



## I. General Information

Franklin University 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:

Brandon Perry  
Title IX Coordinator  
Fisher Hall, Rm. 148  
Franklin University  
614-947-6913  
[TitleIX@franklin.edu](mailto:TitleIX@franklin.edu)

This policy, available at [www.franklin.edu/antidiscrimination](http://www.franklin.edu/antidiscrimination) 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.

### **A. Policy Definitions**

- Title IX Coordinator (hereinafter the 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 Complainant or Respondent.
- Protected Class: any protected category under applicable local, state, and federal law, ordinance, or regulation which is included but not limited to; sex, gender, race, and religion.
- Complainant: the individual(s) alleged to be the victim of conduct that violates this policy
- Respondent: the individual(s) alleged to be the perpetrator of conduct that violates this policy
- Campus Security Authority: is a Clery Act-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 individuals 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.
- **The Coordinator and Other Reporting Information**

The Title IX Coordinator has been designated as the institution's head of responding to all claims and reports of Discrimination. Individuals may contact the Coordinator 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 Coordinator monitors and advises compliance, including:

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

The University has designated following person to investigate potential policy violations against the Coordinator:

Christopher Tyner  
Executive Director of Student Life & Community Standards  
614-947-6781  
[christopher.tyner@franklin.edu](mailto:christopher.tyner@franklin.edu)

### **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.

Individuals 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. If the Respondent is unknown or is not a member of the University community, the 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.

#### **D. Mandatory Reporters**

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.

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. 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” below. If you become aware of an incident of potential discrimination, harassment, or sexual misconduct, you are expected to promptly contact the Coordinator. Other serious crimes, including those covered by the Clery Act, must be reported to Campus Safety and Security.

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.

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 Coordinator.

- Report to Coordinator:
  - Discrimination
  - Harassment based on protected class
  - Sexual Harassment
  - Sexual Assault
  - Stalking
  - Relationship Violence (Domestic or Dating)
- 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 may be required. Other campus officials may need additional information in order to fulfill the University's obligations under various laws. The Coordinator/Alternate Coordinator or a member of the Franklin Intervention and Awareness Team (FIAT) or CARE Team will guide the employee with regards to what is required in their report. In subsequent actions, the University will allow the Complainant 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.

### **E. Confidentiality & Privacy**

Confidentiality and privacy are valued for parties involved in an incident of discrimination, harassment, or sexual misconduct. When the investigation and/or resolution process requires disclosure of certain information, the University will keep the Complainant 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 Complainant does not desire action by the University and would like the details of the incident to be kept confidential, the Complainant 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. In addition, both Complainant and Respondent may access the resources during and after the Title IX process in order to regain control over their educational environment. These resources are listed below:

**Franklin University**

Sexual Assault Response Network of Central Ohio: 614-267-7020  
www.lighthouse-services.com/franklin

**National Resources**

National Sexual Assault Hotline: 800-656-HOPE (4673)  
National Domestic Violence Hotline: 800-799-SAFE (7233)  
National Organization for Victims Assistance: 800-TRY-NOVA (879-6682)

**F. Reporting under This Policy**

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 Complainant and Respondent are members of the University community.

**How to Report a Potential Policy Violation:**

Brandon Perry  
Title IX Coordinator  
Email: [TitleIX@franklin.edu](mailto:TitleIX@franklin.edu)  
Phone: 614-947-6913

**II. Forms of Discrimination****A. Civil Rights Discrimination**

The unequal, adverse treatment of an individual because of his/her protected legal status, such as race, age, gender identity or express, religion, or national origin 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.

**B. ADA/Disabilities Discrimination**

The University does not discriminate against any qualified student or applicant on the basis of a physical or mental disability. The Office of Student Life will confer with the Office of Disability Services to provide reasonable accommodations to assist individuals with disabilities to maintain their student status as long as the accommodation does not cause the University undue hardship

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. Sex/Gender Discrimination - \*Violations that have an ‘\*’ attached will first be evaluated under the Policies and Procedures on Sexual Harassment prior to these policies.**

1. 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 is not valid if the person giving consent is intoxicated, a minor, or mental incapacitated.

- i. 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. In addition, incapacitation refers to those who are mentally incapacitated due to a mental disorder. It is also a policy violation to engage in sexual activity with anyone who is incapacitated and the Responding Party knew, or should have known, that the Reporting Party was incapacitated either due to substance use or mental disorder.
- ii. Minors - 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).

2. Coercion

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.

3. Non-Consensual Sexual Contact (Forcible Fondling)

any intentional sexual touching, however slight, with any object, by a person upon another person that is without consent and/or by force or threat of 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.

4. Non-Consensual Sexual Intercourse (Forcible Rape)

any sexual intercourse, however slight, with any object, by a person upon another person that is without consent and/or by force or threat of 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.

