

# Eastland-Fairfield

## Career & Technical Schools

Eastland-Fairfield Career and Technical Schools

# Annual Security Report

Jeanne Clery Act

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# EASTLAND-FAIRFIELD CAREER & TECHNICAL SCHOOLS ANNUAL SECURITY REPORT

## **1. INTRODUCTION AND PURPOSE**

The safety of students, staff, visitors, and other members of the school district community is an important concern for the Eastland-Fairfield Career & Technical Schools (“Eastland” or the “District”). The Annual Security Report (“ASR”) is prepared on a yearly basis to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics (the “Clery Act”). Districts participating in federal student financial aid must present certain crime statistics and policies to current and future students and employees in accordance with the Clery Act. The purpose of the report is to provide important information related to district safety and security.

The ASR is published annually and contains statistics for the previous three years concerning reported crimes that occurred on-campus, in certain off-campus buildings or property owned or controlled by the Board, and on public property within, or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault, emergency response, and other matters. District administrators prepare this report in cooperation with local law enforcement agencies.

Eastland Fairfield does not have on or off-campus housing nor does it have any officially recognized student organizations with off-campus locations. Therefore, no crime statistics or policies pertaining to such are included in the ASR.

Eastland Fairfield disseminates the ASR via an e-mail notification to enrolled students and staff members that provides the website to access the report. Potential students and employees are notified that they have access to the report on the District’s website. A printed copy of the report is also available upon request.

## **2. ANNUAL REPORTING OF CRIME STATISTICS**

### **CLERY CRIMES**

The Clery Act requires the District to collect and disclose statistics for certain crimes that occur on or within the District’s “Clery Geography,” as defined below, and that are reported to Campus Security Authorities, which are known as “Clery crimes.” Clery crimes include the following crimes as they are defined by the FBI’s UCR Program:

#### **A. Primary Crimes**

- 1) Criminal homicide
  - a. Murder and non-negligent manslaughter; and

- b. Negligent manslaughter
  - 2) Sex offenses
    - a. Rape;
    - b. Fondling;
    - c. Incest; and
    - d. Statutory rape
- B. Arrests and referrals for disciplinary actions, including:
  - 1) Arrests for liquor law violations, drug law violations, and illegal weapons possession;
  - 2) Referrals for District disciplinary action for liquor law violations, drug law violations, and illegal weapons possession, where the individual(s) involved were not arrested for said violations.
- C. Hate crimes, including the following types of crime that have been determined to be hate crimes:
  - 1) Larceny-theft;
  - 2) Simple assault
  - 3) Intimidation; and
  - 4) Destruction/damage/vandalism of property;
- D. Dating violence, domestic violence, and stalking, as those crimes are defined by 34 C.F.R. 668.46(a).

**Reportable Areas (Clery Geography)**

On-Campus: Any building or property owned or controlled by the institution.

Public Property: Thoroughfares, streets, sidewalks, and parking facilities that are within the campus or immediately adjacent to or accessible from the campus.

Eastland does not have any on-campus student housing facilities or any noncampus buildings or property. Eastland does not have any officially recognized student organizations with off-campus locations and as such, the District's Clery Geography does not include statistics for such locations. In addition, the District does not monitor or record criminal activity that occurs off-campus, even when it involves District students or staff members.

**Crime Statistics for Main Campus/Eastland Career Center**

Offense	2018		2019		2020	
	On Campus	Public	On Campus	Public	On Campus	Public
<b>Offense</b>						
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
<b>Hate Crimes<sup>1</sup></b>						
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	0	0	0	0	0
<b>Violence Against Women Act</b>						
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
<b>Arrest</b>						
Weapons: carrying, possessing, etc.	0	1	0	0	0	0
Drug Abuse Violations	0	1	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0
<b>Disciplinary Actions</b>						
Weapons: carrying, possessing, etc.	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0
Unfounded crimes	0	0	0	0	0	0

