

A photograph of a white tower with a red roof and red metal railing. The tower is topped with a red metal roof. The words "ST. THOMAS UNIVERSITY" are written in blue, three-dimensional letters across the top of the tower. The tower is set against a background of green trees and a blue sky with white clouds.

ST. THOMAS  
UNIVERSITY

ST. THOMAS  
UNIVERSITY

# ANNUAL SECURITY — & — FIRE SAFETY REPORT

16401 NW 37th Avenue  
Miami Gardens, FL 33054

SEPTEMBER 2019

## TABLE OF CONTENTS

### **Message from President David Armstrong 4**

### **Resources 5**

*Resources Related to Sexual Assault, Domestic Violence, Sexual Harassment, Stalking, or Dating Violence 5*

### **STU's Policy on Reporting the Annual Disclosure of Crime Statistics 6**

### **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act 6**

*If you are the Victim of a Crime 7*

*How do I Report an Emergency? 7*

### **Alcohol Policy 8**

*Why is alcohol abuse a concern for University Campus? 8*

*State Regulations 8*

### **Drug Free Campus Policy 9**

*Federal and State Regulations 9*

### **Alcohol and Drug Free Campus Resources and Regulations 10**

*Possession, use, and sale of illegal drugs 10*

*Prescription Drugs 10*

*Location and Paraphernalia 10*

*Student Disciplinary Actions 11*

### **Weapons and Firearms Policy 12**

### **Sexual Assault, Domestic or Dating Violence, and Stalking Policy and Response 12**

### **Stalking 13**

### **Voluntary and Confidential Reporting 14**

*Reporting to Campus Security Authorities 15*

*Mandated Reporters 15*

### **Health and Safety Legal Provisions 15**

*Health and Safety Emergencies 15*

*Personal Knowledge or Observation 16*

*Parental Notification 16*

*Treatment Records 16*

### **Accounting for All Persons 17**

*Missing Residential Student 17*

*Campus Community, Response to a Crisis Accounting for All Persons 18*

*Non-Residential Students 18*

### **How to Obtain Information about Registered Sex Offenders 19**

### **Risk Reduction Tips 19**

### **Dangerous Subject, Intruder, and Active Shooter Protocol 20**

### **Hazardous Material/Chemical Emergency 21**

### **Safety and Awareness 21**

*Personal Safety Tips 21*

*Home Safety Tips 21*

*Vehicle Safety 21*

*Travel Safety 22*

*Severe Weather Safety 22*

### **Crime Reporting and Other Emergencies 23**

*Incident Notification, Reporting and Response 23*

### **STUAlert: Campus Emergency Notification Systems 23**

### **Test and Drills 24**

### **Campus Trainings and Education 24**

### **Timely Warnings 25**

### **Automatic External Defibrillator (AED) 25**

*AED Locations 25*

### **Security and Access to Campus Facilities 26**

*Identification Cards 26*

*Access to Campus and Campus Facilities 26*

*Access to Campus via the Main Gate 27*

*Campus Guest Policy 27*

### **STU's Department of Public Safety 28**

*Services Provided 28*

*Public Safety Jurisdiction and Relationship with Law Enforcement 29*

*Escort Policy 29*

*Parking, Traffic and Auto Registration Policies 29*

*Parking Citations 30*

**Annual Disclosure of Crime Statistics 31**

*Crime Statistic Report, 2015-2017 31*

*Hate Crime Statistics 32*

*Unfounded Crimes 32*

**Annual Fire Safety Report 32**

*Safety 32*

*Fire Safety Systems 33*

*Evacuation and Reporting Procedures 33*

*Residential Facilities Fire Safety Statistics and Related information 34*

*Fire Training 34*

*Fire Drills 34*

*Tobacco/ Smoke Free Campus 34*

*Future Improvement in Fire Safety 35*

**Clery Related Definitions 35**

## MESSAGE FROM PRESIDENT DAVID ARMSTRONG

Dear Bobcat Family,

St. Thomas University offers a safe environment, allowing an enjoyable experience for our students, faculty, and staff. To accomplish this, our Bobcat community must adhere to a shared obligation of community safety. We rely on all members of the STU community to help identify and report potential safety concerns. In addition, certain individuals and departments have unique responsibilities for helping to ensure a safe and secure campus; they include those identified as Campus Security Authorities and the Public Safety Department.

The information in this document complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, a federal law known as the Clery Act. This Annual Security and Fire Safety Report provides information about safety-related policies, procedures, and practices for the 2018 calendar year. These policies and procedures may be updated or revised after the date of this report; the most recent documents are available on the University's website. The report also incorporates statistical data about certain criminal offenses at St. Thomas University for the previous three calendar years.

The University's Public Safety Department is charged with the responsibility of collecting data and preparing crime statistics for this report. The Office of Risk Management, in cooperation with Student Affairs and Administrative Affairs, prepares the policy statements and disclosures report for this report.

Safety and security on campus is everyone's responsibility. God Bless and Go Bobcats!

David A. Armstrong, J.D.  
St. Thomas University President



## RESOURCES

Life Threatening Emergency	911
Campus Switchboard	(305) 625-6000
University Public Safety	(305) 628-6500
Office of Physical Plant/Maintenance	(305) 628-6594
Student Health Center	(305) 628-6690
Report Suspicious Activity	(888) 352-7233
Florida Poison Information Center	(305) 858-5250
Miami Dade Fire Department	(305) 759-2468
City of Miami Gardens Police	(305) 474-6473
Florida Highway Patrol	(305) 470-2500

### *Resources Related to Sexual Assault, Domestic Violence, Sexual Harassment, Stalking, or Dating Violence*

Monique Cunningham-Brijbasi, MBA, D.LP., CESCO, CCEP  
**Location:** Mimi Dooner Hall Room 110 (305) 628-6648 [mbrijbasi@stu.edu](mailto:mbrijbasi@stu.edu)

Aid to Victims of Domestic Abuse (AVDA) 24-hour hotline (800) 355-8547

Florida Coalition Against Domestic Violence [www.fcadv.org](http://www.fcadv.org)

Florida Council Against Sexual Violence [hwww.fcasv.org](http://hwww.fcasv.org)

Rape, Abuse & Incest National Network (RAINN) [www.rainn.org](http://www.rainn.org)

## STU'S POLICY ON REPORTING THE ANNUAL DISCLOSURE OF CRIME STATISTICS

The safety and well-being of all members of our community are of great concern to St. Thomas University. Many departments and employees are dedicated to making the campus a safer place to live and work. A safe environment depends on the cooperation and involvement of individuals like you. We encourage all members of the STU community to use this report as a guide for safe practices on and off campus.

This report is published in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. § 1092(f)) – part of the Higher Education Act (34 CFR 668.46). The Department of Risk Management and Compliance, and Department of Public Safety, prepares this report and works with several University offices and public agencies to gather the information reported. Each entity provides updated data on its educational efforts and programs related to campus crime, arrest, referral statistics reported to Public Safety, designated campus offices (including but not limited to directors, deans, department heads, designated resident life staff, student affairs staff, advisors to students and student organizations, and athletic administrators), and local law enforcement agencies. The University also has a voluntary confidential reporting system through which crimes are reported to officials at the Student Health Center or Campus Ministries.

This publication contains information to aid in the cooperative effort of creating a safer campus. It contains specific information on safety and security, crime prevention, breadth of authority, policies relating to reporting crime, campus disciplinary procedures, and crime statistics for the three previous calendar years. These statistics reflect reported crimes that occurred on campus and on public property that is immediately adjacent to and accessible from the campus. This publication is posted on St. Thomas' website by October 1, annually.

We notify all students, staff, and faculty of the website via their STU email and online at [www.stu.edu/emergency](http://www.stu.edu/emergency). All current or prospective faculty, staff, and students can obtain a paper copy of this report by emailing [publicsafety@stu.edu](mailto:publicsafety@stu.edu).

The University has directed Kent Security Services, our contracted Public Safety Department, with our expectations for officer response to reported criminal actions and other emergencies. Generally, in response to a call, officers will take the required action, contact a law enforcement officer, or ask the victim to file an incident report. All reported crimes will be investigated by the University and/or the appropriate local law enforcement agency, and may become a matter of public record (*some reports will remain confidential pursuant to FS 119*). Incident reports are forwarded to the appropriate University office for review and referral for discipline, as deemed necessary.

## JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, more commonly known as the Clery Act, require colleges and universities to:

- Publish an annual report every year by October 1st that contains three years of campus crime and fire safety 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. The statistics must be gathered from campus public safety, 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”;
- issue an emergency notification, upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus;
- Disclose in a public crime log “any crime that occurred on campus . . . or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department”; and,
- Maintain in a public fire log a record of any fire that occurred in an on-campus student housing facility.

Compliance with the Clery Act does not violate the Family Educational Rights and Privacy Act (FERPA) or any other law. Any student, staff, or faculty member who reports a crime or is involved in any aspect of compliance under the Clery Act is protected from retaliation.

## If you are the Victim of a Crime

For an emergency, call the police by dialing 911.

For a non-emergency, contact STU's Public Safety Department at (305) 628-6500 or by dialing the supervisor on-duty at (305) 975-9369.

If you are assaulted or battered, and do not know your assailant, try to remember as much information about the person as possible (gender, race, hair color, mode of travel, tag number, color of car, smell, etc.).

- If you see a **suspicious person**, do not approach the person yourself. Report the type of suspicious activity and a general description of the suspect(s).
- If your **car is damaged**, complete a police report to satisfy your automobile insurance requirements.
- If you receive a **bomb threat**, call 911 and Public Safety (extension 6500 or (305) 628-6500), notify your supervisor, and do not panic. Obtain as much specific information from the caller as possible.

St. Thomas University is a private, Catholic University and the Public Safety Department is not a sworn law-enforcement agency. The Public Safety Department employs security officers that operate 24-hours a day, 365 days a year.

The University encourages accurate and prompt reporting of all crimes and emergencies. Criminal actions and other emergencies may be reported by anyone, via phone call or in person to Public Safety. Kent Security Services, the contracted Public Safety Department, maintains a post order manual that outlines the officer response to criminal activities and other emergencies. The officers provide the University campus with a high level of physical security protection by utilizing motor vehicle patrols, bicycle patrols and effectively utilizing all access control directives. All of these security precautions cannot be fully effective unless those for whom they are geared to protect take active measures to fortify the system, raising it to a higher awareness and prevention.

## How do I Report an Emergency?

For all emergencies where life is in danger or a crime is being committed, immediately call 911 from your cell phone or desk phone. Public Safety can be contacted via your cell phone, desk phone, classroom callboxes, emergency red phones, or blue light phones.

If 911 is contacted, notify Public Safety to advise them that 911 has been contacted so they may assist local law enforcement or emergency medical services. *Figure 1* contains a summary of emergency contacts; a detailed list is provided on the *Resources* page of this report.

Life Threatening Emergency	911
Campus Switchboard	(305) 625-6000
University Public Safety	(305) 628-6500
Miami Dade Fire Department	(305) 759-2468
City of Miami Gardens Police	(305) 474-6473
Florida Highway Patrol	(305) 470-2500



## ALCOHOL POLICY

The abuse of alcohol is incompatible with the mission of St. Thomas University. The University does acknowledge the problem of substance abuse in our society and perceives this problem as a serious threat to our community. The University holds students responsible for the consequences of their decisions to serve or consume alcohol. It is the intent of the University to establish and maintain a healthy community free from alcohol abuse.

STU is further obligated to comply with all local, state, and federal laws. The University adheres to [Florida Statute §562](#), prohibiting the possession or consumption of alcoholic beverages by persons who are minors (under the age of 21). The University recognizes that students are adults, and are expected to obey the law, and take personal responsibility for their own conduct. It is unlawful for any person under the age of 21 years to have in their possession any alcoholic beverage. The possession and use of alcoholic beverages in University housing is governed by the Student Code of Conduct in the Student Handbook.

It is University policy to enforce Florida state laws with regard to underage drinking. In the state of Florida, the legal age for consumption of alcohol is 21. Access to and use of alcohol on campus is limited and regulated by state, federal and local laws, and by the University's rules and regulations, which are established in accordance with Florida state laws as well as insurance and safety regulations.