5. 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; disclosing or threatening to disclose the status one's sexuality

6. Dating Violence\*

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Includes but is not limited to, sexual or physical abuse or threat of such abuse. The existence of such a relationship shall be determined based on the Complainant'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.

7. Domestic Violence\* is a felony or misdemeanor crime of violence committed

- a. By a current or former spouse or intimate partner of the victim
- b. By a person with whom the victim shares a child in common
- c. By a person cohabitating with, or has cohabitated with the Complainant

8. Stalking\*

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.

d. ***Examples of stalking include but are not limited to:***

- i. 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.

- ii. Following, pursuing, waiting, or showing up uninvited at a workplace, place of residence, classroom, or other locations frequented by another.
- iii. Direct physical and/or verbal threats against another or another's loved ones.
- iv. Manipulative and controlling behaviors such as threats to harm oneself, or threats to harm someone close to another.

#### **9. 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:***

- a. 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.
- b. 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.

#### **D. Retaliation**

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.

\*Violations will first be evaluated under the Policies and Procedures on Sexual Harassment before these policies.

### **III. Formal Investigation**

#### **A. Initial Meetings**

The Coordinator will meet with both parties to determine if the allegations meets the requirements for a Title IX inquiry. In addition, the Coordinator will also determine if the matter is eligible for the informal resolution process. If the matter is eligible for the Informal Resolution process, the Title IX will inform the parties of their right to exercise that option. Please see section IV for the Informal Resolution process.

## **B. Investigation Procedures**

### **1. Notice to the parties**

Once the Coordinator or designee has determined a possible policy violation has occurred, both parties will receive a notice from the Coordinator or designee. This notice will include a copy of these policies and procedure, the section of the code alleged to be violated, identities of the parties involved (if applicable), and available appointment times for an initial meeting with the Coordinator, designee, or investigator. Parties' will be given 5 business days to respond to notices.

### **2. Rights of the Parties**

**Complainant's Rights** – During the initial meeting with the Complainant, the Coordinator will give an overview of these policies and procedures. In addition, the Coordinator will provide Complainant with his/her option to pursue an informal resolution if applicable The coordinator will also inform Complainant of his/her rights throughout the process. Complainant is entitled to have an attorney, advisor, or support person in attendance with Complainant during all meetings, hearings, interviews, or other appearances during the process. (Insert restrictions or obligations here)\*\* The Coordinator will also discuss any interim protective measures with Complainant if needed in order to maintain Complainant's safety and learning environment during the investigation, and inform Complainant of the confidential resources available. Lastly, the Coordinator will provide contact information for the investigator assigned to the case if one has been assigned.

**Respondent's Rights** – During the initial meeting with the Respondent, the Coordinator will give an overview of these policies and procedures. In addition, the Coordinator will provide Respondent with his/her option to pursue an \*\*informal resolution if applicable\*\* The Coordinator will also inform Respondent of his/her rights throughout the Title IX process. Complainant is entitled to have an attorney, advisor, or support person in attendance with Respondent during all meetings, hearings, interviews, or other appearances during the process. (insert restrictions or obligations here)\*\* The Coordinator will inform Respondent of the confidential resources available. Lastly, the Coordinator will provide contact information for the investigator assigned to the case if one has been assigned.

## **C. Investigation Procedures**

If the parties decide not to pursue an informal investigation or if the Coordinator determines that an informal resolution would not be appropriate based on the circumstances, a formal investigation is another option.

Once the Complainant has initiated the formal investigation, the Coordinator will assign the case to a trained, efficient, and impartial investigator. Each party will be informed by the Coordinator when the investigator has been assigned and be given the investigator's contact information.

The investigator will conduct an impartial, unbiased, and thorough investigation within a reasonable and efficient timeframe. Each party will be interviewed by the investigators and asked to provide witnesses and/or any evidence they wish the investigator to include in the report. Parties will be afforded adequate time before interviews to secure representation if they wish; however, the securing of representation shall not impede the timeline of the investigation. In addition, parties will be given 10 days to review and respond to any evidence uncovered by the investigator.

After all parties and witnesses have been interviewed and all evidence has been analyzed, each party will receive a notice that fact finding has ended and will be allowed 5 business days to edit, change, or add any new information before report writing begins. When a draft report has been completed by the investigator, it will be sent to the Coordinator for review. Once the Coordinator has reviewed the report, both parties will receive a copy of the draft report of their review.

#### **D. Report Filing**

The 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 provide fairness to all participants.

Students found to have violated University policy will have appropriate disciplinary sanctions determined by the Director of Community Standards 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 Coordinator. The Coordinator will notify the Respondent and the Complainant 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 Coordinator.

