

Hodges University

Annual Campus Security Report Crimes Reported in 2019 (Published in October 2020)

In 1990, Congress enacted the Crime Awareness and Campus Security Act of 1990 (Title II of Public Law 101-542) which amended the Higher Education of Act of 1965 (HEA). This act required all postsecondary institutions participating in HEA's Title IV student financial assistance programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998, 2000, and 2008. The 1998 amendments renamed the law the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This report addresses issues associated with the Act and is presented in 4 components. The first component is the Presidents statement followed by the 2019 crime stats and the University's policies regarding its security and safety policies and procedures.

Component 1	The President's Statement
Component 2	The Criminal Offenses Reporting Table
Component 3	Hodges University Policies and Procedures (Clery Act and Violence against Women Reauthorization Act Policy)
Component 4	Hodges University's Emergency Response Plan

The President's Statement



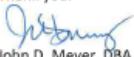
Annual Clery Act and Violence against Women Reauthorization Act
Report for Crimes Reported in 2019
Published in October 2020

In accordance with the Violence against Women Reauthorization Act of 2013, Hodges University is required to publish and disseminate an annual campus security report to all staff, faculty and students. The security report includes the three previous years of criminal statistics of specific crimes as defined by the Department of Education. Furthermore, the security reports contain the Hodges University Clery Act and Violence against Women Reauthorization Act policy. Key elements of this policy include the Clery Act reportable offense, alert warning procedures, procedures for reporting Clery Act offenses, Clery Act Subcommittee roles and responsibilities and procedures for investigating and adjudicating Clery Act offenses.

A safe and secure campus environment is an essential part in fulfilling a university's educational mission and in assisting students to achieve their educational goals. That's why the top priority at Hodges University is the physical safety and well-being of our students, faculty, staff and visitors. This report represents an important part of our commitment to safety and the safety and security policies that support our goal of making our campus a safe place to work and learn.

We believe that campus safety is a responsibility shared by all members of the campus community, including faculty, staff and students. Please review our policies on this important subject. If you have any questions, please contact our Director of Facilities and Campus Safety at (239) 589-6209.

Thank you.



John D. Meyer, DBA,
President

4501 Colonial Boulevard, Fort Myers, Florida 33966 | Phone: 239-482-0019 | Pathways.Hodges.edu

Campus Crime Statistics

ANNUAL REPORT OF CRIME STATISTICS

Hodges University (Naples Campus)

Address	City	State	Zip Code
2647 Professional Circle	Naples	FL	34119
Name of Person Preparing Report	Title	Phone	
Skip Camp, CFM	Director of Facilities & Campus Safety	(239) 598-6209	
Reporting Period:	Calendar Years		
January 1 –December 31, 2019	2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019		

Signature of President

Date



10/12/2020

Offense

Number of Offenses Reported

		2011	2012	2013	2014	2015	2016	2017	2018	2019
1	Murder non-Negligent manslaughter	0	0	0	0	0	0	0	0	0
2	Forcible sex offenses including forcible rape	0	0	0	0	0	0	0	0	0
3	Non-forcible sex offenses	0	0	0	0	0	0	0	0	0
4	Robbery	0	0	0	0	0	0	0	0	0
5	Aggravated assault	0	0	0	0	0	0	0	0	0
6	Burglary	0	0	1	0	0	0	0	0	0
7	Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
8	Arson	0	0	0	0	0	0	0	0	0
9	Negligent manslaughter	0	0	0	0	0	0	0	0	0
10	Larceny-theft	0	0	0	0	0	0	0	0	0
11	Destruction/damage, vandalism	0	0	0	0	0	0	0	0	0
12	Intimidation	0	0	0	0	0	0	0	0	0
13	Arrests	0	0	0	0	0	0	0	0	0
14	Simple Assault	0	0	0	0	0	0	0	0	0
15	Assault	0	0	0	0	0	0	0	0	0
16	Hate crimes	0	0	0	0	0	0	0	0	0
17	Domestic violence	0	0	0	0	0	0	0	0	0
18	Dating Violence	0	0	0	0	0	0	0	0	0
19	Stalking	0	0	0	0	0	0	0	0	0
20	Drug abuse violation	0	0	0	0	0	0	0	0	0
21	Weapon law violation	0	0	0	0	0	0	0	0	0
22	Liquor law violation	0	0	0	0	0	0	0	0	0