Students and guests under legal age who consume, possess, buy, serve or sell alcoholic beverages, or individuals who sell to or serve minors, are in violation of both state law and University policy. Possession or consumption of alcohol by students and guests over the age of 21 is allowed in the privacy of their own room. Students present during policy violations will be documented and are subject to University disciplinary action.

STU respects the rights of those students 21 years of age or older to consume alcohol. Therefore, with regard to on-campus consumption of alcohol, only students 21 years of age or older may consume and possess alcohol, and only if done so in the privacy of their rooms or at specifically designated functions. Students under the age of 21 are not permitted to have alcohol on campus or at any designated University function. Students found in violation of this policy may have the alcohol confiscated and may also have conduct code charges filed against them. Alcohol is not permitted in public areas. The use of bulk or keg containers is also prohibited.

The use of alcoholic beverages by students of **legal drinking age** on campus (as limited above) and off campus is permissible. However, incidents of intoxication and/or misconduct are subject to University disciplinary action. Students are expected to comply with municipal, state, and federal laws pertaining to the possession and consumption of alcoholic beverages. Any violation of these laws may result in disciplinary action including, but not limited to, probation, suspension, expulsion from the University and referral for criminal prosecution. Failure of a governmental entity to prosecute a student for a violation of law, dismissal of charges, referral to a pre-trial diversion program a finding of "not guilty" or any other disposition of the matter by governmental authorities, does NOT preclude the University from pursuing an independent disciplinary action.

### *Why is alcohol abuse a concern for University Campus?*

There are known risk factors, developmentally, for University students. Alcohol, binge drinking, and other drug use negatively impacts student health, well-being, and academic achievement. Consequences of heavy alcohol use may include abuse and dependence, academic difficulties, accidents or injuries, aggressive behavior, alcohol poisoning, driving under the influence, hangovers, relationship problems, unplanned sexual activity, sexual assault, vandalism and violent campus crimes.

In addition, nationally, the majority of acquaintance rapes are planned, and assailants take advantage of their victim's use of alcohol and other drugs, which slows reflexes and impairs the victim's ability to recognize a potentially dangerous situation.

### *State Regulations*

There are many local state and federal laws that govern the use, abuse and misuse of alcoholic substances. An example of two key state laws of particular application is found below.

Sec. 316.1936, Florida Statutes: It is unlawful for any person to possess an open container of an alcoholic beverage or consume an alcoholic beverage while operating a vehicle in the state or while a passenger in or on a vehicle being operated in the state. Violation of this law will result in a noncriminal moving traffic violation, punishable as provided in Chapter 318 of the Florida Statutes, with fines and points on a driving record leading to driver's license suspension.



Sec. 316.193, Florida Statutes: A person is guilty of driving under the influence (DUI) if such a person is driving or in actual physical control of a vehicle within the state and the person is under the influence of alcoholic beverages or any controlled substance when affected to the extent that his or her normal faculties are impaired or the person has a blood alcohol level or breath alcohol level of .08 percent or higher. Criminal penalties for DUI include, but are not limited to, fines and incarceration.

## **DRUG FREE CAMPUS POLICY**

St. Thomas University complies with the Drug-Free Schools and Communities Act, and has adopted the following policy for all workplace, school, campus, and field-based programs.

The unlawful manufacture, distribution, dispensation, possession, or use of illicit drugs are prohibited in and on property owned or controlled by St. Thomas University, and as a part of any of its activities.

The term “illicit drugs” refers to all illegal drugs, and to legal drugs obtained or used without a physician’s order. This policy does not prohibit the use of prescribed medication under the direction of a physician. No STU student, or employee, is to report to work or school while under the influence of illicit drugs or alcohol. Possession of paraphernalia for illegal drug use, or taking a prescription that does not belong to you, are prohibited.

Use of any drug prohibited by law on STU’s premises is strictly forbidden and subject to disciplinary action under the Student or Employee Handbook. Anyone found on campus with an illicit substance/drug or may also face criminal sanctions for the unlawful possession under Florida Statutes. This includes substances that are allowed by law with the proper prescription but the person in possession is not the party to whom the substance has been prescribed. This also includes the “sharing” of drugs/substances with any person not legally authorized to have that drug or substance.

Florida Statutes §381.986 permits the use of medical marijuana. However, students nor employees with medical marijuana prescriptions will not be able to possess or use marijuana anywhere on St. Thomas University property. The Drug Free Schools and Communities Act amendments of 1989 (amendments to the Higher Education Act) tie large portions of University funding to a drug-free environment. For example, institutions may lose federal funding for financial aid if they allow the use of illicit drugs on campus. Marijuana is considered an illicit drug (Schedule I according to the Controlled Substances Act).

On-campus and/or off-campus involvement in possession, use or sharing of drugs may result in suspension from the University for a minimum of one semester and until the student completes his or her educational sanctions. This suspension may occur regardless of legal action or disposition of a legal matter by any governmental entity. The selling or sharing of illegal drugs, including marijuana and prescription drugs, on or off campus, may result in immediate expulsion. Given the considerations and other dangers regarding the use and abuse of drugs, regulations will be enforced and are applicable regardless of the status of any legal proceedings. Specifically: (a) Illegal substances may not be possessed, used, distributed, bought, sold or manufactured on campus; (b) Controlled substances may not be possessed, used, distributed, bought, sold or manufactured on campus; and, (c) Illegal or inappropriate use of substances to cause intoxication or hallucinations is prohibited.



### ***Federal and State Regulations***

When a student uses or deals in drugs, he or she also risks incarceration and/or fines. In addition to the federal sanctions, Florida state statutes provide sanctions in regard to the use, possession, and/ or sale of illicit drugs and the abuse of alcohol. Punishment varies depending on the amount and type of drugs and/or alcohol involved. Felony convictions range from one year to life imprisonment. Possession of not more than 20 grams of cannabis is punishable as a misdemeanor of the first degree. Punishment for misdemeanors ranges from less than 60 days to one-year imprisonment.

Sec. 893.13, Florida Statutes: It is unlawful for any person to sell, manufacture, deliver, or possess with intent to sell, manufacture, or deliver a controlled substance. Violation of this statute is a felony and is punishable under Chapter 775 of the Florida Statutes.

Sec. 893.13 (1) (c), Florida Statutes: It is unlawful for any person to sell, manufacture, deliver, or possess with the intent to sell, manufacture, or deliver a controlled substance in, on, or within 1,000 feet of a public or private elementary, middle, or secondary school. Punishment for a violation of this statute may include a minimum three-year imprisonment.

## ALCOHOL AND DRUG FREE CAMPUS RESOURCES AND REGULATIONS

St. Thomas University is committed to protecting our Bobcat family by promoting and maintaining an Alcohol and Drug Free Campus. STU does not consider the use of alcoholic beverages as necessary to the process of higher education. Since alcohol is a substance that can have serious consequences when consumed in a high-risk manner, all members of our community must act together in promoting health and safety. There are serious health risks associated with the abuse of drugs and alcohol. If you, or a fellow student, has a problem with the abuse of drugs and/or alcohol, help is available at the Student Health Center, located in the Student Center.

**Licensed Mental Health Counselor:** **Maria Bedoya-Garavito LMHC**  
(305) 628-6695  
[mgaravito@stu.edu](mailto:mgaravito@stu.edu)

### Additional Resources

College Drinking: Changing the Culture	<a href="http://www.collegedrinkingprevention.gov">www.collegedrinkingprevention.gov</a>
Cove Center for Recovery	<a href="http://www.covecenterforrecovery.com">www.covecenterforrecovery.com</a>
WestCare Foundation	<a href="http://www.westcare.com">www.westcare.com</a>
For Law Students/Lawyers, Florida Lawyers Assistance	<a href="http://www.fla-lap.org">www.fla-lap.org</a>

### *Possession, use, and sale of illegal drugs*

STU **does not** support any activity related to the possession, use, provision of or sale of any substance considered to be illegal. This includes, but is not limited to, marijuana, salvia, or the non-prescribed use of prescription drugs. Drug paraphernalia is also prohibited, and includes any and all types of equipment, products and materials of any kind that are used, intended for use or designated for using or selling drugs.

On-campus and/or off campus involvement in possession, use, or sharing of drugs will result in disciplinary action from the University. The selling or sharing of illegal drugs, including marijuana and prescription drugs, on or off campus, may result in immediate expulsion. Given the consideration and other dangers regarding the use and abuse of drugs, regulations will be enforced are applicable regardless of the status of any legal proceedings. Specifically (a) illegal substances may not be possessed, used, distributed, bought, sold, or manufactured on campus; (b) controlled substances may not be possessed, used, distributed, bought, sold, or manufactured on campus except as expressly permitted by law; and, (c) illegal or inappropriate use of substances to cause intoxication or hallucinations is prohibited.

### *Prescription Drugs*

The misuse and abuse of any prescription drugs can result in a variety of physical and psychological consequences, ranging from addiction to accidental overdose and death. Mixing prescription drugs with alcohol or any other drug increases the likelihood of toxic overdose and death. Sharing prescription drugs is a felony under Florida law. The illegal possession, use, or sharing of prescription drugs is a violation of STU's code of conduct and may result in disciplinary action.

### *Location and Paraphernalia*

Students, faculty, or staff found in the vicinity of drug use (i.e., being in the same room) or the possession of marijuana-related paraphernalia, which is defined as, but not limited to, any and all types of equipment, products or materials of any kind that are used, intended for use or designed for using or selling drugs, will face disciplinary action.

### Bobcats

- (a) assist each other in minimizing the harmful effects of alcohol;
- (b) encourage each other to live a healthier lifestyle and make better consumption choices;
- (c) educate each other about the risk and responsibilities inherent in the consumption of alcohol;
- (d) help each other to develop awareness about the consequences of high-risk behavior; and,
- (e) respond to any treatment needs.

## *Student Disciplinary Actions*

The University Community Standards describes behaviors that are inconsistent with the essential values of the University community. The University retains the right to modify the University Community Standards at any time without advanced notice. The University reserves the right to discipline any student and/or their guest who engages in misconduct, that adversely affects the pursuit of the University's educational purposes and objectives or otherwise violates University rules. Students are held accountable for their guest's actions and may be subject to disciplinary action for their guest's infractions of the University Community Standards. Intentionally attempting or assisting in violation of the student code may be considered as serious as engaging in the behavior. A person commits an attempt when, with intent to commit a specific violation of the University Community Standards, he/she performs any act that constitutes a substantial step toward the commission of that violation.

The Student Judicial Process begins when the University receives information that a student's conduct may be in violation of the policies in the University Community Standards or other University policies.

The University will review the information provided to decide if:

1. It is appropriate to initiate a Student Judicial Process.
2. More information or investigation is needed before making a determination whether to initiate a Student Judicial Process.
3. It is not appropriate to initiate a Student Judicial Process at this time.

If a Student Judicial Process is initiated (including after further investigation or information gathering), the Student Judicial Process will proceed as follows:

1. The University will promptly communicate with the relevant parties, including the complainant and the referred student, in order to explain the Student Judicial Process.
2. Depending on the circumstances, the University may decide to impose interim sanctions.
3. The University will determine whether the Student Judicial Process will proceed with a judicial hearing. This determination will be discussed with the relevant parties during any initial meetings. Factors that contribute to the decision include but are not limited to the type of violation, severity of the incident, consideration for potential likely sanctions, the impact on the larger University community, and the role of the complainant.
4. The University will work with the individuals involved to determine each individual's level of participation in the Student Judicial Process and what role each individual will have in the Student Judicial Process. For example, whether the referred student will be participating in the Student Judicial Process; and whether the complaining individual will serve as a complainant, witness, or not participate at all.
5. The University will hold a judicial hearing.
6. If a referred student is found "IN VIOLATION" of any policy, conduct sanctions will be assigned.
7. The complainant and the referred student will have the opportunity to appeal all determinations as to policy violations and sanctions.
8. For Law Students, violation of any law and/or this policy may lead to appropriate action to be taken under the Law's School's Honor Code. Law students should refer to that Code for potential consequences for violation of laws and regulations. The University Judicial Process and the Law School Disciplinary Process can both operate independently with regard to any Law Student. Disposition under one process is not binding on the other.