<sup>1</sup> When certain crimes are determined to have been hate crimes, they must be listed as such on the ASR

**Crime Statistics for Fairfield Career Center**

Offense	2018		2019		2020	
	On Campus	Public	On Campus	Public	On Campus	Public
<b>Offense</b>						
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor vehicle theft	0	0	1	0	0	0
Arson	0	0	0	0	0	0
<b>Hate Crimes<sup>1</sup></b>						
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	0	0	0	0	0
<b>Violence Against Women Act</b>						
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
<b>Arrest</b>						
Weapons: carrying, possessing, etc.	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0
<b>Disciplinary Actions</b>						
Weapons: carrying, possessing, etc.	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0
Unfounded crimes	0	0	0	0	0	0

<sup>1</sup> When certain crimes are determined to have been hate crimes, they must be listed as such on the ASR

## **CONFIDENTIALITY**

This ASR does not include the names or any other identifying information about the persons involved in the reported incidents. The Clery Act does not require disclosure of personally identifiable information about the victim. All personally identifiable information contained in education records is protected from disclosure in most situations by the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, 34 C.F.R. Part 99.

### **3. POLICIES FOR CRIME NOTIFICATION AND CRIME REPORTING PROCEDURES**

#### **REPORTING A CRIME**

In the event that a student or staff member is the victim of a criminal offense, or otherwise becomes aware that such offense has occurred on District property, s/he should report the offense to the Compliance Office at (614) 836-4530, or dial 9-1-1 in the event of an emergency. Students and staff are encouraged to report all crimes and public safety related incidents in a timely manner.

Criminal offenses can also be reported to the following individuals, who have been identified by the District as campus security authorities (“CSAs”):

#### **Eastland Career Center and Amalgamated**

Eric White, Campus Security, (614) 836-5725

#### **Fairfield Career Center**

Steve Pritchett, Campus Security, (614) 837-9443

Eastland encourages the accurate and prompt reporting of all crimes and public safety related incidents to the CSAs or appropriate police agencies when the victim of a crime elects to, or is unable to make such a report.

#### **TIMELY WARNING SYSTEM**

The Clery Act requires Eastland to issue timely warning notices of certain crime reports to the “campus community.” The District shall issue such notices as soon as the pertinent information is available.

The District shall issue timely warning notices for any Clery crime that occurs within its Clery Geography, has been reported to a CSA or local police agency and is considered by the District to be a serious or continuing threat to students and staff members. The Compliance Office will be responsible for determining whether certain criminal actions necessitate issuance of a timely warning notice and will consider the nature of the crime, the continuing danger to the District’s



students and staff, and the possible risk of compromising law enforcement efforts, if such inquiry is relevant. Upon determination that a timely warning notice is warranted, the Compliance Office will be responsible for issuing such notice. The notice may be delivered via the public address system, email, telephone calls, social media, or other manner as deemed most appropriate by the Compliance Office given the nature of the particular threat.

Timely warning reports shall be sent to members of the campus community which includes students, parents, and all staff members via an effective communication method. With regard to such timely warnings, the names and other identifying information of victims will be withheld as confidential.

#### **VOLUNTARY CONFIDENTIAL REPORTING**

Individuals who wish to make a confidential report may contact the Compliance Office or any other District CSA. Reports made to CSAs will be referred to the Compliance Office but all information will remain confidential unless otherwise required to be disclosed pursuant to state or federal law (i.e. reporting child abuse or felonies to law enforcement).

The purpose of a confidential report is to comply with an individual's wish to keep the matter confidential, while taking steps to ensure the future safety of the individual and other members of the District community. With such information, the District can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the District's annual crime statistics.

#### **4. EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

##### **EMERGENCY SITUATIONS**

The District has developed extensive emergency procedures, all of which are contained in its Emergency Management Plan (EMP). The District is prepared to respond to a number of serious emergency situations, active shooters, bomb threats, chemical/toxic concerns, fires, and severe weather. Students and staff members shall be instructed on specific procedures related to each situation in accordance with the EMP.