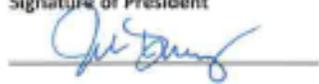
Hodges Annual Crime Statistics Report Submitted

October 2020

ANNUAL REPORT OF CRIME STATISTICS

Hodges University (Ft. Myers Campus)

Address 4501 Colonial Blvd. Skip Camp, CFM	City Fort Myers	State FL	Zip Code 33966
Name of Person Preparing Report	Title	Phone	
	Director of Facilities & Campus Safety	(239) 598-6209	
Reporting Period: January 1 –December 31, 2019	Calendar Years 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019		

Signature of President 	Date <u>10/12/2020</u>
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Offense	2011	2012	2013	2014	2015	2016	2017	2018	2019
1 Murder non-Negligent manslaughter	0	0	0	0	0	0	0	0	0
2 Forcible sex offenses (including rape)	0	0	0	0	0	0	0	0	0
3 Non-forcible sex offenses	0	0	0	0	0	0	0	0	0
4 Robbery	3	0	0	0	0	0	0	0	0
5 Aggravated assault	0	0	1	0	0	0	0	0	0
6 Burglary	1	2	0	0	0	0	0	0	0
7 Motor Vehicle Theft	0	1	0	0	0	0	0	0	0
8 Arson	0	0	0	0	0	0	0	0	0
9 Negligent manslaughter	0	0	0	0	0	0	0	0	0
10 Larceny-theft	0	0	0	0	0	0	0	0	1
11 Destruction/damage, vandalism	0	0	0	0	0	0	0	0	0
12 Intimidation	0	0	0	0	0	0	0	0	0
13 Arrests	0	0	0	0	0	0	0	0	0
14 Simple Assault	0	0	0	0	0	0	0	0	0
15 Assault	0	0	0	0	0	0	0	0	0
16 Hate crimes	0	0	0	0	0	0	0	0	0
17 Domestic violence	0	0	0	0	0	0	0	0	0
18 Dating Violence	0	0	0	0	0	0	0	0	0
19 Stalking	0	0	0	0	0	0	0	0	0
20 Drug abuse violation	0	0	0	0	0	0	0	0	0
21 Weapon law violation	0	0	0	0	0	0	0	0	0
22 Liquor law violation	0	0	0	0	0	0	0	0	0

Hodges Annual Crime Statistics Report Submitted

October 2020

Hodges University Policies and Procedures **(Clery Act and Violence against Women Reauthorization Act Policy)**

Hodges University employs security officers from a well-qualified contracted security company to patrol its campuses, both armed and unarmed. An Emergency Operations Plan has been developed in an effort to protect Hodges University students, faculty, and staff. The development of this plan is based on a realistic assessment of potential incidents that could affect our community and the capabilities to react to those situations. It is a

comprehensive All-Hazards approach utilizing the Incident Command and National Incident Management System and may effectively be applied to any critical incident.

Hodges University has established an excellent working relationship with local and state law enforcement agencies, armed and unarmed security guards, and other campus security personnel who actively participate in many law enforcement and security classes to include crowd control, pepper spray, baton training and lockdown/evacuation courses. In addition, our Director of Campus Safety and Facilities Management is a member of the Local Emergency Planning Council, the Regional Domestic Security Task Force, the Local and Regional Campus Security Consortium and is a member of the State Working Group on Emergency Management.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), the Violence Against Women Reauthorization Act (VAWA), and The Campus Sexual Violence Elimination Act (SaVE Act) (VAWRA amended the Clery Act) are federal laws that require institutions of higher education in the United States to provide safety and security information, investigate offenses and provide for safer campuses; as well as regularly report campus security information, including crime statistics, for 20 reportable offenses. This policy is designed to implement the requirements of those federal laws at Hodges University.

