



Policy to Address Discrimination, Harassment, and Sexual Misconduct

I. General Information

Franklin University and Urbana University, a branch campus of Franklin University, collectively referred hereafter as “the University,” is an intentional learning community, whose mission is to provide high quality, relevant education, enabling the broadest possible community of learners to achieve their goals and enrich the world. The University is committed to its educational mission and to ensure the rights of its community members. Each community participant has a right to be free from discrimination, harassment, and sexual misconduct in the learning environment and work setting. As such, conduct that diminishes the dignity and worth of the community members is prohibited.

The University does not discriminate on the basis of age, religion, race, ethnicity, color, national origin, ancestry, immigration status, sex, sexual orientation, gender identity or expression, marital or familial status, disability, or veteran or military status as it pertains to student admission, financial aid, educational or athletic programs, or employment. Conduct by students, student organizations, staff, faculty, administrators, trustees, volunteers, visitors, contractors, and vendors which violates this policy is considered disruptive to the educational environment and work setting. Any complaint by a member or guest of the University community is investigated and addressed.

The University is committed to being an inclusive community free from all forms of discrimination and harassment in all university interactions as required by local, state, and federal laws and regulations. The following individual has been designated to handle civil rights inquiries regarding the anti-harassment, non-discrimination, and sexual misconduct policies and procedures:

Blake J. Renner, Ed.D.
Title IX Coordinator
Franklin University
614-947-6236
TitleIX@franklin.edu

This policy, available at www.franklin.edu/antidiscrimination and www.urbana.edu/title-ix respectively, supersedes all current University policies pertaining to discrimination, harassment, and sexual misconduct. The University reserves the right to make changes to this policy. All changes will be posted online to the respective weblinks above. Portions of this policy are based on a model policy provided by ATIXA and authored by the NCHERM Group, LLC as well as resources available at www.NotAlone.gov.

A. General Definitions

Title IX Coordinator: the individual charged with coordinating the University response to reports and complaints of all misconduct covered under this policy; they do not serve as an advocate for either the reporting party or responding party.

Protected Class: any protected category under applicable local, state, and federal law, ordinance, or regulation

Reporting Party: the person or entity bringing the allegations that this policy has been violated

Responding Party: the person or entity alleged to have violated this policy

Campus Security Authority: is a Clery-specific term that encompasses four groups of individuals and organizations associated with an institution.

- A campus police department or a campus security department of an institution.
- Any individual or individuals who assume responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property). Includes individuals who provide security at a campus parking kiosk, monitor access into a campus facility, act as event security or escort students around campus after dark.
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

B. Inquiries

The following individual has been designated as the institution's Title IX Coordinator. Students and/or employees may contact him in order to:

- seek information or training about rights and courses of action available to resolve reports or complaints that involve potential discrimination, harassment, or sexual misconduct;
- file a complaint or make a report of discrimination, harassment, or sexual misconduct;

- notify the University of an incident or policy or procedure that may raise potential concerns related to this document;
- obtain information about available resources (including confidential resources) and support services relating to discrimination, harassment, or sexual misconduct; and
- ask questions about the University's policies and procedures related to discrimination, harassment, or sexual misconduct.

The individuals listed below monitor and advise compliance, including:

- Training, consultation, and technical assistance on Title IX for students and employees;
- Conducting adequate, reliable, and impartial investigations of reports and complaints; and
- Implementing steps to ensure the reporting party's equal access to the University's programs and activities and protect the reporting party as necessary.

Title IX Coordinator

Blake J. Renner, Ed.D.
 Associate Dean of Students
 Franklin University
 Otte Center for Student Services
 201 South Grant Ave
 Columbus, OH 43215
 614-947-6236
TitleIX@franklin.edu

Title IX Deputy Coordinator

Nick Christian
 Director of Retention & Persistence
 Urbana University
 Blackmer Hall, 1st Floor
 579 College Way
 Urbana, OH 43078
 937-772-9284
TitleIX@urbana.edu

Anonymous reports regarding Franklin University may be submitted through [Lighthouse](#). All matters will be treated private to the extent practical and consistent with Franklin's obligation under the law.

