

Policy Title: HEOA/CLERY Act/VAWA

Issued By: Department of Safety and Security Services

Responsible Office: Campus Services

Responsible

Officer: VP, Campus Services

Effective: September 19, 2017

Last Revised: July 2022

Next Scheduled

Review: July 2023

Policy Statement: This policy has been prepared as part of Franklin University's commitment to safety and security on campus and to satisfy obligations of the Higher Education Opportunity Act (HEOA) of 2008; including the Jeanne CLERY Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 (Clery Act); and the Violence Against Women Reauthorization Act (VAWA) of 2013.

Purpose: The purpose of this policy is to outline the University's safety and security duties and responsibilities as articulated in the Higher Education Opportunity Act (HEOA) of 2008, the Clery Act, and the Violence Against Women Reauthorization Act (VAWA), as amended.

Scope: This policy applies to all Franklin University faculty, staff, students and visitors at all University campus locations.

Definitions: **Crime statistics** – an institution must report statistics for the three most recent calendar years concerning the occurrence on campus, in or on non-campus buildings or property, and on public property of the following that are reported to local police agencies or to a campus security authority, including:

- Murder/non-negligent manslaughter
- Negligent Manslaughter
- Forcible Sex Offenses
- Non-forcible Sex Offenses
- Robbery
- Aggravated Assault
- Burglary
- Arson
- Motor Vehicle Theft



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- Hate Crimes
- Liquor Violations/Arrests
- Drug Abuse Violations/Arrests
- Weapon Law Violations/Arrests

Policy Details:

General Regulatory Guidelines

The Higher Education Opportunity Act, the Clery Act, and the Violence Against Women Reauthorization Act requires colleges and universities to prepare, publish, and distribute to all students and employees an annual report pertaining to the college's security policies, procedures, and programs. The regulations require the reporting of domestic violence, dating violence, and stalking incidents, beyond the crime categories the Clery Act already mandates; the adoption of certain student discipline procedures, such as for notifying purported victims of their rights; and to adopt policies to address and prevent campus sexual violence, such as to train in particular respects pertinent institutional personnel and the student body.

Timely Warning Policy

In the event of a serious incident that poses an immediate threat to members of the Franklin community, the University has various systems in place for communicating emergency information quickly. Some or all of these methods of communication may be activated upon the confirmation from the Campus Special Duty Officer or Department of Safety & Security Services (DSSS) personnel of a significant emergency or dangerous situation involving an immediate threat to the health or safety of visitors, students or staff occurring on campus.

These methods of communication include Franklin University Alerts (text messaging and e-mail), InformaCast (IP telephone broadcasts), face to face communication, Franklin's portable radio system and blast e-mailing.

Timely Warning Procedures

Franklin University will, without delay, and taking into account the safety of the community, determine the content of the notification message and initiate the Franklin Alerts system; unless issuing a notification will, in the professional judgment of University officials, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. However, the release is subject to the confirmation of an emergency or dangerous incident. Alerts are distributed to faculty, students and staff through email, text messaging and/or through the InformaCast telephone messaging system.

The University community as a whole will receive emergency notifications through the Franklin University website, mass email distribution, social media channels, and other communications channels that are appropriate for the specific incident.

The Department of Safety and Security Services may initiate an emergency mass



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notification, in accordance with the procedures outlined in the University's Crisis Management Plan, whenever a report is received of a violent incident against a person or a particularly threatening incident against property on campus that represents an ongoing danger to the safety of students, faculty, and staff.

Alerts are sequentially numbered, beginning January 1 of each year, and provide details of the crime, a description of the suspect, if known, information on whom to contact about the investigation, and often crime prevention tips.

An emergency mass notification message will be widely distributed throughout campus, delivered to the University's Public Relations department, posted on the Public Safety website, posted to social media, and emailed as quickly as possible to select University offices.

Whenever the City of Columbus Police issue a news release about an off-campus crime that represents an ongoing threat to the safety of students, faculty, and staff, the University will assist in publicizing this information on campus.

Policies for Reporting Crimes

Franklin University always seeks information that may lead to the arrest and conviction of an offender when violent crimes against persons or serious crimes against property have been reported. Information regarding any crime may be reported to Franklin University's Department of Safety & Security Services (DSSS) or anonymously by using the Lighthouse reporting system.

Any person involved in or witnessing a life threatening emergency should dial "911" first before attempting to notify Franklin University Safety and Security personnel. All persons are strongly encouraged to report crime to their respective Campus Special Duty Officer or the appropriate local law enforcement agency. Safety & Security Services can be notified at (614) 947-6902 by any person desiring to report a crime or suspicious activity occurring on property owned or utilized by Franklin University.