## **WEAPONS AND FIREARMS POLICY**

All types of guns (including paintball guns, airsoft guns, pellet guns, etc.), bows and arrows, tasers, and all other weapons are prohibited in residence halls. Any device that has the appearance and/or function of a serviceable weapon or is being used in a manner of a real weapon is also prohibited.

A “weapon” can be defined as any object or substance designed to inflict a wound, cause injury or incapacitate, or create a reasonable fear of harm, including but not limited to, all firearms, including air rifles and pellet guns; bow and arrows; ammunition; all knives; martial arts weapons; brass knuckles; explosives; and dangerous chemicals or poisons that are possessed with the intent to injure another or to cause damage to property.

The possession and/or use of weapons or other instruments that can be used as weapons are strictly prohibited on University premises, including University parking lots, or at any other location while engaged in University business regardless of whether the person is licensed to carry a weapon or not. This policy applies to all University employees, students, visitors, customers and contractors on University property, regardless of whether they are licensed to carry a concealed weapon or not.

The only exceptions to this policy are public safety officers or other persons who have been given explicit consent by the University to carry a weapon on the property and police officers. This policy also prohibits unauthorized weapons at any University-sponsored function. For the purposes of this policy, weapons or dangerous instruments are broadly defined to include, but are not limited to: rifles, shotguns, machine guns, semi-automatic rifles, B.B. guns, dart guns, pellet guns and other firearms; razors and other knives capable of inflicting harm. For the purposes of this policy, a firearm is broadly defined as a weapon capable of firing a projectile and using an explosive charge as a propellant. Individuals with questions about whether an item is covered by this policy have the responsibility to contact Student Affairs and Public Safety.

## **SEXUAL ASSAULT, DOMESTIC OR DATING VIOLENCE, AND STALKING POLICY AND RESPONSE<sup>1</sup>**

St. Thomas University is committed to encouraging and sustaining a learning and living community that is free from harassment, violence, and prohibited discrimination. Consistent with this commitment and Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex/gender in any of the institution’s programs or activities. STU has developed this comprehensive Sexual and Discriminatory Harassment Policy, applicable to all students. Further, STU conducts education and awareness programs with the goal of preventing and discouraging sexual assault, domestic violence, dating violence, and stalking.

As discussed more fully below, this Policy on Sexual and Discriminatory Harassment prohibits all forms of sex/gender-based harassment, sexual violence, sexual exploitation, relationship violence (domestic violence and dating violence), and stalking. Collectively, these terms are referred to in this policy as “Sexual Misconduct.” They are defined below under “Prohibited Conduct.” (Note that non-sex/gender-based harassment is also a violation of University policy, as described under the University’s Policy, available at [www.stu.edu/titleix](http://www.stu.edu/titleix)).

The Policy serves three principal purposes. First, it establishes conduct standards—namely, prohibited Sexual Misconduct—for all University faculty, staff and students. Note that a violation of this Policy may also constitute a crime, which will be independently reported to STU’s Public Safety Department, Miami Gardens Police Department, or other appropriate law enforcement agency.

Second, the Policy outlines reporting, investigation, and complaint resolution procedures in cases where it is alleged that an STU faculty, staff or student has engaged in Sexual Misconduct. In the paragraphs that follow, the Policy specifies to whom violations of this policy should be reported, the availability of confidential reporting, intermediate measures available to the complainant (i.e., the individual who was the alleged victim of the behavior[s] in question) and the respondent (i.e., the one alleged to have committed a possible violation of the policy), how the University will investigate and resolve alleged violations, possible sanctions, and appeals. The University’s Office of Risk Management and Compliance is primarily responsible for implementing these procedures. Anyone with concerns about a possible violation of the Policy by a student, faculty or staff member is encouraged to contact Monique Cunningham-Brijbasi, Risk Management & Compliance at (305) 628-6648, [mbrijbasi@stu.edu](mailto:mbrijbasi@stu.edu), or through an online reporting system located at [www.stu.edu/titleix](http://www.stu.edu/titleix).

Third, the Policy describes resources available to complainants of Sexual Misconduct. A variety of support resources are available on campus and in the community to assist students in dealing with the impact of Sexual Misconduct, whether it happened recently or

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<sup>1</sup> Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Violence Against Women Reauthorization Act of 2013

in the past. Such services are provided in the section titled Resources to Help Survivors Cope and interim measures issued by the Office of Student Affairs and/or the Human Resources (or her/his designee).

### **Reporting**

All violations of the Policy must be submitted either online at [www.stu.edu/titleix](http://www.stu.edu/titleix), or by contacting:

#### **Monique Cunningham-Brijbasi, MBA, D.LP., CESCO, CCEP**

Director for Risk Management & Compliance/ Title IX Coordinator

Office Location: Mimi Dooner Hall, Room 110

(O) (305) 628-6648

[mbrijbasi@stu.edu](mailto:mbrijbasi@stu.edu)

Faculty, staff and students may also contact the Department of Education’s Office of Civil Rights (OCR) and for Florida are:

Atlanta Office

Office for Civil Rights

U.S. Department of Education

61 Forsyth St. S.W., Suite 19T10

Atlanta, GA 30303-8927

Telephone: (404) 974-9406

Fax: (404) 974-9471; TDD: (800) 877-8339

Email: [OCR.Atlanta@ed.gov](mailto:OCR.Atlanta@ed.gov)

U.S. Department of Education

Office for Civil Rights

Lyndon Baines Johnson Department of Education Bldg.

400 Maryland Avenue, SW

Washington, DC 20202-1100

Telephone: (800) 421-3481

Fax: (202) 453-6012; TDD: (800) 877-8339

Email: [OCR@ed.gov](mailto:OCR@ed.gov)

Reports involving an alleged perpetrator may be filed at any time; prompt reporting can aid an investigation. A student may confidentially report a violation of this policy to those who serve in a professional role in which communication is privileged under Florida law and to those whom the University has designated as confidential reporters consistent with Title IX. Persons who may maintain strict confidentiality include:

- Student Health Center personnel
- Campus Ministries personnel
- Clergy acting in their professional role at STU

Students should be aware that, with the exception of these confidential resources, all employees who become aware of conduct that might fall under this policy are expected to notify the Title IX Coordinator with the names of the parties involved and the details of the report. Students who serve in an ongoing peer-advising role (such as Resident Assistants) are also expected to share such reports with the Title IX Coordinator.

Amnesty will be given for various student code of conduct violations, for example, minor alcohol or drug infractions, for students reporting incidents of sexual assault or other sexual violence. Once a report is received, an investigation and possible remedial actions may occur, including adjudication through the disciplinary process described below, interim measures (e.g., a “no contact” directive, trespass from campus, interim suspension), reasonable academic or housing modifications, or other remedies designed to reasonably minimize the recurrence of such conduct as well as mitigate the effects of the alleged behavior.

## **STALKING**

STU aims to create a safe learning environment for its students, faculty, and employees. Accordingly, the University will not tolerate the stalking of any member of the University community as defined by Florida law. Violations of the Florida “stalking” law may result in disciplinary action, up to and including expulsion and/or termination.

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person’s safety or the safety of others; or
- Suffer substantial emotional distress.

A person commits stalking when any of the following occur:

1. Any person who willfully, maliciously, and repeatedly follows or harasses or cyberstalks another person commits the offense of stalking, a misdemeanor of the first degree, punishable as provided in Florida Statute [§ 775.082](#) or [§ 775.083](#).
2. Any person who willfully, maliciously, and repeatedly follows or harasses another person, and makes a credible threat with the intent to place that person in reasonable fear of death or bodily injury, commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in Florida Statute [§ 775.082](#), [§ 775.083](#), or [§ 775.084](#).
3. Any person who, after an injunction for protection against repeat violence pursuant to Florida Statute [§ 784.046](#), or an injunction for protection against domestic violence pursuant to Florida Statute [§ 741.30](#), or after any other court-imposed prohibition of conduct toward the subject person or that person's property, knowingly, willfully, maliciously, and repeatedly follows or harasses another person commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in Florida Statute [§ 775.082](#), [§ 775.083](#), or [§ 775.084](#).
4. Any person who willfully, maliciously, and repeatedly follows or harasses a minor under 16 years of age commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in Florida Statute [§ 775.082](#), [§ 775.083](#), or [§ 775.084](#).
5. Any law enforcement officer may arrest, without a warrant, any person he or she has probable cause to believe has violated the provisions of this section.

#### Definitions

- "Harass" means to engage in a course of conduct directed at a specific person that causes substantial emotional distress in such person and serves no legitimate purpose.
- "Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
- "Reasonable Person" means a reasonable person under similar circumstances and with similar identities to the victim.
- "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- "Credible threat" means a threat made with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety. The threat must be against the life of, or a threat to cause bodily injury to, a person.

#### Procedures for Reporting Stalking

Any student, faculty member, or employee who believes that he or she is a victim of stalking must immediately contact the Miami-Dade Police Department at 911. You must also notify Campus Security/Public Safety at (305) 628-6500.

## **VOLUNTARY AND CONFIDENTIAL REPORTING**

If crimes are never reported, little can be done to help other members of the community from also being victims. We encourage STU community members to report crimes promptly and to participate in and support crime prevention and safety awareness efforts. STU will be much safer when all community members participate in safety and security initiatives.

If you are the victim of a crime or want to report a crime you are aware of, but do not want to pursue action within the University or criminal justice system, we ask that you consider filing a voluntary, confidential report. Depending upon the circumstances of the crime you are reporting, you may be able file a report while maintaining your confidentiality. The purpose of a confidential report is to comply with your wish to keep your personally identifying information confidential, while taking steps to ensure your safety and the safety of others. The confidential reports allow the University to compile accurate records on the number and types of incidents occurring on campus. Reports filed in this manner are counted and disclosed in the Annual Security Report. Because police reports are public record under Florida law, confidentiality of reports cannot be guaranteed. Exceptions exist for sexual assault and crimes where victims or witnesses would be at risk should their names be released to the public.

To file a report online: <https://publicdocs.maxient.com/incidentreport.php?StThomasUnivFL>

## *Reporting to Campus Security Authorities*

While the University prefers that community members promptly report all crimes and other emergencies directly to the Public Safety at (305) 628-6500 or extension 6500, we also recognize that some may prefer to report to other individuals or University offices. The Clery Act recognizes certain University officials and offices as Campus Security Authorities (CSAs). These individuals are “officials of an institution who have significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.” CSAs are required to report all crimes to the Public Safety, as soon as reasonably possible. The University has identified the following positions as CSAs:



- Associate Vice President of Student Affairs
- Athletic Assistant Director
- Athletic Coaches and Assistant Coaches
- Athletic Director
- Law School Student Affairs Dean
- Law School Student Government Board
- Residential Assistants
- Student Government Board
- Pastoral and Professional Counselors

According to the Clery Act, pastoral and professional counselors who are appropriately credentialed and hired by STU to serve in a counseling role are not considered CSAs when they are acting in the counseling role. As a matter of policy, the University encourages pastoral and professional counselors to notify those whom they are counseling of the many available reporting options, including the voluntary, confidential reporting process.

## *Mandated Reporters*

In response to the growing public awareness of child sexual abuse, the Catholic Bishops of the United States authorized a training program called VIRTUS, created by the National Catholic Risk Retention Group. The purpose of VIRTUS and its “Protecting God’s Children” component is to educate and train adults (clergy, religious staff, teachers, employees, volunteers, and parents) who teach in religious institutions, about the dangers of abuse, the warning signs of abuse, the ways to prevent abuse, the methods of properly reporting suspicions of abuse, and responding to allegations of abuse.

As an Archdiocesan institution, all employees, vendors and volunteers of STU must receive this important training. While faculty and staff of St. Thomas University may not generally work with minor children, there are many instances when minors are present on our campus. At one time or another, we all interact with children. In addition to passing a background check in order to work at STU, it is mandatory for all current and new employees, vendors and volunteers of STU to be VIRTUS trained.

## **HEALTH AND SAFETY LEGAL PROVISIONS**

Family Educational Rights and Privacy Act (FERPA) ([20 USC § 1232g](#); [34 CFR Part 99](#)) generally requires parents or eligible students to provide higher education institutions with written consent before the school discloses personally identifiable information from a student’s education records, FERPA allows schools to make necessary disclosures without obtaining prior written consent in order to address emergencies. Exceptions to this general consent requirement are set forth in [§ 99.31](#) of the FERPA regulations.

