

Cleveland State University

VIOLENCE FREE CAMPUS POLICY

Policy and Procedures

I. POLICY

A. Cleveland State University is committed to providing a safe and healthy campus for all members of the University community. It is the policy of Cleveland State that campus violence in any form is unacceptable. Any form of violence by a member of the University Community will be cause for disciplinary action up to and including dismissal consistent with the applicable University policies and collective bargaining agreements as unacceptable personal conduct and may also result in criminal prosecution, if federal, state or local laws are violated. Campus violence committed or threatened by an individual(s) from outside of the University Community will be appropriately handled by the University's Public Safety Department and sent for referral to available legal processes where necessary.

B. Prohibited acts of campus violence include, but are not limited to threats, intimidation, physical attack, property damage and domestic/relationship violence which occur either on campus, or which may potentially affect a member of the campus community while he/she are on campus. Violent or threatening behavior may consist of: physical acts, oral or written statements, harassing email messages, harassing telephone calls, gestures or behaviors that are threatening to either the physical or psychological well-being of the individual. Such behavior includes self-directed as well as other-directed violence or threat of violence.

C. All acts of violence or situations of concern due to disturbing or disruptive behavior should be reported so that preventative or loss control action may be taken.

II. DEFINITIONS

For purposes of this Policy, the following definitions apply:

- A. **Threats:** A "threat" is the expression of intent to cause physical or mental harm. Such an expression constitutes a threat without regard to whether the person communicating the threat has the ability to carry it out, and without regard to whether the threat is made on a present, conditional or future basis. In determining whether the conduct constitutes a threat, including whether the action caused a reasonable apprehension of harm, the University will consider the totality of the circumstances on a case-by-case basis.
- B. **Intimidation:** "Intimidation" includes, but is not limited to stalking or engaging in actions, either verbal or physical, which are intended to frighten or coerce.
- C. **Physical Attack:** A "physical attack" is, without limitation, unwanted or hostile physical contact such as hitting, pushing, kicking, shoving, throwing of objects or fighting.

- D. **Property Damage:** "Property damage" is intentional damage to or destruction of property owned or used by the University or its students, employees, vendors or visitors.
- E. **Domestic or Relationship Violence:** "Domestic or Relationship Violence" is the use of abusive or violent behavior, including threats and intimidation, between people who have an ongoing or prior intimate or familial relationship. This could include people who are, or were, married, live together or dating.
- F. **Disturbing Behavior:** "Disturbing Behavior" is behavior that causes the observer to feel concerned, afraid or alarmed. An example would be overhearing an employee joking about killing himself/herself or another. While this behavior may not be a violation of the Campus Violence Policy, it is requested that such behavior be reported so that action can be taken to prevent future violence to oneself or to others.
- G. **Disruptive Behavior:** "Disruptive Behavior" is behavior which interferes with the workplace or classroom and the ability of others to get their work done. While this behavior may not be a violation of the Campus Violence Policy, it is requested that such behavior be reported so that action can be taken to prevent future violence to oneself or to others.

III. COVERAGE

All faculty, staff, students, vendors, contractors, consultants and others who do business with the University, whether in a University facility or an off-campus location where University business is conducted, are covered by this Policy. This Policy also applies to other persons not affiliated with the University, such as former employees, former students and visitors while they are on campus property. It also may cover off-duty violent conduct that has a potential adverse impact on the campus member's ability to perform his or her duties, or responsibilities while s/he is on campus.

IV. REPORTING RESPONSIBILITIES

A. Members of Campus Community and Visitors

All members of the campus community and visitors are encouraged to be alert to the possibility of violence by anyone on campus. They should place safety as their highest concern, and should report all acts of violence, threats of violence and disruptive or disturbing behavior to the CSU Police Department at 911 on campus or 216 687- 2111 from off campus phones. Employees off campus or at the West Center and East Center should notify those local police departments by dialing "911". The University will institute disciplinary action as appropriate and will follow up with victims and any witnesses to an incident of campus violence, preserving, to the extent required by law or policy, the privacy interests of those involved.

B. Additional Procedure for Protective or Restraining Orders

Members of the campus community who apply for or obtain a protective or restraining order which lists University locations as being protected areas, should provide Public Safety with a copy of any temporary protective or restraining order which is granted and a copy of any protective or restraining order which is made permanent. Employees should inform their supervisors of such orders.

C. Confidentiality

All reports made under this Policy will be handled in a confidential manner, with information released to the appropriate University office only on a need-to-know basis. The University is subject to the Ohio Public Records Act (Ohio Revised Code Section 149.43, *et seq.*) and any record pertaining to such reports kept by the University that is deemed a public record is subject to release if a proper request is made. Student education record information is protected from release under the federal Family Educational and Privacy Rights Act, as amended ("FERPA"). An individual's protected health information on record with the University is subject to the federal Health Insurance Portability and Accountability Act of 1996 ("HIPPA"). FERPA and HIPPA guidelines will govern the treatment of reporting information and records.

D. Retaliation Prohibited

The University prohibits retaliation against or harassment of individuals who act in good faith by reporting real or perceived violent behavior or violations of this Policy. Any member of the campus community who is found to have retaliated against another in violation of this Policy is subject to appropriate disciplinary action, including dismissal, under the University's applicable disciplinary policies and collective bargaining agreements.

E. Filing of False or Misleading Reports

The University prohibits individuals from making deliberately false or misleading reports of violence or threats of violence under this Policy. Individuals who make such reports will be subject to disciplinary action up to and including dismissal under the University's applicable disciplinary policies and collective bargaining agreements.

V. Campus Violence Threat Assessment Team

The University has created a Campus Violence Threat Assessment Team to assess and review campus violence issues and incidents. The Team is composed of the Assistant Vice President for Human Resources, the University Legal Counsel, the University's Executive Director of Campus Safety, the Director of the University's Counseling Center, The Student Judicial Officer, the Affirmative Action Director, the Health and Wellness Director and the Disabilities Services Coordinator. Members will vary based upon whether the incident involves a student or employee. Other ad hoc members as are deemed necessary will be added to the committee on a case-by-case basis.

The police will refer threats that do not rise to immediate police action to this team.

The functions of the Campus Violence Threat Assessment Team are to:

- asses urgent incidents of threats and develop a course of action,
- utilize all available resources and disciplines for risk assessment;
- conduct investigations and post-incident analyses to ensure compliance with appropriate policies and procedures;
- make recommendations to the employing department head and other appropriate persons on safety issues that have an impact on employees;
- communicate with the public, employees and families on incidents of workplace violence;
- collect and monitor data relating to violence on campus.