The Clery Act reportable offenses and their definitions are:

- **Murder and Non-Negligent Manslaughter** – Willful (non-negligent) killing of one human being by another.
- **Negligent Manslaughter:** The killing of one human being by another through gross negligence.
- **Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)
- **Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.
- **Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access; even though the vehicles are later abandoned including joyriding.)
- **Weapon Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.
- **Drug Abuse Violations:** These are violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, and

codeine); marijuana; synthetic narcotics (Demerol, Methadone), and dangerous non-narcotic drugs (GHB, Rohypnol, and Ecstasy).

- **Liquor Law Violations:** The violation of laws or ordinances prohibiting: manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; driving under the influence as a minor; maintaining unlawful drinking places; bootlegging; operating an illegal still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Public Intoxication and Driving While Intoxicated are Penal Code violations and are not included in this definition.)
- **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- **Sex Offenses-Forcible:** Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.
- **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.
- **Hate Crimes:** A criminal act involving crimes such as theft, simple assault, intimidation or vandalism which was motivated by bias against any person or group or the victim's property because of ethnicity, race, national origin, religion, gender, sexual orientation, or disability of the person or group, or bias based upon the perception that the person or group has one or more of those characteristics. See further definitions of hate crime bias below.
- **Intimidation:** Intimidation means to make fearful or to put into fear. Generally, proof of actual fear is not required in order to establish intimidation. It may be inferred from conduct, words, or circumstances reasonably calculated to produce fear.
- **Larceny-theft:** The unauthorized taking and removal of the personal property of another by an individual who intends to permanently deprive the owner of it; a crime against the right of possession.
- **Assault:** Assault is an attempt to do serious bodily harm to another person, or actually committing an act to put another in fear of serious bodily injury.
- **Destruction/damage/vandalism of property:** Vandalism is an offense that occurs when a person destroys or defaces someone else's property without permission.
- **Domestic violence:** includes violent misdemeanor or felony offenses committed by the victim's current or former spouse or intimate partner, person with whom the victim shares a child, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.
- **Dating violence:** means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.
- **Stalking:** means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.

- Any other crime involving bodily injury

Hodges University prohibits the commission of any of the above offenses, which include, but are not limited to domestic and dating violence, sexual assault and stalking, and shall take affirmative action(s), both internally and externally (if appropriate) to assure all stakeholders that maximum effort (preventative, creative and punitive) shall be expended to eradicate any such activity from impacting the University community. Specific educational and preventive programs designed to address these concerns are described in the Procedure for Reporting Clery Act Reportable Offenses section of this policy.

If the issue of consent is relevant to the determination of any alleged incident of a sexual offence, consent shall mean intelligent, knowing, and voluntary consent and does not include coerced submission. Consent shall not be deemed or construed to mean the failure by the accuser to offer physical resistance to the accused.

One category of crimes that requires full disclosure is that of hate crimes; definitions of hate crime bias include:

- **Race Bias.** A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).
- **Gender Bias.** A preformed negative opinion or attitude toward a group of persons because those persons are male or female.
- **Gender Identity Bias.** A person's private sense, and subjective experience, of his/her own gender. This is generally described as one's private sense of being a man or a woman, consisting primarily of the acceptance of membership into a category of people: male or female. Additionally, a person may identify as a gender that does or does not appear to the sex assigned to that person at birth, or the person may not identify as either female or male.
- **Religious Bias.** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).
- **Sexual Orientation Bias.** A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians,).
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- **Ethnicity/National Origin Bias.** A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics).
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- **Disability Bias.** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Annual Campus Safety Report (Clery Act)

It is the policy of Hodges University to publish by October of each school year an annual security report that informs current students and employees of its safety and security policies, procedures and practices. The annual report also discloses statistics from the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property, either owned or controlled by the University and owned or controlled by student organizations recognized by the University and on public property within or immediately adjacent to

and accessible from the campus. This information is posted on the HU Website, HU Portal. This information shall also be made available to prospective students, prospective employees and others upon request.