Anonymous reports regarding Urbana University may be made to 937-772-9338, emailed to tips@urbana.edu, or submitted via www.urbana.edu/notify.

Inquiries or complaints that involve potential violations of Title IX or Section 504 may also be referred externally to the US Department of Education's Office of Civil Rights:

Office of Civil Rights, Cleveland Office
 US Department of Education
 1350 Euclid Avenue, Suite 325
 Cleveland, OH 44115-1812
 Phone: 216-522-4970
 TDD: 800-877-8339
 Email: ocr.cleveland@ed.gov

Inquiries or complaints involving Title VII or Equal Employment Opportunity may also be made externally to:

Equal Employment Opportunity Commission
 550 Main Street, 10th Floor

Cincinnati, OH 45202
Phone: 800-669-4000
TTY: 800-669-6820

C. Scope & Jurisdiction

As members of an academic community, students share responsibility with the faculty and administration of the University for creating and maintaining an atmosphere that is conducive to learning and personal growth, and respectful of the rights of others. Staff, faculty, and students are obligated to comply with its regulations and procedures, which they are expected to read and understand.

Regardless of the status of the parties involved, this policy applies to students, student organizations, staff, faculty, administrators, trustees, volunteers, visitors, contractors, and vendors. This policy also extends to the University the right to act on incidents occurring on-campus, at University-sponsored events and programs, off-campus, and online conduct when the University determines that such conduct affects the University's educational or employment environment.

Students and employees continue to be subject to city, state, and federal laws while at the University, and violations of those laws may also constitute violations of University policies. In such instances, the University may proceed with an investigation under these policies independently of any criminal proceeding involving the same conduct and may impose sanctions for violation of these policies even if such criminal proceeding is not yet resolved or is resolved in the person's favor.

The University reserves the right to proceed with an investigation even if the responding party withdraws from the University, is no longer enrolled in classes or employed, or subsequently fails to meet the definition of a student or employee while a disciplinary matter is pending.

If the responding party is unknown or is not a member of the University community, the Title IX Coordinator (or designee) will assist individuals in identifying appropriate campus resources or local authorities if the individual would like to file a report. In addition, the University may take additional actions to protect the individual and the campus community. The University will assist students, faculty and staff who report sexual violence, sexual harassment, stalking, dating violence and/or domestic violence in obtaining medical support and information regarding available legal and Student Conduct resources, as well as counseling and support services. The University will also assist students, faculty and staff in notifying local police if the assistance of law enforcement is requested.

II. University Policies

A. Discrimination, Harassment, & Sexual Misconduct

Discrimination is defined as unequal, adverse treatment of an individual because of his/her protected legal status, such as race, age, or gender that unreasonably interferes with, denies, or limits someone's employment access, benefits or opportunities, and/or the ability to participate in or benefit from the university's educational program and/or activities. Discrimination can take many forms, including the following prohibited conduct*:

Harassment is defined as any unwelcome verbal, written, or physical conduct that is sufficiently severe, pervasive or persistent that it creates an intimidating, hostile, degrading, humiliating, or offensive environment and interferes with, denies, or limits one's access to or benefits of the employment and/or educational environment.

Examples of harassment include: bullying; verbal, written (including via electronic communication), or physical intimidation; persistent unjustified criticism; public humiliation; insults, jokes, and inappropriate comments; threats; displays of objectively offensive materials; and exclusion.

Examples of sexual harassment include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwelcome sexual attention; to punish a refusal to comply with a sexual based request; to condition a benefit on submitting to sexual advances; and gender-based bullying.

Non-Consensual Sexual Contact is defined as any intentional sexual touching, however slight, with any object, by a person upon another person that is without consent and/or by force.

Sexual contact includes: contact with the breasts, buttocks, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth, or other orifice.