##### **EMERGENCY NOTIFICATIONS**

Building administrators are responsible for determining and/or confirming whether a significant emergency or dangerous situation involves an immediate threat to the health and safety of students or employees occurring on District property. An immediate threat includes an imminent or impending threat, including but limited to, an approaching fire, tornado, or earthquake, an outbreak of meningitis, norovirus, or other serious illness, bomb threats, armed intruders, explosions, civil unrest or rioting, or nearby chemical or hazardous waste spills.

Building administrators will use all information reasonably available to them to reach a conclusion as to the nature and severity of the threat.

Upon confirmation by administrators that the District is subject to an immediate threat, the District will immediately notify its “campus community,” which includes all students and staff, as well as any other third parties located on District property. The District is not required to issue such notification for power outage(s) or snow closure(s). The notification will include only such information that is necessary to explain the situation and where appropriate, will include instructions for members of the campus community. In all cases, such instructions will direct students and staff to follow the relevant plan (e.g., the evacuation safety plan, the tornado safety plan, etc.), as such plans are referenced in the EMP.

Depending on the type of threat at issue, the District will notify its campus community using an appropriate and effective mode of communication. Such notification shall be provided to all members of the campus community, regardless of the type of threat at issue.

## **EVACUATIONS**

When an emergency situation occurs, a director or other administrator shall consult with the Superintendent or designated individual whether or not to evacuate the affected building(s). If the decision to evacuate is made, such evacuation will occur in accordance with the EMP, as well as the District’s evacuation safety plan.

The Superintendent or designated individual shall direct that the building(s) be evacuated and notify all students and staff members using the public address system. Attempts will be made to notify parents by telephone and/or radio or TV and the Superintendent will ensure that local emergency agencies have been contacted. All staff members are expected to assist with the evacuation, to continually scan the area for suspicious items, and ensure that a safe zone of 500 feet is maintained between students and the building(s).

The District will test its emergency response and evacuation procedures regularly throughout the school year, in accordance with State law. Such drills may be announced or unannounced and will be documented in accordance with State law and the Clery Act and its related regulations. The District will publicize its emergency procedures, as described in the ASR, at least once per calendar year in conjunction with one of these drills.

## **5. CRIMES OF SEXUAL MISCONDUCT**

The Clery Act requires Eastland to include in this ASR a clear statement of policy that addresses the procedures for institutional disciplinary action in cases of alleged sexual misconduct, which includes sexual assault, dating violence, domestic violence, and stalking. These policy statements reflect the applicable rules and procedures contained in Board Policies 1662 and 1662.01, which are available in their entirety on the District’s website.

## **REPORTING OPTIONS AND PRESERVATION OF EVIDENCE**

The Board encourages all individuals who have experienced some form of sexual violence to seek assistance from medical provider(s) and/or law enforcement immediately after an incident of sexual misconduct, whether or not the individual plans to pursue formal criminal charges. This will ensure proper preservation of evidence that may assist in proving that the alleged offense occurred, which in turn preserves more options for the individual if they later choose to pursue charges. Prompt action may also be instrumental in obtaining a protection order, if desired. If an individual does not wish to make a report immediately, he or she should still take steps to preserve evidence (physical evidence, electronic communications, etc.) to the extent possible to preserve future options for pursuing an investigation.

Students or staff wishing to make a report of sexual misconduct may contact emergency medical and law enforcement. Individuals may choose to involve law enforcement and have the option to notify law enforcement authorities, including local police, be assisted by an Eastland employee, in notifying law enforcement, if the complainant so chooses, or declining to notify such authorities. Note that under Ohio law, employees who are not confidential resources as listed above are required to report child abuse and neglect and felonies to law enforcement. However, law enforcement will typically respect the wishes of the complainant (or complainant's parent, as appropriate) in determining whether to investigate and/or pursue criminal charges. Law enforcement may be reached in an emergency by contacting 911.