## *Health and Safety Emergencies*

In some situations, University officials may determine that it is necessary to disclose personally identifiable information from a student’s education records to appropriate parties in order to address a health or safety emergency. FERPA’s health or safety emergency provision permits such disclosures, without the consent of the parent or eligible student, if necessary to protect the health or safety of the student or other individuals. See [34 CFR §§ 99.31\(a\)\(10\)](#) and [99.36](#). This exception to FERPA’s general consent requirement is limited to the period of the emergency and generally does not allow for a blanket release of personally identifiable

information from a student’s education records. Typically, law enforcement officials, public health officials, trained medical personnel, and parents (including parents of an eligible student) are the types of appropriate parties to whom information may be disclosed under this FERPA exception. Disclosures for health or safety emergency reasons do not include disclosures to address emergencies for which the likelihood of occurrence is unknown, such as it would be the case in emergency preparedness activities. Rather, disclosures made under the health or safety emergency provision must be “in connection with an emergency,” which means it must be related to an actual, impending, or imminent emergency, such as a natural disaster, a terrorist attack, a campus shooting, or the outbreak of an epidemic disease.

Under this health or safety emergency provision, a University or college must determine whether to disclose personally identifiable information from education records on a case-by-case basis, taking into account the totality of the circumstances pertaining to a threat to the health or safety of the student or others. If a University or college determines that there is an articulable and significant threat to the health or safety of the student or other individuals and that a party needs personally identifiable information from education records to protect the health or safety of the student or other individuals, it may disclose that information to appropriate parties without consent ([34 CFR § 99.36](#)). The phrase “articulable and significant threat” means that if a University official can explain why, based on all the information then available, the official reasonably believes, for instance, that a student poses a significant threat, such as a threat of substantial bodily harm to any person, including the student, the University official may disclose personally identifiable information from education records without consent to any person whose knowledge of the information will assist in protecting a person from threat. The Education Department (ED) notes, within a reasonable period of time after a disclosure is made under this exception, an educational agency or institution must record in the student’s education records the articulable and significant threat that formed the basis for the disclosure, and the parties to whom the information was disclosed [34 CFR § 99.32\(a\)\(5\)](#).

### *Personal Knowledge or Observation*

FERPA applies to the disclosure of education records and of information derived from education records. FERPA does not prohibit a University official from disclosing information about a student that is obtained through the University official’s personal knowledge or observation and not from the student’s education records. For example, if a professor overhears a student making threatening remarks to other students, FERPA does not protect that information from disclosure. Therefore, a University official may disclose what he or she overheard to appropriate authorities, including disclosing the information to local law enforcement officials, University officials, and parents. However, this general rule does not apply where a University official personally learns of information about a student through his or her official role in making a determination about the student and the determination is maintained in an education record. For example, under FERPA a dean who took official action to suspend a student may not disclose that information absent consent or an exception under [34 CFR § 99.31](#) that permits the disclosure.

### *Parental Notification*

A university or college may allow a parent the right under FERPA to inspect and review their child’s records, if certain requirements are met, such as:

- If the student is a dependent for income tax purposes;
- If there is a health or safety emergency involving a parent’s son or daughter;
- If the student, who is under age 21, has violated any law or institutional policy concerning the use or possession of alcohol or a controlled substance and the institution has determined that the student has committed a disciplinary violation with respect to that use or possession; or
- If the information is based on a school official’s personal knowledge or observation of the student.

### *Treatment Records*

Health care services at institutions are covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA). This rule specifically excludes from the definition of protected health information both student treatment records and education records protected by FERPA ([45 CFR § 160.103](#)). Under FERPA, medical and psychological treatment records of eligible students are excluded from the definition of “education records” if they are made, maintained, and used only in connection with treatment of the student and disclosed only to those medical professionals providing the treatment ([34 CFR § 99.3](#)). While “treatment records” are excluded from the definition of education records under FERPA (and thus an eligible student does not have a right to personally inspect and review his or her treatment records), if an eligible student’s treatment records are used for any purpose other than the student’s



treatment, or if a school wishes to disclose the treatment records for any purpose other than the student's treatment, they may only be disclosed as education records subject to FERPA requirements. Therefore, an eligible student's treatment records may be disclosed to any party, without consent, as long as the disclosure meets one of the exceptions to FERPA's general consent rule ([34 CFR § 99.31](#)). Accordingly, treatment records on eligible students may be disclosed without consent, pursuant to [§ 99.31\(a\)\(8\)](#), to an eligible student's parents if the student is claimed as a dependent on Federal tax returns, pursuant to [§ 99.31\(a\)\(10\)](#) and [§ 99.36](#), to other appropriate parties if the disclosure is in connection with a health or safety emergency, pursuant to [§ 99.31\(a\)\(9\)](#), to comply with a judicial order or lawfully issued subpoena, or pursuant to any other pertinent exception to FERPA's consent requirement. The ED and the Department of Health and Human Services issued joint guidance that explains the relationship between FERPA and the HIPAA Privacy Rule. This document can be found at: <http://www2.ed.gov/policy/gen/guid/fpco/doc/ferpa-hipaa-guidance.pdf> and <http://www2.ed.gov/policy/gen/guid/fpco/pdf/ferpa-h1n1.pdf>.

## **ACCOUNTING FOR ALL PERSONS**

St. Thomas University believes that the personal and physical safety of the University community is a shared responsibility. In accordance with federal, state, and local law, the following protocol has been established to outline the University response procedures in the event University officials receive a report that a person residing in on-campus housing is missing, or during an emergency and the University needs to account for individuals in our non-residence buildings.

### *Missing Residential Student*

Most missing person reports, in the college environment are from the result of when a student changes their routine without informing their roommates and/or friends of the change. Anyone who believes a student to be missing should report their concern to Public Safety or Student Affairs/ Residence Life. Every report made to the campus will be followed up with an immediate investigation once a student has been missing for 24 hours. Depending on the circumstances presented to University officials, parents of a missing student will be notified. In the event that parental notification is necessary, the Provost and Chief Academic Officer and/or Associate Vice President for Student Affairs, will place the call.

At the beginning of each academic year, residential students will be asked to provide, on a voluntary basis, emergency contact information in the event they are reported missing while enrolled at St. Thomas University. This emergency information will be kept in the Division of Enrollment Management and Student Affairs/ Residence Life and will be updated annually.

### *General Procedures*

Any report of a missing student, from whatever source, must immediately be directed to the Public Safety.

When a student is reported missing, Public Safety will:

- initiate an investigation to determine the validity of the missing person report;
- inform the Office of Student Affairs;
- make a determination as to the status of the missing student;

Upon determining the student is missing and upon notification by Public Safety, the Office of Student Affairs will:

- notify the person(s) identified by the missing student as the confidential contact within 24 hours of making the determination that the student is missing;
- if the missing student is under the age of 18, and not an emancipated individual, notify the student's custodial parent or guardian as contained in the records of the University within 24 hours of the determination that the student is missing;
- inform other University departments, such as the school in which the student is enrolled, as needed; and initiate whatever other action is deemed appropriate under the circumstances to be in the best interest of the missing student.

The Office of Student Affairs shall initiate whatever action is deemed appropriate under the circumstances to be in the best interest of the missing student.

Upon notification from any entity that a student may be missing, the University may use any or all of the following resources to assist in locating the student.

- Call the student's room,

- Go to the student's residence hall room,
- Talk to the student's RA, roommate, and floor mates to see if anyone can confirm the missing student's whereabouts and/or confirm the date, time, and location the student was last seen.
- Secure a current student ID (from security) or other photo of the student from a friend.
- Call and text the student's cell phone and call any other numbers on record.
- Send the student an email.
- Check all possible locations mentioned by the parties above including, but not limited to, library, residence hall lounges, student commons, fitness center, etc. The Office of Public Safety and the Office of Residence Life may be asked to assist in order to expedite the search process.
- Contact or call any other on-campus or off-campus friends or contacts that are made known to the University. This could include checking a student's social networking sites.
- Ascertain the student's car make, model and license plate number. A member of the Office of Public Safety will also check the University parking lots for the presence of the student's vehicle.

The Office of Information Technology Staff may be asked to obtain email logs in order to determine the last log in and/or access of the University's network.

Once all information is collected and documented, University staff may contact the local police to report the information. (Note: If in the course of gathering information as described above, foul play is evident or strongly indicated, the police will be contacted immediately.) If it is necessary to contact the local or state authorities, police procedure and protocol will be followed by the University.

### *Campus Community, Response to a Crisis Accounting for All Persons*

Keeping persons together by their naturally occurring groups, such as by classroom or residence hall floor and wing, provides the most natural and workable framework for "head counting". Public Safety officers and the Residence Hall CERT teams will be notified to assist with "counting" and identifying the location of persons within their areas (buildings, classrooms, offices, and/or residence halls).

Public Safety officers must be familiar with their buildings, knowledge of regular daily operation and occupants.

#### **How University personnel will determine who should be in attendance at the assembly area?**

Public Safety officers and/or Residence Hall CERT teams are responsible for completing a "head count" in the assembly area. Additionally, Public Safety and Physical Plant, will work collaboratively to determine if any rentals are present in the building(s) in question and work with the point of contact for the rental to complete a head count.

#### **What to do when a student, faculty, staff member, or visitor cannot be located?**

If someone cannot be located, law enforcement will be contacted immediately to report the individual as missing. In addition, with working with local law enforcement, if the individual is a student then the Division of Enrollment Services will attempt to contact the student and their emergency contact to determine student's whereabouts.

If the individual is a faculty or staff member, Human Resources will attempt to contact the employee and their emergency contact to determine the employee's whereabouts.

#### **How and when will students, faculty, and staff will be permitted to resume their activities?**

Normal activities will resume after Public Safety and/or local law enforcement deems it is safe to return.

### *Non-Residential Students*

The University also is concerned about the safety of its non-residential students. Concerns about these students should be reported to Public Safety. But Public Safety's scope of authority is limited to the campus and University-owned property. Therefore, when a non-residential student is believed to be missing, the reporting person also should immediately notify local law enforcement authorities, and then provide the information to Public Safety in case the University is asked to assist external authorities with the investigation.

## HOW TO OBTAIN INFORMATION ABOUT REGISTERED SEX OFFENDERS

In accordance with the [Campus Sex Crimes Prevention Act](#) (CSCPA) requires institutions, we are advising the campus community where they may obtain information provided by the state concerning registered sexual predators and offenders. Sexual predator or offender information can be obtained by visiting the Florida Department of Law Enforcement website at <https://offender.fdle.state.fl.us>.

The CSCPA amendment to Family Educational Rights and Privacy Act of 1974 (FERPA) directed the Secretary of Education "to take appropriate steps to notify educational institutions" that they may disclose information concerning registered sex offenders provided to them under State registration and community notification programs.

## RISK REDUCTION TIPS<sup>2</sup>

With no intent to blame victims, and in recognizing that only abusers are responsible for the abuse they perpetrate; the following are some strategies to reduce one's risk of sexual assault. A copy of the risk reduction tips is included in the "A Safe and Healthy Community" guide, which is given to all students that attend orientation.

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don't know where you are going, act like you do.
4. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
5. Make sure your cell phone is with you and charged, and that you have money.
6. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
7. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
8. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
9. Trust your instincts. If you feel unsafe or uncomfortable in any situation or location, go with your gut—it probably isn't the best place to be. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
10. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
11. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
12. Watch out for your friends, and vice versa. If a friend seems out of it, is too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
13. If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
14. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - b. Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c. Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or create an excuse for you to leave.

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<sup>2</sup> Ways to Reduce your Risk of Sexual Assault (n.d.). Rape, Abuse, & Incest National Network. Retrieved April 23, 2015 from <https://rainn.org/get-information/sexual-assault-prevention>

- d. Lie. If you don't want to hurt the person's feelings it is better to lie and create a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- 15. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- 16. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

## DANGEROUS SUBJECT, INTRUDER, AND ACTIVE SHOOTER PROTOCOL

Any armed intruder(s) engaged in the act of violence with any type of weapon up to and including firearms. The act may be random or targeted at specific individuals. An active shooter is an individual actively engaged in killing or attempting to kill people in a confined and populated area; in most cases, active shooters use firearm(s) and there is no pattern or method to their selection of victims.