Non-Consensual Sexual Intercourse is defined as any sexual intercourse, however slight, with any object, by a person upon another person that is without consent and/or by force.

Intercourse includes: vaginal or anal penetration by a penis, object, tongue or finger and oral copulation (mouth to genital contact or genital to mouth contact) no matter how slight the penetration.

Sexual Exploitation occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.

Examples of sexual exploitation include: invasion of sexual privacy; prostituting another person; non-consensual video or audio-taping of sexual activity; going beyond the boundaries of consent (such as letting someone hide in a closet to watch consensual sex); engaging in voyeurism; knowingly transmitting an STI or HIV; exposing one's genitals in non-consensual circumstances or inducing another to expose their genitals; sexually based stalking and/or bullying may also be forms of sexual exploitation.

Relationship Violence is defined as physical, emotional, and/or psychological abuse between those in an intimate relationship (this includes romantic, dating, or domestic relationships).

Examples of relationship violence include but are not limited to:

- physical assault between two people in a current or prior intimate relationship who do not live together (Dating Violence)
- physical assault between two people in an intimate relationship who live together (Domestic Violence)

Stalking is defined as a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct, directed at a specific person, that would cause a reasonable person to feel fear.

Examples of stalking include but are not limited to:

- Non-consensual communication including in-person communication, telephone calls, voice, text, email, or instant messages, social networking site postings, postings of pictures or information on Web sites, written letters, gifts, or any other communications that are undesired and/or place another person in fear.
- Following, pursuing, waiting, or showing up uninvited at a workplace, place of residence, classroom, or other locations frequented by another.
- Direct physical and/or verbal threats against another or another's loved ones.
- Manipulative and controlling behaviors such as threats to harm oneself, or threats to harm someone close to another.

Romantic/Sexual Consensual Relationships between People with Unequal Power

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (e.g., faculty and student, supervisor and employee). The unequal power inherent in such relationships, even if consensual, heightens the vulnerability of the person with less power and heightens the potential for coercion and abuse. In addition, these relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of applicable sections of this policy. Such relationships can also create a hostile learning and work environment for others.

Examples of the kinds of relationships prohibited by this policy include:

- Faculty and students. The decision to become a faculty member at the university presumes an educational and mentoring relationship with any student and precludes engaging in a romantic relationship with any student.
- Staff or volunteers who have mentoring or supervisory relationships with students. The decision to become a staff member or a volunteer in a position that is defined by mentoring or supervision precludes engaging in a romantic relationship with any student.
- Supervisors and subordinates. Romantic relationships are not allowed between employees of the University when a supervisory relationship is involved. This applies to all employees, including student employees and their supervisors. The power differential makes such relationships open to abuse and to charges of

sexual harassment or unprofessional conduct. Such relationships can also create a hostile work environment for others. Should romantic relationships develop, the supervisor should inform his/her supervisor so that appropriate actions can be made to remove the involved supervisor from direct supervision of the employee.

Retaliation is any action, statement, or behavior that is designed to punish an individual for filing a report, cooperating with an investigation, seeking guidance regarding a concern or to deter someone from taking such action. Retaliation in any form will not be tolerated by any participant or third-party to a discrimination, harassment or sexual misconduct policy violation or suspected violation. Acts of retaliation will be investigated and addressed according to this policy.

Violation of any other University rule, when it is motivated by perceived membership of the victim in a protected class, including sex or gender, may be pursued using this policy and process.

**Note that campus definitions of harassment, stalking, domestic violence and types of sexual misconduct to address University policy violations differ from Ohio state law definitions, which are applicable to criminal prosecutions.*

B. Accommodation of Disabilities

The University provides accommodations and support services to students, faculty, and staff with disabilities to ensure that they are not denied the benefits of or excluded from participation in any program or activity offered by the University. The Office of Disability Services will assist in providing academic services and accommodations for students with diagnosed disabilities.

