

# Managing Risks at Colleges and Universities



## EDUCATORS TODAY FACE UNPRECEDENTED CHALLENGES IN MAINTAINING THE SECURITY OF THEIR COMMUNITY MEMBERS AND INSTITUTIONS,

the protection and preservation of proprietary information, the integrity of their reputations and the support of their constituencies.

Our global team — including former members of law enforcement and investigative agencies, accountants, cyber specialists, engineers and attorneys — offers educators comprehensive risk consulting services tailored to their needs, with the highest regard for confidentiality and discretion. Additionally, our professionals have extensive experience in the most current application of U.S. federal requirements, such as Title IX and the Clery Act.

### Campus Security and Safety Management

Kroll's expertise in assessing security needs and then implementing a protection program tailored to meet those needs is unsurpassed. Kroll evaluates the electronic, architectural and operational aspects of a security system with the goal of preventing breaches and ensuring compliance with the U.S. Campus Security Act.

#### Our Services:

- Security audits and threat assessment
- Security master plan development
- Security system design, engineering, inspection and testing
- Guard force evaluation, allocation and procurement
- Special event security planning and implementation
- Fire protection planning, design and management

### Crisis Management

When disruptions occur on campus, effective response depends on having a trained staff ready to implement the previously tested action plans. Whether the incident involves a fire, weather disaster, a chemical spill, a bomb threat or a disgruntled individual with a weapon, the lack of a comprehensive plan can turn an emergency into a crisis or a crisis into a disaster. The result can be injury to students and staff, destruction of facilities and long-term damage to a school's reputation.

Kroll helps educational institutions anticipate threats from both outside and inside their campus community and to address these threats with sound planning and training.

#### Our Services:

- Evaluate current emergency response plans
- Refine existing plans and develop new plans
- Assess crisis risks and vulnerabilities
- Conduct training programs and emergency exercises
- Provide an emergency response team
- Assist with crisis-related communications

### Investigations

Professional fraud examiners have estimated that fraud and financial abuse cost U.S. organizations more than \$400 billion annually, equal to an average of \$9 per employee per day, and academic institutions are not immune. Opportunities for financial deception abound and manifest themselves in diverse forms ranging from misappropriated grant funds to double-billing by vendors.

To prevent or contain financial losses stemming from fraud, administrators must investigate allegations, monitor financial processes and educate staff about the signs of financial abuse.

Additionally, non-financial employee misconduct can greatly damage an educational institution by undermining its integrity, hurting its students and employees, and creating critical reputational problems played out in a public arena.



Kroll's investigators and forensic accountants can conduct discreet inquiries and audits to determine the facts and formulate a course of action on a range of suspected activity, including cheating, graft and theft, and alleged misconduct, such as bullying and sexual assault.

#### **Our Services:**

- Fraud and bribery investigations
- Procurement fraud investigations
- Missing funds recovery
- Cyber and breach investigations
- Bullying and cyber harassment investigations
- Grant and subsidy compliance monitoring
- Systems and internal controls consulting
- Fraud awareness and prevention training

## Title IX

Kroll's team of former sex crimes prosecutors have extensive experience investigating allegations of sexual misconduct at educational institutions. We understand the high moral and legal importance of educational institutions' complying with Title IX of the Educational Amendments of 1972 and protecting their students and employees from sexual assault. We also are very cognizant of the unique sensitivities and concerns when conducting investigations in an academic setting and are prepared to address specialized investigative and training needs.

#### **Our Services:**

- Review and revise campus sexual misconduct and judicial policies and procedures
- Investigations into allegations of sexual misconduct and related issues
- Training of staff and students regarding reporting and handling allegations

## Threat Assessment Team Training

In the wake of recent violent attacks on university campuses, schools have adopted critical incident response plans and implemented emergency notification systems. This is a step in the right direction; however, it only addresses a crisis once it has happened. Educational institutions also need to address how to detect and prevent incidents before they occur.