Potentially fatal or serious injuries to individual(s) and/or mass casualty incident. If someone brings a weapon on campus, there are several things to remember that will help protect your life. First, in any serious life-threatening emergency, always call 911 and alert Public Safety. Police officers, firefighters, and emergency medical services (EMS) personnel (first responders) who come to a University campus because of a 911 call involving gunfire face a daunting task. Though the objective remains the same – protect students and staff – the threat of an active shooter incident is different than responding to a natural disaster or many other emergencies. If a dangerous situation has been confirmed on campus, the appropriate First Responders will be called to respond. When law enforcement officials arrive, they won't know the good people from the bad people, so remain calm, show them your hands, and provide them with as much specific information as possible about the individual.

- Emergency calls can involve actual or future threats of physical violence. This violence might be directed not only in or at University buildings, students, staff, and areas on campus but also at nearby buildings off campus.
- The better first responders and University personnel are able to discern these threats and react swiftly, the more lives can be saved. This is particularly true in an active shooter situation where law enforcement responds to a 911 call of shots fired. Many innocent lives are at risk in concentrated areas. This is why it is critical that STU work with our community partners (e.g., first responders, emergency managers) to identify, prepare, prevent, and effectively respond to an active shooter situation in a coordinated fashion.

*Active shooter situations are unpredictable and evolve quickly. Because of this, individuals must be prepared to deal with an active shooter situation before law enforcement personnel arrive on the scene.*

**RUN.** If you cannot find a secure location or are caught in an area near the hostile intruder. RUN! Put as much distance as possible between you and the intruder, and run in a zigzag pattern.

**HIDE.** Close the door and lock it if possible. If the door does not lock, use whatever you can find to barricade the door. Turn off the lights, turn off the phone, and be quiet.

**FIGHT.** If you are in a situation where you can't escape, fighting for your life might be your best option. Throw books, pens, or whatever you have to stun the attacker. Gang up on the hostile intruder to overpower and take them down. Your life may depend on it.

When Law Enforcement arrives on the scene:

- Do exactly as the officers instruct.
- Do not approach the officers.
- Keep your hands visible, fingers spread, and empty.
- A normal reaction to a hostile intruder situation is to panic. Preplanning your own individual actions for such an incident will greatly improve your initial reactions and increase your chances for survival.



## HAZARDOUS MATERIAL/CHEMICAL EMERGENCY

Any spill or release of a hazardous material that poses an immediate threat to the health and safety of individuals on any campus and requires the immediate protection of some or all of the personnel in or near campus facilities. Call 911, and then Public Safety at (305) 628-6500 (extension 6500).

The hazard identification provides information on the fixed facility and transportation situations that have the potential for causing injury to life, or damage to property and the environment due to a hazardous materials spill or release. The hazard identification should identify:

- The types and quantities of hazardous materials located in or transported through a community;
- The location of hazardous materials fixed facilities and transportation routes; and,
- The nature of the hazard (e.g., fire, explosions) most likely to accompany hazardous materials spills or releases.

## SAFETY AND AWARENESS

### *Personal Safety Tips*

- Always be aware of your surroundings.
- If you see something, say something.
- Try to stay in well-lit areas.
- Walk confidently at a steady pace on the side of the street facing traffic.
- Walk close to the curb. Avoid doorways, bushes, and alleys.
- Don't walk alone at night and always avoid areas where there are few people.
- Be careful when people stop and ask you for directions; always reply from a distance.
- If you are in trouble, attract help in any way that you can. Scream and yell for help.
- Stay as calm as possible, think rationally, and evaluate your resources and options.
- If ever attacked, go to a safe place and call the police. The sooner you make the report, the greater the chances the attacker will be caught.
- Be prepared and have a survivor's mindset. For detailed information on preparing a comprehensive safety strategy, visit [www.ready.gov/are-you-ready-guide](http://www.ready.gov/are-you-ready-guide).

### *Home Safety Tips*

- Check the identification of any sales or service people before letting them in.
- Don't let any stranger in your home when you are alone.
- Never give the impression that you are alone if strangers telephone or come to the door.
- If you come home and find a door open or signs of a forced entry, don't go in. Call the police from the nearest phone.
- Keep written records, with serial numbers if available, of all furniture, jewelry, bicycles, and electronic products including mobile phones. If possible, keep these records in a safe deposit box or fireproof safe.
- Check your homeowner's insurance policies to ensure personal property is covered, or purchase insurance; inventory your valuables (to include a brief description, make, model, serial number, and a picture).
- Secure sliding glass door locks.
- Don't hide spare keys in mailboxes, planters, or under doormats.

### *Vehicle Safety*

- Close all windows, lock all doors, and take the keys with you.
- Never hide a second set of keys anywhere on your car.
- Never leave your car's engine running, even if you will only be gone for a minute.
- Park in well-lit areas.
- Activate any anti-theft devices you have.
- Push or recline your passenger seat forward; if you return to your car and the passenger seat has been returned to its normal position, chances are someone has entered your vehicle.
- When approaching your vehicle, have your keys in hand.
- Before you invest in any alarms; check with several established companies and decide what level of security fits your needs.

## Travel Safety

- If you do travel alone, leave your route and destination times with family or friends.
- Make sure your car is in good working order and has plenty of gas before you drive. Don't leave packages or valuables in plain sight in your car; keep them in your trunk.
- If you are being followed by another car, honk your horn and drive to the closest public place such as a police or fire station, restaurant, or gas station. Never go home if you think you are being followed.
- If you are involved in a minor accident, do not get out of the car until fire, police, or medical assistance arrives. This is a favorite ploy of kidnapers and sexual battery offenders.

## Severe Weather Safety

Florida is the lightning capital of the United States and our region routinely experiences active storm seasons. All severe weather alerts are made available to the entire STU community via the weather radios installed in each classroom and from our campus weather station, <http://www.stu.edu/science/About/Weather-Laboratory>.

STU is StormReady! StormReady is a community preparedness program that encourages preparedness for severe storms. The program, sponsored by the National Weather Service (NWS), issues recognition to communities and sites across the country that demonstrates severe weather readiness and helps communities with the communication and safety skills needed to save lives and property before and during weather events. The program is voluntary and provides communities with clear-cut advice from a partnership with the local NWS Office, state and local emergency managers, and the media, and helps community leaders and emergency managers strengthen local safety programs. STU received our StormReady designation on July 23, 2015 from the NWS, and successfully renewed our designation on May 21, 2019.



### What You Need to Know

- No place outside is safe when thunderstorms are in the area.
- If you hear thunder, lightning is close enough to strike you.
- When you hear thunder, immediately move to safe shelter.
- Safe shelter is a substantial building or inside an enclosed, metal-topped vehicle.
- Stay in safe shelter at least 30 minutes after you hear the last clap of thunder.

### Indoor Lightning Safety Tips

- Stay off corded phones, computers, and other electrical equipment that put you in direct contact with electricity.
- Avoid plumbing, including sinks, baths, and faucets.
- Stay away from windows and doors, and stay off porches.
- Do not lie on concrete floors, and do not lean against concrete walls.

### Last-Resort, Outdoor Risk-Reduction Tips

- No place outside is safe when lightning is in the area, but if you are caught outside with no safe shelter anywhere nearby, the following actions may reduce your risk:
- Immediately get off elevated areas such as hills, mountain ridges, or peaks.
- Never lie flat on the ground.
- Never use a tree for shelter.
- Never use a cliff or rocky overhang for shelter.
- Immediately get out and away from ponds, lakes, and other bodies of water.
- Stay away from objects that conduct electricity (barbed wire fences, power lines, windmills, etc.).

### If Someone Is Struck by Lightning

- Victims do not carry an electrical charge and may need immediate medical attention.
- Monitor the victim and begin CPR or AED, if necessary.
- Call 911 for help.

## CRIME REPORTING AND OTHER EMERGENCIES

### *Incident Notification, Reporting and Response*

Students, employees, and visitors are encouraged to accurately and immediately report any criminal offense, suspected criminal activity, or other emergency on campus directly to Public Safety and for crimes occurring off campus, to the appropriate police agency for that location. Reporting crime to Public Safety can be done in several ways. The first is to use one of the emergency red phones available throughout campus. The second way is to simply dial 911 from any desk phone, or 911 from a mobile phone. Dialing 911 will automatically dispatch Public Safety, local law enforcement, and/or fire rescue to your location. If dialing from a personal mobile phone, Public Safety will not become aware of the emergency until local law enforcement and/or fire rescue arrives to the front gate.

For non-emergency calls, please call Public Safety at extension 6500, or (305) 628-6500. We encourage students and employees to put this non-emergency number into their cell phones as a speed dial entry.

Crimes should be reported to Public Safety for the purpose of making timely warning reports and the annual statistical disclosure.

### **STU ALERT: CAMPUS EMERGENCY NOTIFICATION SYSTEMS**

St. Thomas University has implemented a multi-tiered mass notification system designed to alert the entire STU community in the event of an emergency.

An immediate emergency notification (**STU ALERTS**) will be sent to notify the campus community of any confirmed significant emergency or dangerous situation involving an immediate threat to the health or safety of STU students or employees on campus.

All members of the campus community are responsible for maintaining their contact information to maximize the University's capability to notify them of a life-threatening emergency and issue appropriate protective actions. The STU emergency notification system utilizes a third-party vendor (Backboard Connect) to deliver all **STU ALERTS** as text messages, voice phone messages, and email to the STU community.

The University may employ some or all of the below communication methods:

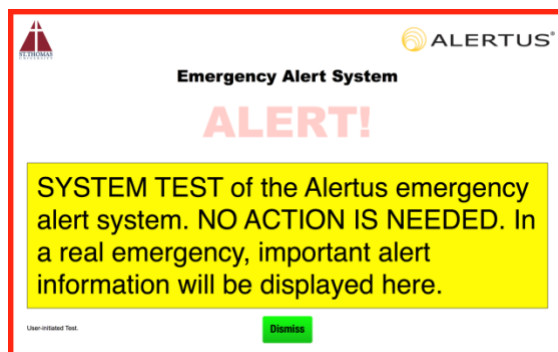
**Emergency Email, Voice, and Text Messaging:** **STU ALERTS** is an emergency notification system utilizing STU email, personal email, text messaging, and telephone voice messaging. It is important that everyone registers her/his phone number (mobile or other) in their MyBobcat user account. In the event of a campus-based emergency, STU officials will contact the campus community via text messages or phone call that is registered with us.

**Electronic Signage:** Messages displayed on the electronic signage at the main gate of campus.

**Blue Light Phones:** Look for the blue light designating a Public Safety emergency telephone. There are eleven (11) blue light phones throughout the campus. These blue light phones put you in immediate communication with a Public Safety officer. If you have a concern or questions, please go to a blue-light phone and push the button on the face of the unit. Public Safety will respond immediately. All of our blue light phones have integrated public access capability (loud speakers) that enables STU Public Safety to broadcast announcements over the campus grounds. After dark, Blue Light Phones emit a light, which can be seen from a distance.

**Alertus Desktop Notification:** All University desktop computers have Alertus Desktop Notification installed. This notification grabs the attention of computer users immediately with a full screen pop-up alert.

The Public Safety Department will respond to all reports of emergencies or dangerous situations on campus. Upon confirmation by Public Safety officers of an emergency or dangerous situation involving an imminent threat to the health or safety of students or employees, Public Safety will request and coordinate the response of additional resources, where necessary, and contact the Departments of Communication and Risk Management and Compliance, to make appropriate notifications.



The University will, without delay, determine the content of the notification and initiate the notification system, unless issuing a notification will, in professional judgment of the Crisis Management Team, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Specifically, the Crisis Management Team and Public Safety will determine the appropriate segment or segments of the campus to receive the notification; determine the content of the notification including recommendations to shelter in place, evacuate a facility, avoid portions of the campus, or other appropriate actions; and utilize the University's mass notification (text messaging/email/telephone) system to notify the campus community. The mass notification system is tested annually.