#### **E. Appeals**

The appeal process is facilitated by the Office of Community Standards. To file an appeal, a [Petition for Appeal Form](#) is submitted to the Office of Community Standards. The Office of Community Standards conducts a preliminary review to determine if the appeal meets the criteria standard for appeal; if it does, the appeal is forwarded to the Dean of Students (or designated appeal officer) for a formal review. The appeal review may take up to 15 calendar days, depending on the complexity of the issues involved.

The Dean of Students (or designated appeal officer) will investigate the appeal based upon a review of the claims of the appeal against University records and supporting documents;

additional relevant information from any party to the proceeding may be considered and factored into the final judgment.

After a review of the record, the appeal officer may:

- Uphold the original judgment and/or sanction(s);
- Dismiss the case or individual charge(s) against the student and vacate any portion or all of the sanctions;
- Modify the severity of the sanction(s); or
- Remand the case to the original resolution officers or refer the case to a new resolution officers to be reheard. Any case that is reheard can result in sanctions greater than the original imposed sanction. This review may take up to 10 calendar days, depending on the complexity of the issues involved.

The result of the Petition for Appeal review will be communicated to both parties via email. This decision is final and not subject to further appeals.

If you need assistance in completing the Petition for Appeal Form, please contact the [Office of Community Standards](#). Intentionally submitting false or misleading information is considered a violation of the Student Code of Conduct. The University reserves the right to take immediate interim actions as necessary and appropriate to protect the safety and well-being of the campus and community.

## **IV. Informal Resolution**

The Coordinator will determine if a voluntary informal resolution process is appropriate based on the complexity of the matter and the severity and extent of the alleged harassment. There are some serious offenses that may not be resolved through voluntary informal resolution including but not limited to non-consensual sexual intercourse, domestic violence, and any case where the Coordinators deems voluntary informal resolution would not be appropriate. A voluntary informal resolution may include but is not limited to mediation, targeted educational programming, and training for relevant individuals and groups.

If the Coordinator determines that voluntary informal resolution is an appropriate option then, during the initial meetings with Reporting Party and Responding Party, the Coordinator will inform the parties of the option to proceed with a voluntary informal resolution process. The Coordinator or their designee will not force a Reporting Party to directly confront a Responding Party in mediation. Either party may request a voluntary informal resolution; however, both parties must agree to undergo the process. If the matter is regarding an issue under section II of this policy, no informal resolution may begin without a formal complaint.

Once both parties agree to an informal resolution, the Coordinator will draft an Informal Resolution Agreement and deliver it to both parties. Each party has five (5) business days to sign the agreement. If the parties do not sign within the required time, the case will

revert to a formal investigation. The Coordinator will coordinate the voluntary informal resolution process.

The Coordinator will assign an unbiased and trained party to facilitate to the informal resolution process. The Coordinator will schedule the beginning of the process approximately 5 business days after the informal resolution agreement has been signed. The facilitator will keep the Coordinator informed of the progress of the informal resolution and will inform the Coordinator if another meeting is needed. Either party may bring a support person to informal resolution proceedings, but all questions and comments must be directed to the facilitator, not directly between parties or their advocates. At any time prior to the conclusion of the voluntary informal resolution, either party may withdraw from the voluntary informal resolution and request a formal investigation.

Both parties must agree to the outcome of the voluntary informal resolution. If a mutual decision cannot be reached, the case will revert to a formal investigation. If a mutual decision is reached and agreed upon, neither party may appeal the final decision. Any information discovered during the course of a voluntary informal resolution process will not be considered during a subsequent formal investigation. The Title IX Office will seek to complete the process within thirty (30) days of the request for a voluntary informal resolution. In the event that the voluntary informal resolution exceed the timeframe initially established, the Title IX Office will notify all parties of the need for additional time, the reason that extended time is required, and an estimated timeframe for completion of the process. In no instances, will the informal resolution process delay University-provided support services, resources or other measures for either party.

## **V. Sanctions & Disciplinary Actions**

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 Respondent. Sanctions and disciplinary actions can include but are not limited to:

- Writing warning
- Letter of Corrective Action
- Loss of Privileges
- Restriction from Campus
- Probation
- Suspension
- Dismissal

A full list of sanctions and descriptions may be found at <https://www.franklin.edu/about-us/policy-information/student-code-of-conduct>

## **VI. Final Rules and Regulations**

### **A. Amnesty for Parties and Witnesses**

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 Complainant 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.

**B. 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.

**C. 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.

**D. Other Reporting Options**

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, Denver Office  
Cesar E. Chavez Memorial Building  
1244 Speer Boulevard, Suite 310  
Denver, CO 80204-3582  
Phone: 303-844-5695  
TDD: 800-877-8339  
Email: ocr.denver@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

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