Individuals seeking confidential assistance may contact the Board's guidance counselor(s) by contacting the District Office at (614) 836-4530 or the Compliance Officer at (614) 836-4530 ext. 1332 and asking to be connected to a guidance counselor. Both employees and students may also access other confidential sources in the School District community, such as mental health providers, medical providers, clergy, attorneys, etc.

## **REQUIRED NOTIFICATION REGARDING RESOURCES FOR ASSISTANCE**

Eastland will provide written notification to students and staff about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both at Eastland and in the community.

When a student or staff member reports that s/he has been a victim of sexual misconduct, Eastland will provide written notification to victims about options for, available assistance in, and how to request changes to academic, transportation, working situations or protective measures. Eastland will make accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to a CSA or local law enforcement. All protective measures and accommodations will remain confidential to the extent such confidentiality does not impair Eastland's ability to provide the accommodations or protective measures. Such measures may

include “no contact” orders to separate the individuals involved in the incident and other interim measures as appropriate.

Eastland will also provide a written explanation of rights and options to all victims of sexual misconduct who have reported such misconduct to the District.

## **INVESTIGATION AND COMPLAINT PROCEDURE**

Any employee or other member of the School District community or third party (e.g., visitor to the District) who believes that s/he has been subjected to sexual misconduct may seek resolution of his/her complaint through either the informal or formal procedures as described below. Further, a process for investigating claims of prohibited conduct and a process for rendering a decision regarding whether the claim of prohibited conduct was substantiated are set forth below.

While there are no time limits for initiating complaints, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

Each resolution process is guided by the same principles of fairness and respect for all parties. All individuals who violate the standards contained in relevant Board policy will be held accountable for their behavior through a process that protects the rights of both the complainant and the respondent and is prompt, fair, and impartial. Resources are available for both students and employees, whether as complainants or respondents, to provide support and guidance throughout the investigation and resolution of the complaint.

The informal and formal procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment, unlawful discrimination, prohibited sexual misconduct, or unlawful retaliation with the United States Department of Education Office for Civil Rights (OCR), the Ohio Civil Rights Commission (OCRC), or Equal Employment Opportunity Commission (EEOC), or to pursue a criminal complaint with law enforcement authorities.

### **Informal Complaint Procedure**

The goal of the informal complaint procedure is to stop inappropriate behavior and to investigate and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for anyone who believes s/he has been subject to prohibited conduct. This informal procedure is not required as a precursor to the filing of a formal complaint and will only be utilized where the parties agree to participate in such process. Individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process. However, all complaints of sexual misconduct involving a District employee, any other adult member of the School District community, or third party against a student will be formally

investigated. Similarly, any allegations of sexual violence will be formally investigated, unless the allegations involve an adult victim, that individual requests that the investigation not be pursued, and the District does not perceive sufficient factors present in the allegations to suggest that it is necessary to override the adult victim's request for confidentiality. As an initial course of action, if an individual feels that s/he is being subjected to sexual misconduct, and s/he is able and feels safe doing so, the individual should tell or otherwise inform the other party that the conduct is unwelcome and must stop. Such direct communication should not be utilized in circumstances involving sexual violence. The complaining individual should address the conduct as soon after it occurs as possible. The Compliance Officer is available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the other individual of his/her complaint is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of prohibited conduct, such as sexual misconduct or harassment, the Compliance Officer may advise against the use of or even prohibit use of the informal complaint process.

An individual may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator; (2) directly to the Compliance Officer; and/or (3) to the Superintendent or other District-level employee. Though a complaint may be made in various ways, they are all referred to the Compliance Officer, who will ensure consistent application of Board policy to all individuals and allow the Board to respond promptly and equitably to eliminate the prohibited conduct, prevent its recurrence, and address its effects. The Compliance Officer shall assess the severity of the alleged conduct and the potential risk of a hostile environment for others to determine whether informal resolution is appropriate.