To assist institutions of higher learning, Kroll offers comprehensive multidisciplinary threat assessment team training designed to fit your environment. This training includes classroom instruction and hands-on practical table-top exercises designed to train participants in:

- Identifying violent offenders
- Importance of working as a multidisciplinary team
- Threat assessment protocol and procedures
- Immediate and long-term case management
- Legal issues specifically of concern to universities and colleges

## Violence on Campus

At Kroll, we understand that violence on campus goes far beyond headlines. We incorporate all aspects of threat reduction in the school environment by providing a holistic approach to combating violence — from an emphasis on prevention to post-incident reviews.

#### **Our Services:**

- Vulnerability assessments
- Risk mitigation
- Policy and program creation
- Intervention and response protocols
- Incident response team
- Training

## Fact-Finding Services and Litigation Support

Internal disputes or accusations about school operations or admissions policies can endanger an institution's reputation and finances. When harmful allegations are made, administrators need to quickly and quietly determine the validity and the extent of the problem. Ideally, problems should be assessed and addressed before they hit the press or go to trial.

Independent, objective fact-finding can prevent disputes and accusations from escalating, support the pre-litigation and litigation process, and aid due diligence related to employment or funding issues.

## The Clery Act

Recent changes in the law, as well as enforcement efforts, have further highlighted the pressures facing U.S. colleges and universities. In April 2013, President Obama signed into law the reauthorization of the Violence Against Women Act ("VAWA"), which clarified and expanded schools' responsibilities for reporting and responding to allegations of sexual misconduct under the Clery Act (the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act").

In October 2014, the U.S. Department of Education published the final regulations of the VAWA amendments to the Clery Act. Notably, VAWA amended the Clery Act to

require institutions to compile statistics for incidents of domestic violence, dating violence, sexual assault and stalking. It also required that universities include certain policies, procedures and programs pertaining to these incidents in their annual security reports (“ASRs”).

Kroll’s investigative team, which includes many former prosecutors and law enforcement officials with substantial experience in training and investigating sexual assaults and workplace violence, recommends that institutions of higher education consider the following best practices:

- 1 Ensure that their programs, policies and procedures adequately comply with the Clery Act reporting requirements.
- 2 Sufficiently train adequate number of staff to effectively investigate alleged Clery Act crimes, including sexual assaults, domestic violence, dating violence and stalking.
- 3 Consider engaging an independent investigations firm to avoid the appearance of a conflict of interest, in particular for certain allegations against high-level university officials or other high-profile investigations.

Although there is no one “right way” to conduct a proper investigation, there are indeed many mistakes to avoid. Understanding the basic principles and tools to allow staff to effectively implement the Clery Act and its additional obligations under VAWA, Title IX and other provisions of federal law, can go a long way to mitigating the risks confronting every college and university in the U.S.

## Cyber Security/Data Loss/Intrusion

Academic institutions control substantial amounts of sensitive personal, financial and medical information on students, faculty, employees, patients and alumni. Research institutions are repositories for confidential findings and intellectual property as well. In today’s complicated regulatory environment, safeguarding this information has become an increasingly complex technological challenge, one that is often beyond the resources of most institutions.

These materials have been prepared for general information purposes only and do not constitute legal or other professional advice. Always consult with your own professional and legal advisors concerning your individual situation and any specific questions you may have.

### CONTACT

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### Our Services:

- Vulnerability testing and benchmarking
- Threat assessment monitoring
- Investigations into breach and intrusion events
- Restoration of compromised identities
- Risk mitigation through procedural reviews and recommendations in accordance with FERPA, HIPAA, PCI, GLB and others
- Breach notification and response

## Safety Programs for Students and Faculty Abroad

An overseas experience, coupled with students’ propensity to explore the unknown, creates risks. While petty crimes are most common, other risks include kidnapping, rape, terrorism, civil unrest and unlawful arrest.

Kroll offers one of the largest security networks in the world to address the growing risks associated with travel. We help minimize clients’ risks by formulating travel safety awareness and preparedness programs and by assisting on the ground when incidents do occur.

### Our Services:

- Political risk assessment and travel advisories
- Due diligence on travel service providers
- Local contacts, security escorts and legal counsel
- 24-hour emergency hotlines
- Overseas evacuation planning and crisis management
- Travel safety and security awareness training