Campus Special Duty Officers have complete police authority to apprehend and arrest anyone involved in illegal acts on-campus and areas immediately adjacent to campus locations. If minor offenses involving University rules and regulations are committed by a Franklin University student, the incident may be investigated through the Director of Community Standards for potential Student Code of Conduct violations. While working on behalf of Franklin University, Campus Special Duty Officers are under the guidance of the University's Department of Safety and Security Services. As such, they are school officials with a legitimate educational interest.

State laws in Ohio require persons who have knowledge of a felony (a victim of or witness to the crime) to report the crimes to the police. Failure to report a crime may itself be a crime.



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The University strongly encourages crimes victims to report all criminal activity to the local law enforcement agency having jurisdiction to investigate the crime.

Confidential Reporting

Ohio's public records law does not permit the university to assure confidentiality to those who report crimes; except in cases involving counselors or, under certain circumstances, to a physician or nurse. Some off-campus reports also may be legally confidential - e.g. reports to clergy or health care professionals.

Those who are a victim of a crime and do not want to pursue action within the University's Community Standards system or the criminal justice system, may consider making a confidential report. The Lighthouse anonymous reporting system (<http://www.lighthouse-services.com/franklin>) allows students, faculty and staff the opportunity to file a report on the details of an incident without revealing the reporter's identity.

The purpose of a confidential report is to allow victims of a crime to keep the matter confidential, while taking steps to ensure the future safety of themselves and others. With such information, the University can keep an accurate record of the numbers of incidents involving students, determine where there is a pattern of crimes with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution.

Preparing Annual Reports

Crimes that are reported to the following individuals or offices will be included in the annual crime statistics report:

Franklin University Personnel

- Dean of Students
- Chief of Staff and Senior VP for Administration
- Provost and Senior VP for Academic Affairs
- VP Planning and University Services
- VP Strategic Alliances
- Executive Director of Community College Alliance
- Executive Director of Domestic Expansion and Regional Campuses
- University Registrar
- Executive Director of Accreditation & Authorization
- Franklin University Department of Safety & Security Services
- Director of Student Director of Student Life & Community Standards
- Director of International Students and Programs
- Associate Director of Student Affairs Operations

Local Police Agencies

- Columbus, Ohio Police Department

Co-Location Law Enforcement Agencies

Lakeland Community College Police Department

Edison State Community College Dept. Public Safety

- Lakeland Community College, Holden Center

Monaca Borough Police Department, PA

- Community College of Beaver County, PA

Cuyahoga Community College Police Department

- Cuyahoga Community College, Brunswick Center

Shelby Police Department

- North Central State Community College, Kehoe Center

Allen County Sheriff's Office

- Rhodes State Community College

Fayette County Sheriff's Office

- Southern State Community College, Fayette Campus

Grant County Sheriff Department, WI

- Southwest Wisconsin Technical College

Zanesville Police Department

- Zane State College, Zanesville Campus

Guernsey County Sheriff's Office

- Zane State College, Cambridge Campus

Steubenville Police Department

Franklin University's Annual Report is the result of the efforts of many people on campus. Each year the offices and individuals listed above provide information for inclusion in the annual report. No formal police report is required for a crime to be included in the statistics. Every effort is taken to ensure that all persons required to report do so, and that statistics are as accurate and complete as possible. Information included in the annual report is reviewed for accuracy, completeness and readability.

Any questions or concerns regarding any of the statistics and information in this report, please contact the Director of Safety & Security Services at 614-947-6913.

Policy for Reporting the Annual Disclosure of Crime Statistics

The University's Department of Safety & Security Services prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and the Violence Against Women Reauthorization Act. The full text of this report can be located on the University's website. This report is prepared in cooperation with the local law enforcement agencies.

Campus crime, arrest and referral statistics include those reported to the Department of Safety & Security Services, designated campus officials (including but not limited to vice presidents, directors, department heads, advisors to students, student organizations, and local law enforcement agencies). Mental health care providers inform student-clients of the



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procedures to report crime to the University's Department of Safety & Security Services, or local law enforcement on a voluntary or confidential basis, should they feel it is in the best interest of the client.

Each year all enrolled students receive notification that provides the website address to access this report. Faculty and staff receive similar notification in their new employee orientation sessions. Copies of the report may also be obtained by calling 614-947-6913. All prospective employees may obtain a copy from the Department of Safety & Security Services.

Policy Addressing the Authority of Non-Sworn Public Safety Officers on Campus

The Department of Safety & Security Services oversees all safety and security functions and programs at all Franklin University locations. The Department of Safety & Security Services employs non-sworn safety and security personnel responsible for many administrative and operational functions to include access control, policy and procedure development, training, and various record keeping activities. As such, DSSS personnel are considered school officials with a legitimate educational interest.