**Emergency Telephones:** Provide direct access to Public Safety and are located throughout the St. Thomas University and in all elevators. You can activate the phone by pushing the button or (in some elevators) lifting the handset. When used, a Public Safety officer will ask if you need assistance or help. Please remain at the location until an officer arrives (if the situation is safe).

**These phones are for emergency use only.**

## TEST AND DRILLS

STU assesses its emergency response plans and systems each year through scheduled drills and exercises and appropriate follow through activities designed for assessment and evaluation of emergency plans and capabilities. Exercises are conducted collaboratively by the Departments of Risk Management and Compliance, Public Safety, and Physical Plant. The **STU ALERT** outdoor siren system, text message and email system are tested once a year; emergency procedures and evacuation plans are publicized in conjunction with this test.

The Department of Risk Management and Compliance conducts announced and unannounced building evacuation drills.

## CAMPUS TRAININGS AND EDUCATION

The University has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of informational materials, educational programs, counseling services, referrals and University disciplinary actions.

The Student Health Center provides the overall coordination of Alcohol and Substance Abuse Information. However, related services are available in other areas of the institution. These include:

**Academic Success Professionals:** A presentation offered to Law School students on mental health awareness and services.

**Behind Closed Doors Scenario Training for Resident Assistants:** Various scenarios are "acted out" by other student leaders to help Resident Assistants become familiar with incidents that may occur within the halls.

**Bobcat Health and Safety Fair:** An interactive display comprised of various partners from the Florida Department of Transportation, Florida Department of Health, Dori Saves Lives/ Dori Slosberg Foundation, and many more. Resources and tools about student safety and health were provided.

**Campus Emergency Response Team Training:** The University's Resident Assistants receive annual training on how to respond to, and assist in, campus emergencies. The three-day training provides these first responders with the tools needed to assist in various incidents that may occur at STU.

**Law School Orientation:** Presentation to first-year law students about the University's Sexual Misconduct Policy.

**New Employee Orientation:** Presentation to new faculty and staff about the University's safety procedures and Sexual Misconduct Policy.

**Professionalism Day:** Representatives from the Florida Lawyers' Assistance presented to Law School student the various programs they provide which include substance abuse, mental health, or other disorders that negatively affect their lives and careers.

**Recovery Community:** Presentation to Law School students about substance abuse and addiction.

**Sexual Harassment: Staff-to-Staff:** This online course provides staff members with a basic understanding of staff-to-staff sexual harassment as well as strategies to maintain a harassment-free environment in the workplace. Topics covered include defining sexual harassment and sexual harassment in the workplace. The content in this course was designed with care and sensitivity; however,



some may find certain topics personally upsetting, especially for survivors of sexual abuse or assault. If you feel the need to talk with someone, please contact your Human Resources Administrator or a related resource in your community.

**Sexual Violence Awareness (Campus SaVE Act):** This online course educates college and university students on proper identification, response, and handling of incidents of sexual violence. This course will look at sexual violence awareness, risk reduction, bystander intervention, what to do when sexual violence has happened, and disciplinary proceedings, victim protections, and sanctions. The content in this course was designed with care and sensitivity; however, some may find certain topics personally upsetting, especially for survivors of sexual abuse or assault. If you feel the need to talk with someone, please contact your building administrator or a related resource in your community.

**Title IX and Sexual Misconduct:** This online course provides information about Title IX and sexual misconduct in colleges. While this course serves as an overview on the topic, it is important to follow federal and state laws and your educational institution's policies and procedures. This course covers the definition of sexual misconduct, Title IX regulations, your obligations under Title IX, and effective policies.

**Title IX Rights and Protections:** This online course is designed to give students information about the importance and implications of Title IX and sexual misconduct.

**UNI 101:** A course that integrates students to STU campus by introducing them to the academic rigor of college and introduces them to the values of the campus. Students receive guest lectures that discuss various topics, including, but not limited to: alcohol and drug abuse awareness, conflict resolution and teamwork, and the University's Sexual Misconduct Policy.

## **TIMELY WARNINGS**

In an effort to provide timely notice to the campus community in the event of a Clery Act crime that may pose a serious or ongoing threat to members of the community, the Departments of Risk Management and Compliance and Philanthropy and Communications will issue an alert notification.

To provide emergency notification involving an immediate threat to health or safety of STU students, faculty, staff, and visitors of any significant emergency or dangerous situation triggered by an event that is currently occurring on or imminently threatening the campus. To also alert the campus community to certain crimes in a manner that is timely and will aid in the prevention of similar crimes or poses a continuing threat to our campus community.

STU will issue an **STU ALERT** whenever the following criteria are met:

- A crime is committed;
- The perpetrator has not been apprehended; and

There is a substantial and on-going risk to the physical safety of other members of the campus community because of this crime.

Such crimes include but not limited to: Clery Act crimes that are reported to any campus security authority or the local police; or when the University determines that the incident represents an on-going threat to the campus community.

## **AUTOMATIC EXTERNAL DEFIBRILLATOR (AED)**

Automated External Defibrillators (AEDs) are medical devices that analyzes the heart's rhythm, and in the event of a cardiac failure, may be able to deliver an electrical shock (known as defibrillation) to help the heart re-establish an effective rhythm. STU maintains a formal public access defibrillator program, designed to ensure the availability of functional and regularly tested AED throughout University facilities. Public Safety checks and records the health of AED batteries weekly in the University's SharePoint site. In addition to the weekly checks, all AEDs undergo an annual battery, software, and pads maintenance inspection. If needed at or before the next annual maintenance inspection, expired(ing) batteries and pads are changed; software is updated.

In the event a person is having a medical emergency, please call 911 first, and then call Public Safety at (305) 628-6500 (or extension 6500). Public Safety will dispatch AED/CPR-certified Public Safety officer(s) to assist and to guide fire rescue and EMS to your location.

### *AED Locations*

The University has 12 AEDs distributed throughout campus, these locations are:

- Carroll Hall, Bobcat Dining
- Donnellon Hall, Resident Assistance Office
- Fernandez Family Center for Leadership and Wellness, Gymnasium
- Fernandez Family Center for Leadership and Wellness, Athletic Training Room (2 travel units)
- Mimi Dooner Hall, West Entrance
- Law Library, Reference Desk
- University Main Library, Atrium
- O'Mailia Hall, School of Business Office
- Carnival Cruise Lines, Lobby
- Student Center, Student Health Center



## SECURITY AND ACCESS TO CAMPUS FACILITIES

Members of the STU community can help protect their personal security and the security of campus buildings and offices by not letting strangers enter secured areas and by not propping doors open.

### Identification Cards

The STU Identification (ID) card is the official STU identification card. For your safety and security, it is required that all students, staff, and faculty members have their STU ID on them at all times while on campus. STU students are expected to correctly identify themselves at all times and present this information courteously upon request by a University official, Resident Assistant, Public Safety or by a law enforcement officer. A STU ID card is to be used only by its owner. This card may not be loaned, sold, fabricated, altered or transferred. The possession, use, manufacture or sale of falsified government issued or altered identification cards are strictly prohibited.



The STU ID combines a multitude of features and uses, including:

- Access to campus
- Classroom access (School of Science)
- Fitness Center access
- Copier Usage
- Library privileges
- Meal plans
- Identification purposes
- Use of the Bobcat Shuttle
- Discounts at participating vendors

Any lost or stolen ID must be reported to the Student Success Center immediately in Mimi Dooner Hall. ***There is a \$10 replacement fee.***

### Access to Campus and Campus Facilities



During business hours, the University (excluding certain housing facilities) will be open to students, parents, employees, contractors, guests, and invitees. During non-business hours access to all University facilities is by key, if issued, or by admittance via the Office of Public Safety or Residence Life staff. In the case of periods of extended closing, the University will admit only those with prior written approval to all facilities.

Over extended breaks, the doors of all halls will be secured around the clock. Some facilities may have individual hours, which may vary at different times of the year. Examples are the Library, the Student Center, and the Weight Room. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility.

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic have security surveys conducted of them. Administrators from the Office of Physical Plant, Residence Life, and other concerned areas review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications. Additionally, during the academic year, the Associate Vice President for Student Affairs, the Associate Vice President for Facilities and Resident Assistants meet to discuss issues of pressing concern.

### *Access to Campus via the Main Gate*

The STU ID allows the entry through the automated gate lanes for students, faculty, and staff into the campus. Public Safety reserves the right to stop a STU student, faculty or staff member to verify identification at the gate. If a member of the campus community does not have their STU ID present, they must utilize the 'visitor' lane, show proof of identification (i.e., Drivers' License) and completely fill out a Campus Access form to gain access to the campus.

**STU students, faculty, or staff entering campus in a vehicle without a valid parking decal must utilize the 'visitors' lane so as to be issued a temporary parking pass for that day.** When requested, visitors must produce proper identification prior to entering. Anytime there is a question regarding the legitimacy of the visitor or vehicle, admittance will be denied.

### *Campus Guest Policy*

The guest policy at STU creates a structure for residential and commuter students, faculty and staff on campus. In full support of the educational component of our mission, we recognize that students, faculty and staff will invite guests to our campus in their efforts of supporting the University mission.

The campus community is welcomed to bring guests to the campus but must assume responsibility for the conduct of their guests and must accompany them at all times. If a guest is asked to leave a specific area of campus, it is the responsibility of the STU host to cooperate with the University official making the request. The University reserves the right to exclude all guests from any area on campus in times of impending or actual crises or emergencies, such as hurricanes, campus disruptions, or bomb threats, and to exclude any guest(s) from any area of the campus for any reason the University deems appropriate.

In order to gain admittance to the campus you must have a valid STU parking decal and student ID, be an invited guest or visitor of a student, faculty or staff member. All guests authorized onto campus will be issued a guest parking pass, which is good only for the date issued. A guest/visitor is defined as a person who is invited by another. For the purpose of this policy, it includes: food deliveries, taxis, private transportation services (i.e., Uber, Lyft, GO Airport Shuttle, etc.), professional colleague, study partner/tutor, friend, or relative.

Guests or visitors may not bring animals on campus including but not limited to warm blooded (cats, dogs, ferrets, etc.), feathered and poisonous pets.

### **Commuter Students, Faculty, and Staff Guest Guidelines**

All commuter students, faculty, and staff must send an email notice from their STU email account to Public Safety at [publicsafety@stu.edu](mailto:publicsafety@stu.edu) with following information:

- Name of person;
- Company affiliated with, if appropriate;
- Date and estimated time for arrival; and,
- Destination of where the guest should be sent.

This information is required for all guest(s), every visit. Please notify guests that they are required to provide a government issued, photo ID (i.e. a driver's license, passport, etc.) to Public Safety in order to receive entry to the campus.

### **Residential Student Guest Guidelines**

In addition to the email notice noted above, the residential student guest guidelines include:

- Students are responsible for the actions and behavior of their guest(s), visitor(s) or those they are hosting, at all times.
- Student hosts should accompany their guests at all times.
- Guest(s) or visitor(s) visiting the residence halls should be registered with Residence Life staff.
- If a Guest(s) or visitor(s) violates STU policies, the host may be held accountable and the guest or visitor may be asked to leave.
- Residents are responsible for properly and accurately identifying their visitor(s) or guest(s) to University staff upon request.

Residents must escort all guests in the Residence Halls at all times. A resident's right to privacy and comfort takes precedence over the community member's privilege to have a guest. It is important for roommates and suitemates to discuss visitation and to arrive at an acceptable agreement. As a resident you assume responsibility for the actions of your guests. If a guest is creating a disruption that affects a roommate, suitemate(s), other residents and/or the community, they may be asked to leave, and you will be held accountable for their actions. Residents are subject to sanctions for the misconduct of a guest and are liable for any damages caused by a guest. A guest is considered to be a non-resident student utilizing the room of a resident student as a place of leisure, learning or lodging. Residents may have peer age or sibling guests of the same sex overnight (overnight guest) at no charge for a maximum period of three consecutive days and no more than five nights in a year. It is the resident's responsibility to properly sign in guest(s) prior to the guest(s) being escorted into any residential housing facility.