Upon determining that informal resolution is appropriate, the Compliance Officer will either facilitate an informal resolution on his/her own, as described below, or appoint another individual to facilitate an informal resolution. The Compliance Officer will consult further with the Complainant, if necessary, inform the person who is the subject of the allegations, and gather additional relevant information as necessary. The Compliance Officer may also put in place any appropriate interim protective measures to protect the educational and work environment.

The Board's informal complaint procedure is designed to provide individuals who believe they are the victim of sexual misconduct with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the individual claiming or alleging the occurrence of sexual misconduct, informal resolution may involve, but not be limited to, one or more of the following:

- Advising the individual about how to communicate the unwelcome nature of the behavior to the alleged violator
- Distributing a copy of the relevant Board policy and/or offering or requiring additional training as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.

- If both parties agree, the Compliance Officer may arrange and facilitate a meeting between the individual claiming harassment prohibited conduct has occurred and the individual accused of sexual misconduct to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. In all cases, the Compliance Officer will resolve the complaint within a reasonably prompt timeframe. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

All materials generated as part of the informal complaint process will be retained by the Compliance Officer in accordance with the School Board's records retention policy and/or Student records policy (See Policy 8310 and Policy 8330).

### **Formal Complaint Procedure**

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or if the Complainant elects to file a formal complaint initially, the formal complaint process shall be implemented. The formal complaint procedure also applies to all alleged incidents of sexual violence.

An individual who believes s/he has been subjected to sexual misconduct, hereinafter referred to as the "Complainant", may file a formal complaint, either orally or in writing, with a teacher, Director, the Compliance Officer, Superintendent, or other District employee. Due to the sensitivity surrounding complaints of prohibited conduct unlawful harassment, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, Director, Superintendent, or other District employee, either orally or in writing, about any complaint of harassment prohibited conduct or retaliation, that employee must refer such information to the Compliance Officer or designee within two (2) business days. Though a report may be made in various ways, all reports are referred to the Compliance Officer, who will ensure consistent application of relevant Board policy to all individuals and allow the Board to respond promptly and equitably to eliminate misconduct, prevent its recurrence, and address its effects.

Throughout the course of the process, the Compliance Officer will keep the parties informed of the status of the investigation and the decision-making process as appropriate. All formal complaints must be in writing and signed and dated by a Complainant or a third party filing on behalf of a potential Complainant (known as the Reporter). It should also include the following information to the extent it is available: the identity of the individual believed to have engaged

in prohibited conduct; a reasonably detailed description of the facts upon which the complaint is based, including the date and place that such facts occurred; a list of potential witnesses; and the resolution sought by the Complainant. The Complainant should also include any other information that the Complainant or Reporter believes may be relevant to the investigation. However, a complaint should not be delayed if such sources of information or unknown or unavailable.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any interim protective actions should be taken in the investigatory phase to protect the Complainant from further sexual misconduct. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions s/he deems appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer or a designee will determine whether it is appropriate to initiate a formal investigation. The Compliance Officer or a designee will contact the Complainant or the Reporter to gather more information related to the allegations. Based on the information gathered, the Compliance Officer or a designee will determine whether the information, if true, would constitute a violation of Board policy, such that a formal investigation is warranted. If policies other than Policy 1662 and 1662.01 are alleged to have been violated, the Compliance Officer shall determine whether it is appropriate to include those violations in this investigation process or to refer such violations to another appropriate process or administrator. All designees or school investigators will have appropriate training, which shall be conducted on an annual basis, on issues related to prohibited conduct, including sexual misconduct, sexual assault, stalking, and dating and domestic violence, and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Following the decision to begin an investigation, the Compliance Officer will inform the individual alleged to have engaged in the prohibited conduct, hereinafter referred to as the "Respondent", that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of Board Policy 1662, as well as a copy of Policy 1662.01, if applicable. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the Compliance Officer or a designee will attempt to complete the investigation within fifteen (15) business days of receiving the formal

complaint. The Respondent and Complainant will be provided equitable rights during the investigative process. The investigation will include, as appropriate:

- Interview(s) with the Complainant;
- Interview(s) with the Respondent;
- Interview(s) with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- Consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

Both the Complainant and the Respondent have the opportunity to bring a personal advisor to any interviews with the Compliance Officer or a designee. Individuals involved in an investigation are permitted to select a personal advisor of their choice, provided that the advisor is not a witness or otherwise involved in the investigation process. The Compliance Officer or a designee is prohibited from limiting the choice of a personal advisor in any way, except that the Board reserves its right to establish restrictions regarding the extent to which advisors may participate in any interviews and related disciplinary proceedings, which restrictions will be applied uniformly.

At the conclusion of the investigation, the Compliance Officer or the designee shall make findings of fact, applying a preponderance of the evidence standard, and determine based on those findings of fact, whether a preponderance of evidence exists to support a finding that Board policy was violated.

The Board will seek to complete the investigation within sixty (60) days of the initial report, but this time frame may be extended for good cause with written notice from the Compliance Officer to the parties as to the reason for the delay. Good cause may include the complexity of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the effect or a concurrent criminal investigation, any intervening school break or vacation, or other unforeseen circumstances. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

In the event that allegation includes behavior or actions that are under review by law enforcement authorities, the Compliance Officer will assess and reassess the timing of the investigation, so that s/he does not compromise the criminal investigation. The Board will cooperate with any law enforcement requests so as not to interfere with a concurrent investigation.

The Compliance Officer or the designee will simultaneously provide the Complainant and Respondent with a written draft of the findings of fact and analysis and will give both parties five (5) business days to submit a written response to the draft. The Compliance Office or the designee will consider any written responses and may request additional information or evidence before issuing a final report, which will outline any recommended measures to be taken to eliminate the prohibited conduct, prevent its recurrence, and address its effects.



The investigation will be completed and the final report provided simultaneously to the Complainant and the Respondent and will also be provided to the Superintendent. The administration of student and/or employee discipline is subject to the authority of the Superintendent and thus, as appropriate, the Superintendent separately will consider the imposition of discipline according to the applicable policy, administrative guidelines, or other authority. The Compliance Officer and the Superintendent will work jointly to put in place other remedial measures, as they determine are appropriate. Consistent with Board policies, measures imposed at this stage may include, among others: restrictions on contact, course-schedule alteration, or increased monitoring of School District property. The District will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the District against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, the District will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Both the Respondent and the Complainant may appeal the decision of the Compliance Officer, who will then refer such appeals to the Superintendent or designee. Appeals must be received by the Compliance Officer within one week of the date of the final report, and appeal decisions shall be issued within a reasonably prompt time frame, generally within ten (10) business days. The limited grounds for appeal include procedural error(s) made during the original proceeding that justify reversal of the outcome or sanctions or justify reopening the investigation or new information unavailable at the original proceeding, which shall be provided with the appeal. Appeals of suspension, expulsion, or employee discipline are handled according to the appropriate Board policy and/or other authority (e.g. applicable collective bargaining agreement) as appropriate, and both the Complainant and Respondent will be notified of the result of such disciplinary proceedings. The Respondent shall be permitted to appeal the result of such disciplinary proceedings as provided by the applicable Board policy and/or other authority, and the Complainant shall be permitted to appeal the result of such disciplinary proceedings as if he/she was the Respondent. The Respondent and Complainant will be notified simultaneously if an appeal results in any change to the result of the investigation, the sanctions or the remedial measures imposed. In addition, the Respondent and Complainant will be notified simultaneously when the results become final.

Any act of retaliation against a person who has made a report or filed a complaint alleging prohibited conduct, or who has participated as a witness in a related investigation is prohibited.

