, shall be placed in the personnel file of the employee.

Suspension: The employee may be suspended, without pay, for up to 30 work days. The employee shall be notified of the suspension in writing. The notification shall include details regarding the deficiencies and required remedial action(s). Suspension may be imposed only with the agreement of the individual's immediate supervisor, the CFO, and the President. Suspension may or may not be preceded by other disciplinary actions.

Counseling: The employee may be required to participate in some sort of counseling program. The employee shall be notified of the requirement in writing. The notification shall include details regarding the reason for the counseling. Counseling may be imposed only with the agreement of the individual's immediate supervisor, the CFO, and the President. Counseling may or may not be preceded by other disciplinary actions. Efforts will be made to recommend counseling which is available free of charge or covered by the Seminary's health benefits. However, the employee shall be responsible for all non-covered costs associated with the counseling.

Dismissal: The employee may be dismissed from employment at Lexington Theological Seminary. Details are provided in the next section.

Termination of Employment: Employees may leave the employment of the Seminary under the following circumstances. The *Faculty Handbook* contains additional provisions related to faculty only.

Voluntary Resignation: The employee chooses to leave employment. Employees are expected to provide a minimum of two weeks written notice. Notice of resignation is made to the immediate supervisor with copies to the CFO and President.

Layoff: The employee's employment may be terminated due to a decrease or change in staffing requirements and/or financial exigencies. Employees laid off may be recalled at the discretion of the Seminary. Severance for staff, faculty and administrative officers shall be calculated by the President and CFO, with approval from the Executive Committee of the Board of Directors.

Dismissal (Performance Related): The employee's employment may be terminated for unacceptable job performance or behavior. Although not required, dismissal for performance related issues often will be preceded by progressive forms of disciplinary action.

Dismissal (For Cause): The employee may be dismissed for serious or flagrant violations of policy or for demonstrating behavior inconsistent with the mission and policies of the Seminary. Kentucky is an "at will" state, which means that the Seminary has the right to terminate the employment of anyone, for any reason, at any time.

Additional Provisions Related to Faculty Only: In the event of dismissal for cause, termination of employment may be immediate (though the person may continue, at the seminary's discretion, to be paid during any period of appeal). A person dismissed for cause may appeal the decision to the Dean. The Dean will appoint an Appeal Committee composed of the Dean and two regular faculty members, one chosen by the person making the appeal and one chosen by the Dean. The Committee will review the decision and make a recommendation to the President. The President will consider the recommendation, and, along with her or his independent recommendation regarding the appeal, will take the matter to the Executive Committee of the Board of Trustees for a final decision.

Attachment 6

Annual Test of Emergency Response Notification

Date: 06/02/16 Announced Test Unannounced Test

Start Time: 3:30 p.m. End Time: 3:45 p.m.

Report of Emergency Situation (describe)

Severe Weather Violent Intruder Fire Other (describe)

Determination that notification will be issued (describe nature of emergency and risk determination, including how facts concerning the incident were ascertained and assessed for accuracy): Lexington Green Building Management has notified the CSA that the building is in the path of an oncoming tornado and has sounded an alarm. The CSA has confirmed the call's validity by consulting a weather app. on her mobile device. Notification of tornado protocol was issued.

Message Prepared and Disseminated: (including statement of situation, actions receiver of message should take, where additional information may be obtained))

- Internal Phone Page: "There is a tornado in our path, close your doors and head to the center stairwell."
- Sound Alarm: The alarm siren was sounded in conjunction with the telephone page message.

Method(s) of Notification selected:

- Seminary Web Page
- Electronic Mail
- Door to Door notification
- Contact Local Media
- Other (describe) Siren and Telephone Page, Library search for visitors,

Findings:

- Prior to announcement of the test, the Tornado/Severe Weather Response Protocol was circulated to the campus community. Questions as to which stairwell were posed and it was clarified that the center hall stairwell, not the stairwell by the Library was the evacuation destination.
- Polling all community members and visitors on campus as the time of the test confirmed that everyone heard the siren and telephone page.

- All members of the community and visitors proceeded to the inner hallway/stairwell in good order, having closed all office and library access doors.
- All participants waited in the hallway/stairwell until the CSA declared the test over.

Recommendations for Improvements/Modification to Procedures/Systems:

At this time, the procedure for emergency response notification for severe weather are working well and no changes to the procedure are recommended.

Lexington Theological Seminary
TORNADO/SEVERE WEATHER
RESPONSE PROTOCOL
(04/2016)

In the event a tornado is sighted or a tornado bulletin is issued for Lexington, building management will notify the Seminary's Campus Security Authority (the Chief Financial Officer) and/or the Business Office.

An alert siren will be sounded and a telephone page will be issued by the Campus Security Authority advising everyone on the floor to follow the tornado procedure, which is as follows:

- Close all window blinds/drapes on outside windows.
- Close all doors to outside offices.
- Move to the designated safe area on your floor (toward center of building, the fire stairwells).
- Do not attempt to go to the first floor lobby.

NOTE: If you are outdoors and hear the tornado siren seek cover inside a building away from doors and glass or, if that is not possible, go to a low lying area (under the Lexington Green parking garage) and remain there until storm passes

Attachment 7

Crime Log 2016

Lexington Theological Seminary Daily Crime Log - 2016

Nature (Clery Offense)	Case Number	Date/Time Reported	Date/Time Occurred	General Location	Disposition
	2016 -				

There were no Minger or Clery offenses reported and no Crime Incident Reports filed for 2016.