There are multiple ways for a student to provide the Office of Disability Services with documentation of their disability. The documentation provided regarding a disability diagnosis must demonstrate a disability covered under federal law. Students with a disability must identify their disability and provide diagnostic documentation from a licensed psychologist or medical doctor, as appropriate, to the Office of Disability Services contact, as appropriate:

Franklin University

Carla Waugh

Disability Services Coordinator

614-947-6753

accommodate@franklin.edu

Urbana University

Autumn Coleman

Associate Director of Student Success & Retention

937-772-9317

DisabilityServices@urbana.edu

Documentation will assist the Office of Disability Services in understanding how the disability impacts the student in an academic setting and or how the disability impacts the employee in their working environment and the current impact of the disability as it relates to the accommodations requested. This documentation should be completed or provided from a treating or diagnosing healthcare professional (psychologist, counselor, therapist, social worker, medical doctor, optometrists, speech-language pathologists, prior college accommodation paperwork,

etc.). Each piece of documentation submitted is handled confidentially and on a case-by-case basis. The Office of Disability Services will review and consider all pieces of documentation submitted.

Like all University students, students with disabilities are expected to take responsibility for their own education. A component of this expectation is the continuing process of learning how to make decisions and advocate for one's self, particularly in regards to one's disability and related accommodations.

For a complete overview of the Office of Disability Services, please visit: <https://www.franklin.edu/student-services/campus-information/disability-services> or <https://www.urbana.edu/student-life/student-services/disability-services>

The University does not discriminate against any qualified employee or applicant for employment on the basis of a physical or mental disability. Human Resources will confer with the Office of Disability Services provide reasonable accommodations to assist individuals with disabilities to perform essential job functions as long as the accommodation does not cause the University undue hardship.

C. Mandatory Reporters

Three federal laws establish responsibilities for employees to report certain types of crimes and incidents, particularly sexual misconduct: Title VII, Title IX and the Clery Act. Each of these laws has a different purpose, but generally they are intended to protect members of the campus community, visitors and guests from criminal and discriminatory behavior. The responsibilities established by these laws give rise to the term "mandatory reporter." Reporting of concerning and disruptive behaviors is not legally mandated but is a policy mandate to assist the University in early identification and detection of at-risk situations. Additionally, state law imposes mandates with respect to the reporting of child and elder abuse, sexual abuse, and felony crimes under federal, state, and local laws.

The University defines all Campus Security authorities, all employees (both staff and faculty), and all volunteers who have mentoring or supervisory relationships with students as mandatory reporters, except those listed under "Confidential Reporting" in Section III.C. If you become aware of an incident of potential discrimination, harassment, or sexual misconduct, you are expected to promptly contact the Title IX Coordinator/Deputy Coordinator, listed in Section VI. Other serious crimes, including those covered by the Clery Act, must be reported to Campus Safety and Security. Additionally, reports of any type of misconduct can be made anonymously to Lighthouse at www.lighthouse-services.com/franklin (Franklin University) or to (937) 772-9338, tips@urbana.edu, or www.urbana.edu/notify (Urbana University).

Where student employees have supervisory or mentoring roles (i.e., student manager, resident assistant, student coach), oversee a facility (i.e., Student Center or Library), or otherwise have authority that affects the work or educational environment of other students, they are considered mandatory reporters under this policy.

Federal statutes, including the Clery Act and Title IX, require the reporting of serious crimes, including sexual offenses, harassment, and discrimination. As a University employee, you are expected to report such crimes immediately.

If you are in a life-threatening situation or are witness to a serious crime, please call 9-1-1 first before calling Campus Security or the Title IX Coordinator.