It is the responsibility of the Facilities Management and Campus Safety to:

- Publish the annual report every October that contains three years of campus crime statistics and certain campus security policy statements;
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms;
- Gather the statistics from campus police or security, local law enforcement, and other University officials who have significant responsibility for student and campus activities;
- Provide timely warning notices of those crimes that have occurred and pose an ongoing threat to students and employees; and
- Disclose in a public crime log any Clery Act reportable crime that occurred on campus or within the patrol jurisdiction of the campus security department and is reported to the campus security department. Additionally, a Daily Crime Log shall be maintained in which all crimes reported to Director of Campus Safety and Facilities Management shall be recorded, regardless of whether they are Clery Act offenses.
- Collect, collate, and incorporate this information and post it via a web-based Annual Security Report (ACR) generated by the Department of Justice in cooperation with the Department of Education and submit the ACR prior to the October deadline. If an event occurs that involves students or employees, the names of these individuals shall not be disclosed in the ACR.

Alert Warning Procedures

Hodges University's planned policy, practices and procedures for emergency response, notification, and evacuation procedures were developed and incorporated in accordance with the Clery Act. This act is specifically mandated by the U.S. Department of Education and is designed to further enhance additional safety and security related efforts for all colleges and universities. The redundancy notification processes that the University has available include the Everbridge notification system that includes campus-wide text messaging, voice messaging, and emails, along with an emergency classroom notification system (Informacast).

Notification of Campus Community of Dangerous Situation: Hodges University will activate a multi-platform notification system (Everbridge and Informacast) that employs campus-wide text messaging, voice messaging, emails, web pages, (possibly Facebook, Twitter), and public address capabilities in cases where there is an imminent and immediate threat to the HU community. The recipients of these notifications are all students, staff, and faculty. In addition, low-tech solutions that include ordinary outlook e-mails (aside from the Blackboard Connect) bullhorns, walkie-talkies, and runners delivering messages by word-of-mouth will be employed when warranted. All Hodges University facilities have building specific evacuation plans posted in classrooms and hallways and provide explicit evacuation instructions and designated reunification areas. When the need to evacuate the campus arises, fire alarms, strobe lights (for hearing impaired), panic alarms, and a public address system may also be utilized. Faculty and staff shall advise and assist students in evacuating to pre-designated areas adjacent to the buildings. Cars may not be allowed to leave the campus in order to permit access by emergency vehicles.

Timeliness of Emergency Notification: For the most part when danger is imminent, the notification process shall be activated immediately; however, there are times when information gathering about the situation may necessitate a delay in notice. As soon as emergency first responders are able to confirm that there is a threat to the University and/or the community in immediate proximity to the University, the emergency notice shall be

delivered. The University will also rely heavily on its community partners (local Emergency Management, Police, Fire, EMS, Media, etc.) to deliver warnings.

Persons Responsible For Activation on Emergency Notification: In the event that first responders are not on scene, the confirmation of a “significant emergency” and therefore the activation of the Everbridge and/or Informacast System is the responsibility of the Director of Facilities Management and Campus Safety in consultation with the University President (or the President’s designee), and the Executive Vice-President of Operations in accordance with the HU Emergency Response Management Plan. However, when time is of the essence, the Director of Campus Safety and Facilities Management, or the President’s designee(s) may make this decision without prior approval. Once the decision is made to activate the Everbridge or Blackboard Connect System, the University will initiate the Incident Command System (ICS) to determine who to notify and what message needs to be delivered to the community. The following is a list of persons responsible for initiating the notification process, in order of priority:

1. President of the University
2. EVP of Operations
3. The Director of Facilities Management and Campus Security
4. Director of Information Technology
5. Sr. VP of Student & Academic Services

Disseminating Information to the Larger Community: In the event that a situation arises either on or off campus, that, in the judgment of the President of the University (or his/her designee), constitutes an ongoing or continuing threat, a campus and community (immediately surrounding the campus in question) "timely warning" will be issued. The procedure to disseminate emergency information involves coordination between the President, (or designee), and the Director of Campus Safety and Facilities Management. If the incident or event is one that requires notification to the surrounding community, the University shall rely on local Emergency Management, Law Enforcement, Department of Health, Fire Districts and local media outlets to disseminate public service announcements (PSAs). The notification shall include all appropriate pertinent information. The University has also developed and will use pre-scripted announcements for reasonably foreseeable events.