## **STU'S DEPARTMENT OF PUBLIC SAFETY**

### **Public Safety Department Mission**

The Department of Public Safety at St. Thomas University is responsible for providing physical security on campus. Kent Security Services personnel patrol the campus in order to provide security to all campus personnel. The Department of Public Safety is also responsible for enforcing campus traffic and parking regulations, registering vehicles, enforcing all campus policies and procedures, and most importantly, providing immediate emergency assistance as required. All Public Safety Officers are radio equipped and centrally dispatched.

St. Thomas University's commitment to improve and maintain the highest level of campus safety has resulted in a closer relationship between the Kent Security Services and the Miami Dade Police Department.

Open all day, every day!

(305) 628-6500 or extension 6500

Emergency Cell: (305) 975-9369

<http://www.stu.edu/publicsafety>

[publicsafety@stu.edu](mailto:publicsafety@stu.edu)

St. Thomas University Public Safety Department's relationship with the campus community is vital to a safe and secure campus. All members of the STU community should expect to be treated in a courteous and professional manner by members of our department. The St. Thomas Public Safety Department will not tolerate unprofessional behavior by an employee and expects the same courtesy from the campus community. We do wish to recognize instances where our employees have been especially helpful or have exceeded your expectations in the service they have provided.

The quality of our service is dependent in part on feedback from the community. The Public Safety Department has an extensive professional standard process in place to respond to campus compliments and concerns.

### **Services Provided**

The Public Safety Department provides information, service, and assistance to all campus personnel in hopes of developing proper security awareness and prevention programs.

Public Safety Officers are specially trained by the Kent Security Services on campus security measures. The officers provide the University campus with a high level of physical security protection by utilizing motor vehicle patrols, bicycle patrols and effectively utilizing all access control directives. All of these security precautions cannot be fully effective unless those for whom they are geared to protect take active measures to fortify the system, raising it to a higher awareness and prevention.

Crime prevention is not the sole responsibility of the Public Safety Department. The campus community must take part in working closely with Public Safety in an effort to utilize all available resources so as to combat and prevent campus crime more effectively. Information is the key to any and all success in this venture. The Public Safety Department provides information to campus occupants about security awareness and crime prevention through campus publications and updated security announcements.

The Public Safety Departments is responsible for:

- Ensuring the physical security of all the university buildings, property and facilities;
- The safety of the faculty, staff, students, and guests of the University;

- Enforcing campus parking and traffic regulations; and,
- Cooperating with local law enforcement agencies, including fire & rescue agencies.

Effective August 1995, the St. Thomas University community became a closed campus. In order to gain admittance to the campus you must either have a valid STU parking decal, be a guest or visitor of a student, faculty/staff member or be attending an approved contracted class/event. When requested, visitors must produce proper identification, vehicle registration or proof of insurance prior to entering the campus. When there is a question of the illegitimacy of the visitor or vehicle, admittance can be denied.



### *Public Safety Jurisdiction and Relationship with Law Enforcement*

St. Thomas University's Public Safety Department is staffed by Kent Security Services and is responsible for providing physical security on campus. Kent personnel patrol the campus in order to provide security to all campus personnel. The Public Safety Department is also responsible for enforcing campus traffic and parking regulations, registering vehicles, enforcing all campus policies and procedures, and most importantly, providing immediate emergency assistance as required. All Public Safety officers are radio equipped and dispatched when notified.

St. Thomas University Public Safety officers have the authority to ask persons for identification and to determine whether individuals have lawful business at St. Thomas University. University Public Safety officers have the authority to issue parking tickets, which are billed to financial accounts of students, faculty, and staff. University Public Safety officers do not possess arrest power. Criminal incidents are referred to the Miami Gardens Police Department who have jurisdiction on the campus. The Departments of Public Safety and Risk Management and Compliance at St. Thomas University maintain a professional working relationship with the Miami Gardens Police Department. All crime victims and witnesses are strongly encouraged to immediately report the crime to the Office of Public Safety and the appropriate police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

### *Escort Policy*

The St. Thomas University Public Safety Department provides an escort service for students, staff and faculty whose circumstances require them to travel alone on campus, in isolated areas after dark, during times of low activity on campus or whenever there is concern for one's own personal safety. Because of the various patrol functions required of the officer, there may sometimes be a short waiting period.

The purpose of the public safety escort is to provide a safe means of transportation for the St. Thomas University campus during evening hours. This may be done by foot or by car within campus boundaries. The boundaries include all University facilities within the gated community.

***Evening escorts are available between the hours of 7:00 pm until 6:00 am daily.***

1. Escorts are limited to only three riders at a time. After placing a call for an escort proceed to the pickup location. Important to note: riders must provide the specific location for pick up and must be at the designated location within 10 minutes of the request.
2. Escorts are done between campus boundaries only. Off-campus escorts are not available.
3. Escorts are provided after curfew from the gate house to the residence halls. No drop offs by visitors after curfew.
4. Escorts are done between one campus building to another or from buildings to parking lots.
5. Escorts are not to be utilized for the purpose of moving students' possessions.
6. All escorts should be done on a timely basis. There will be times when a student will be informed that officers are in the process of their duties and students may have to wait for their escort.

### *Parking, Traffic and Auto Registration Policies*

Each student is responsible for operating the vehicle in a safe and courteous manner on campus. Students must adhere to all traffic and parking signs. Parking of any motor vehicle on the grass, medians, sidewalks, and places not designated as parking areas is illegal. All traffic control signs posted on campus property are to be obeyed as stipulated in the State of Florida Driver's Manual. STU will adopt and implement the directives set forth in each of the Florida Statutes regarding the operation of a motor vehicle on public

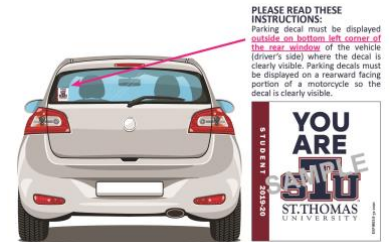
regulated roadways with regards to traffic control signage and apply it to the directives set forth to regulate motor vehicles operating on campus property.

A maximum speed limit of 20 MPH will be enforced on the campus at all times. Speeding, failing to stop at stop signs, and failing to obey informational signs will be considered moving violations and citations will be issued accordingly. Motorcycles and mopeds will follow the same rules as automobiles for registration and operation on the St. Thomas University campus.

Every STU student who operates a motor vehicle on the University campus must register his or her vehicle. Registration requirements are: a valid driver's license, a valid STU student ID, proof of vehicle insurance and proof of vehicle registration. Students using more than one vehicle must register each vehicle. Vehicle registration must be done within the first two weeks of classes and may be handled at the gatehouse.

### Auto Registration

Upon registering a vehicle each student is then issued a parking decal, which is to be fully affixed to the outside of the lower left corner of the rear windshield in a manner to permit quick inspection by security officers. Failure to register a student vehicle by the 10th day of classes in any term will possibly result in a late registration fee penalty (\$30/day) and the possibility of having the vehicle towed from campus. Students will be responsible for the towing fee as well as impound fees.



### Vehicle Repairs and Towing

To ensure the safety and well-being of students, faculty and staff personnel, Public Safety and campus maintenance personnel are prohibited from performing any vehicle repairs, towing, or lockout procedures. However, vehicle repair accommodations have been made to assist University personnel 24 hours a day, 7 days a week through a local vehicle towing and maintenance shop. Please contact Public Safety at ext. 6500 for assistance.

***St. Thomas University assumes no liability for damages to any vehicle parked or driven on campus.***

### Parking Citations

Copies of all written citations are kept in the office of the Director of Public Safety located in Lewis Hall. All processed citations are sent to the Business Office in Mimi Dooner Hall for assessment and collection of fines.

### Parking Citation Appeals

#### Students

An alleged violator of a University parking regulation, who has been issued a ticket for a monetary fine, may appeal the ticket. The appeal must be in writing and indicate the reason(s) for the appeal.

Appeals must be received by the Department of Public Safety and the Appeals Committee within seven (7) days of the receipt of the ticket. All decisions made by the Appeals Committee are final.

If the appeal is upheld, the ticket may be altered or voided.

#### Faculty & Staff

The appeal process for faculty and staff is the same as students except that the Associate Director of Human Resources will make the final decision. Parking appeals should be sent to:

St. Thomas University  
Attention: Public Safety Department  
16401 NW 37th Avenue  
Miami Gardens, Florida 33054

#### Citation Costs

The cost for each parking violation is listed on the citation.



## ANNUAL DISCLOSURE OF CRIME STATISTICS

The federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) establishes the requirements for collecting and reporting campus crime statistics. The classifications of crimes used in these reports are defined in the Federal Bureau of Investigation Unified Crime Reports Reporting Handbook and/or the UCR Reporting Handbook: NIBRIS edition (UCR). The Director of Public Safety prepares the following report based on information reported to Public Safety (and other campus security authorities) and the Miami-Gardens Police Department. The following is the report of statistics for calendar years 2016 through 2018. The statistics reported here are provided to the campus community and also to the U.S. Department of Education as required by the Clery Act.

### Crime Statistic Report, 2016-2018

Offense	Year	On Campus	Residential Facilities	Non-Campus Property	Public Property
Murder/ Non-Negligent Manslaughter	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Manslaughter by Negligence	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Rape	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Fondling	2016	0	0	0	0
	2017	0	0	0	0
	2018	1	0	0	0
Incest	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Statutory Rape	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Robbery	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Aggravated Assault	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Burglary	2016	4	4	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Motor Vehicle Theft	2016	0	0	0	0
	2017	0	0	0	0
	2018	1	0	0	1
Arson	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0

Offense	Year	On Campus	Residential Facilities	Non-Campus Property	Public Property
Domestic Violence	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Dating Violence	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
Stalking	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0

Offense	Year	On Campus	Residential Facilities	Non-Campus Property	Public Property
ARRESTS Weapons: Carrying, Possessing, etc.	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
DISCIPLINARY REFERRALS Weapons: Carrying, Possessing, etc.	2016	0	0	0	0
	2017	1*	1*	0	0
	2018	0	0	0	0
ARREST Liquor Law Violations	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
DISCIPLINARY REFERRALS Liquor Law Violations	2016	36*	36*	0	0
	2017	38*	38*	0	0
	2018	35	35	0	0
ARRESTS Drug Abuse Violations	2016	0	0	0	0
	2017	0	0	0	0
	2018	2	2	0	0
DISCIPLINARY REFERRALS Drug Abuse Violations	2016	12*	12*	0	0
	2017	24*	15*	0	0
	2018	57	47	0	0

The crime statistics is collected and maintained by STU's Public Safety Department. Crime data was collected from STU's Student Affairs and Miami Gardens Police Department.

In June 2019, the University conducted an internal audit of its Public Safety Department's Crime Log and Statistics reporting. The audit uncovered inaccurate reporting. All updated crime statistic values are denoted with an asterisk (\*).

### *Hate Crime Statistics*

There are no reported Hate Crime offenses between calendar years 2016, 2017, or 2018.

### *Unfounded Crimes*

Unfounded crimes are limited circumstances in which an institution may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime, and based on the results of this investigation and evidence, have made a formal determination that the crime report is false or baseless, and, therefore, *unfounded*.

There are no unfounded crimes reported for calendar years 2016, 2017, 2018.

## **ANNUAL FIRE SAFETY REPORT**

The Annual Fire Safety Report is published annually in compliance with the Campus Fire Safety Right-to-Know—part of the Higher Education Act ([34 CFR 668.49](#)). This report contains a description of each on-campus housing facility fire system, the number of drills held during the previous calendar year, and policies or rules on portable electrical appliances, smoking, and open flames in student housing facilities. The Annual Fire Safety Report also contains procedures for evacuating student housing in case of fire, policies regarding fire safety education, and training programs provided to the students.

- Cooking is prohibited in student rooms. Hot plates, George Foreman grills, electric furnaces, toaster ovens and other open-coiled appliances, or those without an automatic shut-off feature, are not permitted.
- Refrigerators larger than 4 cubic feet are prohibited.
- Space heaters and air conditioners, which are not installed by the University, are prohibited.
- Waterbeds and beds other than those provided by the University are prohibited.
- No pets, other than non-poisonous fish, are permitted in the residence halls. Aquariums may not exceed 10 gallons.
- Motorized vehicles are not permitted inside the residence halls, nor may they be secured or attached to the outside of any building.
- Residents may not remove any furnishings from their rooms without permission from the Office of Residence Life. Lounge furniture is not permitted in student rooms.
- Residents may not paint, wallpaper, or otherwise alter their rooms without prior permission from the Office of Residence Life.
- Residents are not to make any repairs to damages in their rooms, hallways, or University facilities. Students may not drill holes, or affix items to walls or ceilings.