Report to Title IX Coordinator

- Discrimination
- Harassment based on protected class
- Sexual Harassment
- Incest
- Rape
- Stalking
- Relationship Violence (Domestic or Dating)
- Intimidation

Report to Campus Safety and/or supervisor:

- Murder/Non-negligent manslaughter
- Negligent manslaughter
- Robbery
- Aggravated assault when not based on protected class
- Burglary/Theft
- Motor vehicle theft
- Arson
- Simple assault
- Destruction/damage/vandalism or property
- Liquor, drug or weapons law violations/arrests

When reporting crimes or misconduct, a University employee will provide names, descriptions, witness information as they are able, and if a clear threat to health or safety is present, some identifying information would be required. Other campus officials may need additional information in order to fulfill the University's obligations under various laws. The Title IX Coordinator/Deputy Coordinator or a member of the Franklin Intervention and Awareness Team (FIAT) or Threat Assessment & Behavioral Intervention Team (TABIT) will guide the employee with regards to what is required in their report. In subsequent actions, the University will allow the reporting party to retain as much control over the process as possible.

When reporting crimes or misconduct, a university employee cannot and should not promise confidentiality.

In some cases, Campus Safety and Security may be required to release a timely warning to the University community about a threat to the community. In such cases, an initial investigation or determination of the nature of the threat may be conducted, after which a warning will be issued immediately.

D. Consent

Consent is informed, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity.

Consent to one form of sexual activity cannot imply consent to other forms of sexual activity. Previous relationships or consent cannot imply consent to future sexual acts.

Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercion is the unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes it clear that he or she does not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be perceived as coercive.

In order to give effective consent, one must be of legal age (in Ohio, age 16, or 18 if the offender is four or more years older than the reporting party).

If you have sexual activity with someone you know to be—or should know to be—mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), you are in violation of this policy. Incapacitation is a state where one cannot make a rational, reasonable decision because they lack the ability to understand the who, what, when, where, why or how of their sexual interaction.

This policy also covers someone whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of a so-called “date-rape” drug.

Use of alcohol or other drugs will never function to excuse behavior that violates this policy.

III. Notice of Offenses under This Policy

A. Reporting is Vital

The University is committed to creating a culture of reporting by stressing the critical importance of the members of its community and the University’s dependence on them as reporters.

The University is obligated to follow up on all allegations and is able to respond formally to alleged incidents of discrimination, harassment, and sexual misconduct that occurred on campus, that were part of official University program or activity (regardless of location), or where the reporting party and responding party are members of the University community.

B. Support for the Reporting Party

Franklin University

On Campus:

Franklin University Safety and Security:

614-947-6902

Employee Assistance Plan Hotline:

800-869-0276

Local off-campus resources include:

Emergency and/or Police:	911
Sexual Assault Response Network of Central Ohio	614-267-7020
Choices for Victims of Domestic Violence:	614-224-4663
Mental Health America of Franklin County:	614-221-1441
North Central Mental Health Services:	614-299-6600
Suicide Prevention:	614-221-5445
Ohio Alliance to End Sexual Violence:	888-886-8388
Project Woman Hotline:	800-634-9893
Sexual Assault Response Network of Central Ohio:	614-566-4414

National Resources:

National Sexual Assault Hotline:	800-656-HOPE
National Domestic Violence Hotline:	800-799-SAFE
Victims Assistance Program:	800-582-2877

Urbana University

On Campus:

Project Woman Advocate (provides access to trained advocates) available Wednesdays in Blackmer 7 or 24/7 at 800-634-9893.

Local off-campus resources include:

Emergency and/or Police:	911
Consolidated Care:	937-653-5583
New Directions:	937-593-5777
Project Woman Hotline:	800-634-9893
Wellspring:	937-325-5564
Legal Aid of Western Ohio:	888-534-1432 or www.lawolaw.org

National Resources:

National Sexual Assault Hotline:	800-656-HOPE
National Domestic Violence Hotline:	800-799-SAFE
Victims Assistance Program:	800-582-2877

C. Confidentiality & Privacy

Confidentiality and privacy are valued for parties involved in an incident of discrimination, harassment, or sexual misconduct. In working with individuals, the University will be guided by the goals of empowering the reporting party and allowing the reporting party to retain as much control over the process as the case allows, but no university employee (other than those listed as Confidential Reporters below) can or may promise confidentiality over the course of the process. When the investigation and/or resolution process requires disclosure of certain information, the University will keep the reporting party informed, and protected to the extent permitted by the circumstances.