Procedure for Reporting Clery Act Reportable Offenses: It is the policy of Hodges University to strongly encourage all victims (employees, students or visitors), witnesses or those who become aware of any crime or offense to report the incident to campus officials, local authorities, and/or support persons made available on campus or through referral. Victims (accusers) have options to pursue University mediation, disciplinary action or proceed with a criminal investigation – or any combination of these choices. To report an incident on campus, one may contact any security officer, front desk person, or the Director of Facilities Management and Campus Safety at 239 598 6209 or local law enforcement. University officials (Program Chairs/Department Heads and above) shall report (mandatory reporters) allegations of a Clery Act reportable offense incident of which they become aware to the Director of Safety and Facilities Management. All accusers shall be advised that there will be no retaliation for any report filed in good faith, regardless of outcome. No officer, agent or employee of Hodges University shall retaliate, intimidate, threaten, coerce or otherwise discriminate against any individual for exercising his or her rights or responsibilities under this Policy. It is noted that on any campus on which a Clery Act reportable offense is committed or reported, the security officer has the responsibility for ensuring that a complete report of the incident and how it was handled is completed and filed with the Director of Safety, immediately after the matter is resolved.

Students or employees who report that they have been the victim of a Clery Act or Title IX violation, including, but not limited to rape, domestic violence, dating violence, sexual assault or stalking, whether the offense occurred on or off campus, shall be provided with a written summary of rights and options as well as a summary of the procedure and support he or she can expect from the University and other available resources. Persons accused of Clery Act or Title IX violations that are either employees or students at Hodges, shall be provided with a similar summary of procedures, rights and obligations under Hodges’ policies, as well as state and federal law.

Clery Act Subcommittee. The University, shall devise and disseminate programs which include, but are not limited to, victim awareness, bystander intervention, prevention and risk reduction. These programs shall be assessed for value, effectiveness and outcomes. The committee shall also establish delivery methods and timetables for these programs, including materials and training at new student and new employee orientation. Current programs available to both employees and students include Domestic Violence and Sexual Violence Workshops to be held annually on each campus and to be made available online; Substance Abuse Workshop to be held at least annually at each campus; Mental Health Workshop to be held at least annually at each campus. Additional programs shall include bystander intervention workshops, informational and educational materials to be made available on the Hodges' website and elsewhere.

The Clery Act committee shall file with the Director of Campus Safety and Facilities Management, on or before September 5th of each year, a summary activity report, the contents of which shall be incorporated in Hodges' Annual Campus Security Report. Additionally, the Chair shall collaborate with the the Safety Committee from time to time to assure that efforts are comprehensive, effective and coordinated. The Safety Committee shall provide periodic updates to the Administrative Council of the University.

Procedures for Investigating and Adjudicating Clery Act Reportable Offenses: Once a Clery Act Reportable Offense incident report has been received, it shall be reviewed by the Director of Campus Safety and Facilities Management or designee in collaboration with the SVP of Academic Affairs, or designee, as to whether the complaint is appropriate for internal investigation and adjudication. If the complaint is rejected, the Director of Safety and Facilities Management shall prepare a report setting forth the salient facts as well as the reason for rejection and provide same to all parties. If appropriate for further investigation, the matter shall be referred to the Senior VP of Academic or designee to be assigned an investigator and a hearing panel of two or three hearing officers, including one designated as Chair. The matter shall be managed in a prompt, fair and impartial manner using the resources of the Safety Committee formed for this purpose. Both the investigation and adjudication shall be undertaken by persons who have and will continue to receive training on at least an annual basis on Clery Act, and/or Title IX reportable offenses. The investigation and adjudication process shall be concluded within a reasonable time and without undue delay. If necessary, the target 30 day time frame may be extended for good cause and with written notice to accuser and accused, which notice shall include the reason for and anticipated extent of the delay.