## **PROTECTIVE MEASURES**

Upon receipt of a complaint under this Board Policy 1662 and/or 1662.01, the Compliance Officer or designee may impose reasonable and appropriate interim protective measures designed to eliminate the reported hostile environment and protect the parties involved. The Compliance Officer or designee will maintain consistent contact with the parties to ensure that safety and emotional and physical well-being concerns are being addressed. Interim measures

may be imposed regardless of whether formal disciplinary action is sought by the complainant or the Board.

A complainant or respondent may request separation or other protection, or the Compliance Officer may choose to impose interim measures at his/her discretion to maintain the safety of all parties, eliminate a hostile environment, and/or protect the integrity of the investigative and/or resolution process. The Compliance Officer (or designee) will oversee and implement the provision of interim measures and remedies. All interim steps will be taken promptly and at no cost to the Complainant.

All members of the School District community are encouraged to report concerns about the failure of another individual to abide by any restrictions imposed by an interim measure. The Compliance Officer will work with the Superintendent and/or other administrators/supervisors as appropriate to enforce a previously implemented interim measure. Disciplinary sanctions may be imposed for failing to abide by interim measures imposed under Board Policy.

Potential measures, implemented on behalf of the complainant and/or the respondent to the extent reasonably available and warranted by the circumstances, include but are not limited to:

- Rescheduling of exams and assignments
- Providing alternative course completion options
- Change in class scheduling, including the ability to transfer classes
- Change in work assignment or schedule
- Change in supervisor or supervising assignment
- Providing academic support services, such as tutoring
- Providing an escort to ensure safe movement between classes and activities
- Any other remedy that can be tailored to the involved individuals to achieve the goals of relevant Board policy.

Interim measures will remain in place for as long as is appropriate or until an investigation is completed. The Board will also take into consideration and comply with any orders or protection, no-contact orders, or restraining orders that may be issued by other authorities.

The Board will maintain the confidentiality of any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality does not impair its ability to provide the accommodations or protective measures.

## **POTENTIAL SANCTIONS**

If a violation of District policy is determined to have occurred, the matter will be referred to the Superintendent for appropriate discipline against the student or employee. Potential sanctions for students include required attendance at educational programs, detention, in-school suspension, out-of-school suspension, expulsion, removal from one or more extracurricular

activities, removal from positions of leadership in extracurricular activities, removal of District honors, and/or revocation of privileges. Potential sanctions for employees include required attendance at educational programs, mandatory counseling, paid leave, unpaid leave, last chance agreement, and/or termination. Potential sanctions for other individuals may include prohibition from or restricted access to District property, programs, or activities, revocation or restriction of privileges, termination of or modification of contractual relationship between the District and the individual or his/her employer, and/or other sanctions that may be appropriate depending on the relationship between the District and the individual. These sanctions are in addition to any other non-disciplinary remedial measures imposed as a result of the findings of the investigation.

When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where the alleged sexual misconduct is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and address its effects.

All disciplinary proceedings are conducted in compliance with the requirements of the Family Educational Rights and Privacy Act (FERPA), the Clery Act, Title IX, and state and federal law. No information shall be released from such proceedings except as required or permitted by law and Board policy.

## **6. DISTRICT SAFETY AND SECURITY**

### **ACCESS TO AND SECURITY OF DISTRICT FACILITIES**

Video surveillance and electronic monitoring equipment in appropriate public areas in and around the schools and other District facilities, and on school buses will be utilized. During school hours, access points to school grounds will be limited and monitored by District security personnel and staff. School facilities will be open to students, parents, employees, contractors, guests, and invitees. All visitors will be required to use a single supervised visitor entrance and must sign in at the reception area and present valid identification. Students and staff are required to carry identification badges. Delivery entrances used by vendors will be checked regularly. The District does not have any residence halls or dormitories. The District shall also take regular security precautions in maintaining its facilities, including regularly checks to make sure any outdoor pathways are well lighted and egress lighting is working in hallways and stairwells.