The University cannot promise complete confidentiality. However, we will work to ensure each situation is resolved as privately as possible in compliance with the Family Educational Rights and Privacy Act (FERPA), a federal law. The University understands that reporting a crime may involve disclosing sensitive information, and it will use and disseminate such information consistent with the need to conduct an appropriate investigation, to provide assistance and resources to crime victims, and to perform other appropriate university functions. The University is required by Ohio Law ([2921.22](#)) to report all felonies that have knowingly been or are in the process of being committed to law enforcement authorities. Note that the use and release of personally identifiable information from an education record of a student is governed by the Family Educational Rights and Privacy Act (FERPA), and the University will only disclose covered student information in compliance with that law and university policy.

Confidential Resources

If a reporting party does not desire action by the University and would like the details of the incident to be kept confidential, the reporting party may seek support and/or guidance from certain resources who are not required to tell anyone else private, personally identifiable information unless there is cause for fear of victim safety, cause for fear of the safety of other members of the community, and/or situations that mandate reporting, such as child or elder abuse. These resources are listed below:

Franklin University

University Employee EAP Hotline:	800-869-0276
Sexual Assault Response Network of Central Ohio:	614-267-7020

Urbana University

University Employee EAP Hotline:	800-869-0276
Project Woman Hotline:	800-634-9893

National Resources

National Sexual Assault Hotline:	800-656-HOPE
National Domestic Violence Hotline:	800-799-SAFE
Victims Assistance Program:	800-582-2877

D. Amnesty for Reporting Party

The University will take into consideration the positive impact of reporting an incident of discrimination, harassment, or sexual misconduct when determining the appropriate response for policy violations by the reporter of an incident. An individual who reports misconduct, either as a reporting party or third party witness, will not be subject to disciplinary action by the University for his/her own personal consumption of alcohol or drugs at or near the time of the incident, provided the specific incident has not come to the university's attention via normal reporting channels and/or any such violations did not and do not place the health or safety of any other person at risk. Education options may be explored, but no conduct proceedings or record will result.

E. Bystander Intervention

The University expects all community members to take reasonable and prudent actions to prevent or stop an act of misconduct. Taking action may include direct non-violent intervention, calling law enforcement, and seeking assistance from a person in authority. Community members who choose to exercise this positive moral obligation in good faith and a reasonable manner will be supported by the college and protected from retaliation.

F. False Complaints

The University has an obligation to investigate all complaints. However, it also recognizes that false complaints are likely to cause significant damage to the person and reputation of an individual who is wrongfully accused. Individuals found to have knowingly made false reports will be subject to disciplinary action, but an erroneous report made in good faith will not result in disciplinary action.

IV. Investigating Notices of Offense

When the University receives a notice of offense or complaint, the Title IX Coordinator or designee will confer with University Officials pertinent to implementing any immediate interim actions necessary to stop any discrimination or harassment. Additionally, the Coordinator will complete an initial assessment and make an initial determination whether a policy violation may have occurred. If a complaint does not appear to allege a policy violation, then the complaint does not proceed to investigation but may be referred to student or employee conduct procedures.

The Title IX Coordinator or designee will explain the University conduct procedures to the reporting party, including: the difference between the administrative procedures and criminal reporting; no contact orders and remedial action; and confidentiality and privacy. The University has an obligation to investigate allegations of sexual misconduct as provided for in this policy.

A. Rights of Those Involved

The University has a responsibility to protect the rights of all parties involved in any allegation of improper behavior. To this end, the University requires that its campus community members uphold and adhere to standards of conduct embodied within a set of core values that include honesty and integrity, respect for others, and respect for the campus community. When incidents occur that are detrimental to upholding these core values and disrupt the University's community, the University will seek to restore an atmosphere that is conducive to learning and personal growth while upholding the rights of its community members. The University has a responsibility to protect the rights of all parties involved in any allegation of improper behavior.