### *Safety*

- Tampering with or misuse of fire hoses or extinguishers, alarm equipment, smoke/heat detectors, sprinkler systems, emergency exits, windows, doors, and fire exit signs is prohibited.
- Residents and their guests are required to evacuate any campus residence building when an alarm sounds, or when instructed to do so by a University staff member. Residents are not permitted to return to the residence hall until police, the fire department, campus security, or a University staff member gives authorization.
- No student shall commit or aid in the intentional commission of an act which results in a fire being ignited and causes damage, or is intended to cause damage, to the property of the University or another student. This violation may result in disciplinary action and/or criminal prosecution.
- Constructing, storing, possessing or detonating fireworks, combustibles, firearms, firearm parts, weapons, weapon parts, ammunition, gasoline, canisters, and other explosives are prohibited in the residence halls. Examples of weapons, which are strictly prohibited, include, but are not limited to, bows and arrows, BB guns, guns, rifles, martial art weapons, knives, and other dangerous devices or instruments.
- Residents are required to comply with reasonable requests or orders on behalf of the University. This requirement includes reasonable requests for students to meet with administrative offices and to participate in disciplinary investigations and hearings. Tampering with fire extinguisher and/or equipment.
- Failing to comply with directions or interference with any University official/representative including but not limited Public Safety, staff members, faculty members, dining staff, physical plant staff and student residence hall staff, relating to the provisions of the



Student Code of Conduct, Academic Code, health and safety statutes, emergency management policies or any other regulations, which the University may adopt is prohibited. A directive may be considered any written or verbal mandate.

- Setting off a false fire alarm or reporting false emergency. Tampering with or misuse of fire hoses or extinguishers, alarm equipment, smoke/heat detectors, sprinkler systems, emergency exits, windows, doors, and fire exit signs is prohibited. It is the responsibility of all students to notify the proper officials in case of fire or arson. Negligence and carelessness in matters of fire safety is not condoned.
- Construction of or actual possession of firearms, ammunition, firearm parts or any other inherently dangerous weapons, weapons parts, chemicals or explosive materials is prohibited.

### Fire Safety Systems

Each residential hall has pull stations that will sound throughout the building alerting residents of the need to evacuate the building. Below is a brief overview of the inventory of emergency equipment in each building.



#### Fire Safety Systems in Residential Facilities

Facility	Fire Alarm Monitoring	Pull Stations	Sprinkler System	Emergency (red) Call Box	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of Evacuation (Fire) Drills Each Calendar Year
Cascia Hall	X	X	X	X	X	X	X	2
Donnellon Hall			Building is vacant and closed to residents for use.					
University Inn	X	X	X	X	X	X	X	2
Villanova Hall	X	X	X	X	X	X	X	2

### Evacuation and Reporting Procedures

In the event that anyone smells smoke or sees fire or smoke, they should immediately activate the fire alarm system to evacuate the building by using the nearest pull station. Even if the fire is known to be small, the fire alarm should be activated immediately. The fire could grow quickly, endangering building occupants. All building occupants should be familiar with fire alarm pull station locations in their area.

Evacuate with all other building occupants to the designated evacuation areas (Emergency Assembly Points) and do not use elevators. If it is not safe to use the nearest exit, go to the next nearest available exit. The designated evacuation areas should be at least 150 feet from the building structure.

After evacuating the building and from a safe distance, the person discovering the fire should immediately call 911 for the fire department. Give the fire department the following information:

- building name and address.
- the exact location of the fire (i.e., floor, room's number).
- type of fire (trash can, smoke, flames, etc.)
- your name and phone number



Call the Office of Public Safety at (305) 628-6500, from a safe location and provide the dispatcher with the name and location of the building and information about the fire. Public Safety will verify that you have called 911 and ask for the same information above.

### Residential Facilities Fire Safety Statistics and Related information

The University’s Public Safety and Physical Plant Departments work collaboratively to maintain a written, easily understood fire log that records, by the date that the fire was reported, any fire that occurred our residential facilities. The fire log is available to the public in Lewis Hall/Physical Plant.

The following table describes each on-campus residential facility fire safety system.

**Residential Facilities Fire Safety Statistics and Related Information**

	No. of False Alarms	No. of Fires	No. of Injuries	Cause of Fire	No. of Deaths	Value of Property Damage by Fire
Cascia Hall	7	0	0	NA	0	0
Donnellon Hall			Building is vacant and closed to residents for use.			
University Inn	12	0	0	NA	0	0
Villanova Hall	10	0	0	NA	0	0

### Fire Training

Basic fire safety instruction is mandatory and is provided to all students living in residence halls at the beginning of each academic year. In addition, all residence advisers (RAs) receive additional comprehensive fire safety training and life safety training at the beginning of the calendar year that includes, but is not limited to, the following topics:

- fire extinguishers
- emergency evacuation
- health and safety inspections



### Fire Drills

The Offices of Residential Life, Public Safety, and Physical Plant work collaboratively to conduct mandatory fire evacuation drills every fall and spring semesters. The fire evacuation drills are conducted by activating each individual fire alarm system in each on-campus student resident facility.

### Tobacco/ Smoke Free Campus

St. Thomas University is a smoke- and tobacco-free campus and smoking, including e-cigarettes, is strictly prohibited. This prohibition includes but is not limited to the interior of University facilities, outdoor areas, and undeveloped property, as well as in any vehicle or golf cart owned, leased, or operated by the University. Also, the sale, distribution, and advertisement of, or sponsorship by tobacco products is prohibited anywhere on campus, at University-sponsored events, or in publications produced by the University.

Organizers and attendees at public events, such as conferences, meetings, public lectures, social events, and cultural events, using St. Thomas University facilities will be required to abide by this policy. Organizers of such events are responsible for communicating and for enforcing this policy.

Students' use of marijuana (or any other drug) on college premises is strictly forbidden and subject to action under the Student Handbook. Students' use of marijuana (and or any other drug) on campus premises is strictly forbidden and subject to disciplinary action. Students may also face criminal sanctions for the unlawful possession, use or sale of marijuana under Florida Statutes.

Florida Statutes [§381.986](#) permits the use of medical marijuana. However, even students with medical marijuana prescriptions will not be able to possess or use marijuana anywhere on St. Thomas University property. The Drug Free Schools and Communities Act amendments of 1989 (amendments to the Higher Education Act) tie large portions of University funding to a drug-free environment. For example, institutions will lose federal funding for financial aid if they allow the use of illicit drugs on campus. Marijuana is considered an illicit drug (Schedule I according to the Controlled Substances Act).

All members of the University community share in the responsibility of adhering to and enforcing this policy. The success of this policy depends upon the thoughtfulness, consideration, and cooperation of everyone. Anyone in violation of the policy should be informed of the University's Tobacco and Smoke-Free Policy and asked to comply by discarding the item.

Conflicts among employees related to smoking should be brought to the attention of the employee's supervisor and, if necessary, referred to the Human Resources. Conflicts among students should be referred to Student Affairs or if the conflict occurs outside of business hours, the conflict should be referred to Public Safety. Members of the STU community alleged to be smoking in University facilities or on University property in violation of this policy may be subject to disciplinary action through the applicable process. Students alleged to be violating the policy are subject to disciplinary action through the appropriate student judicial process. Visitors, including vendors, contractors and any service providers, will be subject to whatever remedies are available to the University.

In accordance with the applicable law and STU policy, any individual can voice objections to smoke that gathers in any smoke-free area without fear of retaliation.



### *Future Improvement in Fire Safety*

All STU residential halls are equipped with fire detection systems. The University will work with Miami-Dade Fire Rescue to provide fire safe educational programs to residents.

## **CLERY RELATED DEFINITIONS**

**Aggravated Assault** is 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.

**Arrest** is defined as persons processed by arrest, citation or summons.

**Arson** is 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.

**Burglary** is the unlawful entry of a structure to commit a felony or a theft.

**Bystander Intervention** is when sexual misconduct, assault, domestic violence, dating violence, and stalking can occur in the presence of bystanders or even friends of the parties involved. It can occur over the course of time with the knowledge of others, sometimes many others. Often opportunities present themselves for others to intervene in a fashion that is both safe for them and effective in averting an offense. Just as it is said that friends don't let friends drive drunk, it could also be said –particularly in the context of “date rape” occurring during or after a party or domestic violence and stalking occurring over the course of time – that friends intervene when friends are committing or about to commit serious offenses of a violent or sexual nature. The University encourages all those who can safely and effectively help prevent sexual misconduct, assault, domestic violence, dating violence, and stalking to intervene, and will take the steps within its powers to protect anyone who does from retaliation.

**Campus Security Authority (CSA)** as defined by the Clery Act, (1) A campus police department or a campus security department of an institution. (2) Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (1) of this definition, such as an individual who is responsible for monitoring entrances into institutional property. (3) Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. (4) An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

**Consent to Sexual Activity** means intelligent, knowing, and voluntary consent and does not include coerced submission. Consent shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender.

**Criminal Homicide** are offenses separated into two categories:

1. **Manslaughter by Negligence** is the killing of another person through gross negligence. This includes: Any death caused by the gross negligence of another. In other words, it's something that a reasonable and prudent person would not do.
2. **Murder and Non-Negligent Manslaughter** is the willful (non-negligent) killing of one human being by another. This includes: Any death caused by injuries received in a fight, argument, quarrel, assault or the commission of a crime.

**Dating Violence** is committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition— Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. And, dating violence does not include acts covered under the definition of domestic violence.

**Destruction/Damage/Vandalism of Property** is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**Domestic Violence** is a felony or misdemeanor crime of violence committed— by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Drug Abuse Violations** are defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

**Emergency Notification Warnings** to the campus community upon confirmation of a dangerous situation on campus involving an immediate threat to the health or safety of students or staff regardless of whether a crime is involved.

**Fire Drill** is a supervised practice of a mandatory evacuation of a building for a fire.

**Fire** is any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**Fire Related Death** is defined as any instance in which a person (1) is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or (2) dies within one year of injuries sustained as a result of the fire.

**Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Hate Crime** is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

**Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Larceny-Theft** is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.

**Liquor Law Violations** are defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness

**Motor Vehicle Theft** is the theft or attempted theft of a motor vehicle.

**On-Campus Geography** is any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes,

including residence halls; and Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**Pastoral Counselor** is a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

**Professional Counselor** is a person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of the counselor's license or certification.

**Rape** is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

**Referred for Disciplinary Action** is defined as the referral of any person to any official who initiates a disciplinary action of which a record is established, and which may result in the imposition of a sanction.

**Retaliation** is prohibited. Any individual who believes he or she has been subjected to misconduct under the policy is encouraged and has the right to seek support, utilize available resources, and come forward with his/her concern or complaint. Fear of retaliation should never be an obstacle to reporting an incident of alleged sex/gender-based harassment, sexual violence, relationship violence, or stalking. Retaliation is prohibited against anyone who participates in an investigation of or follow-up to a complaint of a violation of the policy.

**Robbery** is 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.

**Sexual Assault**, which is called "sexual battery" under Florida law, "means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object": (1) by force; or (2) by threatening (a) to use force or violence likely to cause serious personal injury on the victim or to retaliate against the victim or any other person, and (b) the victim reasonably believes that the offender has the present ability to execute the threat; or (3) when the victim is mentally defective and the offender has reason to believe this or has actual knowledge of this factor; or (4) the victim is physically helpless to resist or is physically incapacitated.

**Stalking** is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to— fear for the person's safety or the safety of others; or suffer substantial emotional distress.

**Statutory Rape** is sexual intercourse with a person who is under the statutory age of consent.

**Timely Warning Notices** must be considered for all Clery Act crimes that are: (1) reported to CSAs or local police, and (2) determined by the institution to represent a serious or continuing threat to students and employees.

**Value Property Damage** is the estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.

**Weapons, the Carrying, Possessing, Etc.**, is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.