## **SECURITY PERSONNEL**

The District employs security personnel to keep the District's students and staff safe. District security personnel have the authority to ask persons for identification and to determine whether individuals have lawful business at Eastland-Fairfield Career & Technical Schools. District security officer(s) do not possess arrest power. Criminal incidents are referred to the local police department who have jurisdiction in the district. The security officer(s) maintain a highly professional working relationship with local law enforcement agencies, as discussed in more detail below.

## **RELATIONSHIP WITH LAW ENFORCEMENT**

District security personnel maintain a close working relationship with the local law enforcement agencies as necessary. District security personnel occasionally work with other law enforcement agencies and will communicate with them regularly. There is no written memorandum of understanding between the Board and local law enforcement agencies.

## **7. EDUCATION & PREVENTION PROGRAMS**

### **CAMPUS SECURITY PROCEDURE AND CRIME PREVENTION PROGRAMS**

Eastland is committed to the safety and security of its students and staff members and is committed to the prevention of crime through education and awareness programs, which focus on personal safety and theft prevention. Crime Prevention programs are available on a continual basis. A common theme of all Crime Prevention programs is to encourage students and staff to be aware of their responsibility for their own security and the security of others.

On several occasions throughout the school year, students and staff are informed of services offered by the Compliance Office and local law enforcement agencies. Seminars are offered to outline ways to maintain personal safety and security on District property and information is continually disseminated to students and staff through crime prevention awareness packets, security alert posters, displays, and videos, when appropriate. Students and staff are regularly informed about crime on-campus and in surrounding neighborhoods.

### **SEXUAL MISCONDUCT PREVENTION PROGRAMS**

Eastland is committed to prevention of sexual misconduct, including sexual assault, stalking, dating violence, and domestic violence, through education and awareness programs. The Compliance Officer, in consultation with other appropriate individuals and/or organizations, shall assist in coordinating such programs.

Eastland offers comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end sexual assault, stalking, dating violence, and domestic violence that are: (a) culturally relevant, inclusive of diverse communities and identities, sustainable,

responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and (b) consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels. These training programs include:

- A statement that the Board prohibits sexual misconduct, stalking, and domestic and dating violence;
- The definitions of sexual misconduct, stalking, and domestic and dating violence, under Board policy and state law;
- The definition of consent in reference to sexual activity under Board policy and state law;
- A description of safe and positive options for bystander intervention;
- Information on risk reduction;
- Information on disciplinary procedures related to sexual misconduct, stalking, and domestic and dating violence; and
- A description of the Board's drug and alcohol-abuse education programs.

All continuing students and staff will receive regular opportunities to review this information, become acquainted with new policies and best practices, and practice key skills. All training, as well as information provided, will be age and content appropriate.

#### **8. ALCOHOL AND ILLEGAL DRUG USE**

The use, possession, and sale of any drug, including alcoholic beverages, are illegal under both state and federal laws. The Board prohibits the use, possession, sale, or distribution of any drug on school grounds, on school vehicles, or at any school-sponsored event. Employees or volunteers in the adult education peace officer training program, expressly selected by the program instructor and approved by an administrator to participate in the segment of the training program relating to public intoxication, are permitted to consume alcohol on school premises, during class time, in furtherance of the goals and objectives of the segment, as directed and limited by the program instructor or administrators.

Pursuant to Board Policy, the Superintendent develops a curriculum for instruction in the harmful effects of and legal restrictions against the use of drugs of abuse, alcoholic beverages, and tobacco for students at each grade level and conducts such in-service training programs for staff members necessary to ensure effective teaching about drugs and assistance to students with drug problems. Such instruction is in compliance with the Drug-Free Schools and Communities Act of 1989.

#### **9. SEX OFFENDER INFORMATION**

Information concerning registered sex offenders may be obtained from the local sheriff's office, or online at <http://www.icrimewatch.net/ohio>.