Reporting Parties have the right to:

- be treated with dignity and respect.
- have allegations treated seriously.
- notify or not notify law enforcement and to be assisted by campus authorities in notifying law enforcement.
- have their cases referred for administrative campus investigation and review.
- have campus personnel take reasonable and necessary actions to prevent further unwanted contact by responding parties.
- amnesty for minor misconduct (such as alcohol or drug violations) that is secondary to the alleged incident.

Reporting Parties and Responding Parties have the right to:

- be treated with respect by University officials.
- information for on- and off-campus support resources.
- have grievances reviewed through the procedures outlined in this policy.
- be accompanied by an advocate or advisor of their choice during the campus investigative and administrative process, though advocates may not address or participate in the process.
- be informed of the outcome of any campus disciplinary process related to this policy.
- be free from retaliatory actions by other members of the community.

Reporting parties will be notified of, and can receive, no contact administrative orders and adjustments to academic, housing or work arrangements (as applicable), whether or not there is a formal complaint and the circumstance is deemed necessary to prevent further harm.

B. Interim Actions & Remedies

The University may implement interim actions and remedies as appropriate upon notice of alleged discrimination, harassment, and/or sexual misconduct. Interim actions and remedies will be made for the safety of the individuals involved as well as the educational community as a whole. Requests for assistance may be made to the Title IX Coordinator/Deputy Coordinator, who will confer with the University Administration to implement any immediate interim actions necessary to stop any existing discrimination or harassment.

Interim actions may include, but are not limited to: providing counseling, access to medical services, providing academic support, interim suspensions, paid or unpaid leave, no contact orders, university housing adjustments, campus escort, academic or work schedule and assignment accommodations, safety planning, and/or referral to campus or community support resources. Even in cases in which a violation of this policy is not found to have occurred, the University may recommend that mediation, counseling, or other restorative steps be taken. If another campus policy is found to have been violated, the University may implement sanctions as appropriate.

C. Investigation

A full investigation will be pursued if there is evidence of a violation, a pattern of misconduct, presence of violence, or a perceived threat of further harm to the community or any of its members. The University desires to complete all investigations within a 60-day time period, which can be extended as necessary for appropriate cause by the Title IX Coordinator with notices to the parties.

Once a full investigation is deemed appropriate, the Title IX Coordinator will appoint trained investigators to complete the investigation. The investigation will be conducted with no predisposition towards any particular finding or result. It will be a thorough, reliable, and impartial inquiry into the allegations of the complaint, the responses and defenses raised by the responding party, and other relevant issues.

Using an investigative model, trained investigators will interview the reporting and responding parties as well as identified witnesses. Investigators will then prepare a summary report with their findings.

Unlike procedures of courts of law, the University does not require conclusive proof; instead, it relies on what is known as the “preponderance of evidence.” In making a determination of responsibility, the University considers the greater weight, or preponderance, of the credible evidence as its standard. This standard asks decision-makers to consider whether it is more likely than not that a violation occurred. No person will be found in violation of the University’s policies without the preponderance of evidence that a policy violation occurred. Legal rules of evidence do not apply in campus conduct cases.

D. Results of Investigation

The Title IX Coordinator will review the results of the investigation to confirm that the investigation has been fair, objective, impartial, and thorough and that University policies have been followed. The investigator’s summary report must be sufficiently detailed and provided fairness to all participants.

1. Procedures for Students

Students found to have violated University policy will have appropriate disciplinary sanctions determined by the Chief of Staff and Senior Vice President or designee. Their recommendation for sanction is delivered to the Office of Community Standards after consultation and recommendation from the investigation and report provided by the Title IX Coordinator. The Title IX Coordinator will notify the responding party and the reporting party in writing of this decision. This written decision will be issued within five business days of the date of receipt of the investigative report from the Title IX Coordinator.