Franklin University non-sworn safety and security personnel have the authority to request identification from individuals on campus to determine whether individuals have lawful business at the University. Safety and Security personnel do not possess arrest powers outside of those granted to ordinary citizens.

General Procedures for Reporting a Crime or Emergency

Any person involved in or witnessing a life-threatening emergency should dial "911" first before attempting to notify Franklin University Safety & Security personnel. All persons are strongly encouraged to report crime to their respective Campus Special Duty Officer or the appropriate local law enforcement agency. Safety & Security Services can be notified at (614) 947-6902 by any person desiring to report a crime or suspicious activity occurring on property owned or utilized by Franklin University.

Criminal incidents are referred to the Campus Special Duty Officer or local law enforcement agency that have jurisdiction on the campus. The Department of Safety & Security Services at Franklin University maintains a professional working relationship with all law enforcement organizations having jurisdiction at any campus location. All crime victims and witnesses are strongly encouraged to immediately report any crime to the Department of Safety & Security Services. Prompt reporting will assure timely warning notices on campus and timely disclosure of crime statistics.

DSSS personnel and/or the Campus Special Duty Officer are available to answer your call. In response to a call, the Campus Special Duty Officer will take the required action to include summoning appropriate personnel or notifying the appropriate law enforcement agency. The Campus Special Duty



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Officer and/or DSSS will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to appropriate University or law enforcement resources.

All DSSS incident reports involving faculty, staff or student misconduct are forwarded to the appropriate University administrators for review and potential disciplinary action. The DSSS will investigate a report when it is deemed appropriate. Any additional information obtained via the investigation will be forwarded to the appropriate University administrator. If assistance is required from local law enforcement agencies, the DSSS will contact them directly.

To assist in maintaining a safe learning and work environment, Franklin University has established the Franklin Intervention & Awareness Team (FIAT). The mission of the team is to promote the health and safety of students, faculty and staff by providing caring intervention. This includes providing University faculty and staff with training and education regarding inappropriate behavior, including how and when to report suspicious or inappropriate behavior.

Additionally, individuals may contact external community services agencies for assistance by dialing 2-1-1 or contacting local agencies such as the United Way.

Criminal conduct should be reported to the DSSS to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

Sexual Violence Awareness and Prevention Programs

In adherence to VAWA guidelines, new students and new employees are required to complete a “primary prevention and awareness program” that promote awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking.

Franklin University’s sexual violence awareness and prevention training program includes:

- A. A statement that Franklin University prohibits sexual misconduct and harassment offenses.
- B. The definition of sexual misconduct and harassment offenses in the applicable jurisdiction.
- C. The definition of consent, with reference to sexual offenses, in the applicable jurisdiction.
- D. “Safe and positive” options for bystander intervention an individual may take to “prevent harm or intervene” in risky situations.
- E. Recognition of signs of abusive behavior and how to avoid potential attacks.
- F. Ongoing prevention and awareness campaigns for students and faculty on all of the above.



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Additionally, students, faculty and staff are reminded by signs posted throughout campus that safety and security is everyone's responsibility and non-emergency numbers are also noted: Department of Safety & Security Services 614-947-6902.

Sexual Assault Prevention and Response

Victims of a sexual assault at Franklin University should attempt to get to a place of safety, as soon as possible. It is also advisable that sexual assault victims obtain the necessary medical treatment as quickly as possible. The University strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to the Campus Special Duty Officer, the Department of Safety & Security Services, or the local law enforcement agency having jurisdiction to investigate the incident.

Filing a police report will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. Filing a police report will ensure that a victim of sexual assault receives the necessary medical treatment and tests, at no expense to the victim, and provide the opportunity for collection of evidence helpful in prosecution, which may be difficult to obtain later. Ideally, a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam. Filing a timely report also assures that the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

References:

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (amended in 2000)
The Higher Education Opportunity Act (2008)
The Violence Against Women Act (1994)
The Violence Against Women Reauthorization (2013)
Ohio Revised Code 149.43 (public record)
Franklin University Mass Notification Policy
Franklin University Reporting Criminal or Suspicious Activities Policy

Contacts:

For more information:

- Safety & Security Services (614) 947-6913
- Director of Public Relations (614) 947-6581
- On-Duty Security by Technician/Officer (614) 947-6902
- University Regulations:
 - VP, Campus Services, (614) 947-6080
 - SVP of Administration, (614) 947-6540



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Review/Evaluation Timeline: This policy will be reviewed annually or more frequently as changes are enacted to federal and state regulations.

Revision History: September 21, 2017; November 2020; July 2022

SharePoint: <https://franklinu.sharepoint.com/:f:/r/sites/Community/Shared%20Documents/Documents%20and%20Resources/University%20Policies?csf=1&web=1&e=IVxkPI>