- Both accuser and accused shall receive timely notice of any hearings or meetings (excluding witness interviews) at which time either or both may be present.
- Accuser, accused and any officials must be provided with timely access to materials that may be used in meetings or proceedings. A written summary of the rights and obligations of the parties as well as expectations with respect to procedure shall also be supplied. These writings shall include information about confidentiality, available counselling, health, mental health, victim advocacy, and legal assistance.
- Both accused and accuser shall be advised about the importance of preserving evidence and options with respect to whom they may file reports or complaints. Accusers shall also be advised about options such as orders of protection, no contact orders, restraining orders and temporary measures that may be available to them through University administrative efforts.
- The SVP of Academic Affairs or designee or the Director of Campus Safety and Facilities Management or designee are empowered and may provide for temporary protective measures or sanctions to address emergent problems or issues pending the outcome of the adjudication for students. The HR Director or designee shall be consulted and is also authorized to impose temporary measures or sanctions with respect to any employee involvement as either the accuser or the accused.
- The range of protective measures that Hodges University may impose on a temporary or permanent basis, include, but are not limited to : policy reminder, verbal and/or written warning, restitution, fines, educational tasks, restricted access, conduct hold on grades, probation, interim suspension, suspension with or without pay, dismissal, report of incident to appropriate law enforcement personnel.
- Proceedings (investigations and hearings) shall be conducted by persons appointed by the SVP of Academic Affairs or designee from the membership of the Safety Committee formed for this purpose.

People appointed shall not have a conflict of interest or bias in the matter and shall have undergone training regarding the handling of Clery Act and/or Title IX matters, as appropriate to the incident at hand.

- If, after reasonable inquiry, the investigator determines that there is no need for either a formal or informal adjudication, the matter may be dismissed by the SVP of Academic Affairs or designee upon the recommendation of the investigator. The investigator shall file a report setting forth the salient facts and inferences that justify the dismissal; this report shall be distributed to both the accused and the accuser simultaneously.
- The burden of proof to be used in adjudication (except for Title IX matters) shall be that of clear and convincing. In Title IX matters, the burden of proof shall be preponderance of evidence.
- Both accuser and accused shall have the right to be accompanied by an advisor (any individual who provides guidance or advice) of their choice. However, although the advisor can confer with and/or comfort the interested party, he or she may not participate directly in the proceeding. Any advisor whose actions disrupt the proceedings may be excluded from the proceedings.
- If both the accused and accuser agree, they may elect an informal process in which a trained and impartial person may act as a mediator to resolve outstanding issues and impose agreed upon sanctions. Either party may opt out of this informal process at any time prior to final resolution.
- Hearings shall be scheduled and otherwise case managed by the Chair of any appointed formal hearing panel or the impartial “mediator” of any informal process. If a party to any proceeding is disruptive or fails to appear, the Chair or “mediator” may take appropriate action, up to and including dismissal of the matter or imposition of appropriate sanctions.
- Notice of the determination or outcome of any proceeding shall be made available to both the accused and the accuser simultaneously. The notice shall contain information regarding the result of the proceeding, a finding of “responsible” or “not responsible,” any appeal process available, and when the result becomes final. “Result” is any initial, interim and/or final decision by any official or entity authorized to resolve disciplinary matters for or within Hodges University. The result shall include not only a determination of responsibility, but also sanctions imposed and a rationale for the result.
- Hodges University shall make reasonable effort to make accommodations requested by the accuser, whether or not the accuser chooses to report the incident to local law enforcement.
- Either the accuser or the accused may appeal the result to the Executive Vice President of Operations or designee within 10 days after the initial determination. The appeal is “on the record” i.e., shall consist of a review of any reports or other pertinent documents, and the determination shall be final. Any party may submit additional pertinent documentation to the EVP that may not have been available during the hearing below, or to explain his or her perspective as to why the determination below should be upheld or reversed. The EVP shall render a determination within 5 days of submittal of relevant documents, which time frame may be extended for good cause. If the 14 day time frame can’t be met, the EVP shall timely advise the parties of the reason and anticipated extent of the delay. The EVP may affirm, reverse or remand the matter; the appellate determination shall be set forth in writing, and the writing shall include the rationale for the determination made. The appellate determination shall also inform the parties that they may notify a state or federal agency having civil rights enforcement power.

Operational Procedures:

- 1 Each day an officer at each campus will complete the Clery Daily spreadsheet and email it to the Director
- 2 Each day the Director will enter the information on the Master Clery spreadsheet located in the Departments main electronic file under: I/Safety/Clery.
- 3 Each year this data will be processed as provided by the Clery Act.

Updated: September 24, 2020

Hodges University’s Emergency Response Plan

On file in the Office of Facilities Management and Campus Safety