2. Procedures for Employees

Employees found to have violated University policy will have appropriate disciplinary sanctions determined by the Chief of Staff and Senior Vice President or designee. Their recommendation for sanction is delivered to the Human Resources Department after

consultation and recommendation from the investigation and report provided by the Title IX Coordinator. The reporting party and responding party will be notified in writing of the outcome within five business days of the date of the notice from the Title IX Coordinator.

E. Sanctions

Not all forms of discrimination, harassment and sexual misconduct are equally serious offenses, and the University reserves the right to impose varying sanctions, ranging from verbal warning to expulsion/termination, depending on the severity of the offense. The University will consider the concerns and rights of both the reporting and responding party.

- Any person found responsible for violating the policy on Non-Consensual Sexual Contact (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion (student) or termination (employee), depending on the severity of the incident, and taking into account any previous violations.
- Any person found responsible for violating the policy on Non-Consensual Sexual Intercourse will likely receive a sanction of suspension to expulsion (student) or termination (employee).
- Any person found responsible for violating the policy on Sexual Exploitation or Sexual Harassment (and related violations) will likely receive a sanction ranging from a written warning to expulsion (student) or termination (employee), depending on the severity of the incident and taking into account any previous violations.
- Any person found responsible for violating policies on Dating Violence, Domestic Violence, or stalking will likely receive a sanction of probation to expulsion (student) or termination (employee).

V. Appeals

The reporting party and responding party each have the right to appeal any outcome decision. This appeal is not intended to re-hear the same case and is limited to the specific criteria outlined below. Any resolution or sanction will remain in force while an appeal is considered and a final decision is determined. Each party is limited to one appeal and the decision of the appeal is final. Submission of any appeal must be made in writing to the Title IX Coordinator, Blake J. Renner, Ed.D. at TitleIX@franklin.edu (Franklin University), or to the Title IX Deputy Coordinator, Nick Christian at TitleIX@urbana.edu (Urbana University), within five calendar days of receipt of the decision letter.

Outcomes of an investigation can be appealed once. Those appeals should be based on the one of the following reasons:

- The established processes were not followed in a significant way that resulted in material harm or prejudice. Deviations from designated procedures will not be a basis for sustaining an appeal unless material harm or prejudice results have occurred.

- Discovery of substantial new evidence that was unavailable at the time of the investigation that reasonably could have affected the decision. This new information must be included with the Petition for Appeal.
- The sanction imposed (if applicable) was disproportionate to the nature of the violation or circumstances. In cases in which a responding party has accepted responsibility, such appeals are limited to having the severity of the sanction reviewed.

Dissatisfaction with a decision is not grounds for an appeal. Non-attendance or non-participation in the outcome decision is not considered new evidence and grounds for an appeal. All appeal decisions are final.

1) Procedures for Appeals

The Vice President of Marketing or designee will review the appeal to determine if the petitioner has standing for the appeal, and if the appeal could substantially impact the outcome. If the Petition for Appeal is accepted, the original decision will be reviewed. If a new review of the outcome decision is requested, the case is sent back to the Title IX Coordinator to be reviewed and to provide a recommendation for an outcome decision. Both parties will be notified of this appeal outcome decision. If it is original decision is upheld, the Title IX Coordinator will notify both parties on the appeal decision outcome. If it is determined that the appeal does not have merit, they will reject the appeal and notify the Title IX Coordinator within 15 days of receipt of the Petition for Appeal and the Title IX Coordinator will notify both parties of the appeal decision outcome.

VI. Coordinator and Investigator Contacts

Title IX Coordinator

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 Title IX Coordinator
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Title IX Deputy Coordinator

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Investigators

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Franklin University's Annual Security Report can be found [here](#).

Franklin University is committed to being an inclusive community free from all forms of discrimination and harassment.