

POLICY AND PROCEDURE

TITLE: Campus Safety

PURPOSE: To establish processes to ensure compliance and enhance campus safety.

RESPONSIBILITY: It is the responsibility of the Executive Director and Campus Director to ensure compliance with this policy.

APPLICABILITY: This policy applies to the entire organization (both campuses).

POLICY: The organization will have a written Security Plan designed to delineate mechanisms to deal and address emergency responses and evacuation procedures.

PROCEDURES:

I. Emergency Response and Evacuation Procedures

The Campus Director is responsible for the Emergency Operations Plan (EOP). This plan is designed to be an all-hazards disaster response and emergency management plan that includes planning, mitigation, response, and recovery actions.

Our priorities are:

- A. Life safety, infrastructure integrity, and environmental protection during an emergency;
- B. Coordination with institution's departments to write, maintain, test, and exercise the EOP;
- C. Cooperation, Integration, and Mutual Aid with local, state and federal planning, response, and public safety agencies and their EOPs.

Drills, Exercises, and Training

Annually, the institution conducts an emergency management exercise, announced or unannounced, to test emergency procedures. The scenarios for these exercises change from year-to-year. The institution conducts after-action reviews of all emergency management exercises.

In conjunction with at least one emergency management exercise each year, the

institution will notify the community of the information included in the institution's publicly available information regarding emergency response procedures.

Emergency Notification

Praxis Institute is committed to ensuring the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members.

Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System

Campus staff or faculty may become aware of a critical incident or other emergency situation that potentially affects the health and/or safety of the campus community. Generally, campus staff or faculty becomes aware of these situations upon discovery during day-to-day assignments.

Once staff/faculty confirms that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, staff/faculty will notify the campus director to issue an emergency notification.

Praxis Institute's authorized representatives will immediately initiate all or some portions of the institution's emergency notification system. If, in the professional judgment of first responders, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, Praxis Institute may elect to delay issuing an emergency notification. As soon as the condition that may compromise efforts is no longer present, the institution will issue the emergency notification to the campus community.

Determining the Appropriate Segment or Segments of the Campus Community to Receive an Emergency Notification

Executive Director will assist the Campus Director determining what segment or segments of the campus community should receive the notification. Generally, campus community members in the immediate area of the dangerous situation (i.e., the building, adjacent buildings, or the surrounding area) will receive the emergency notification first. The institution may issue subsequent notifications to a wider group of community members. If the emergency affects a significant portion of the institution, administrative officials will distribute the notification to the entire campuses communities.

Determining the Contents of the Emergency Notification

Executive Director and Campus Director are responsible for issuing the emergency notification and will determine the contents of the notification. The individuals authorizing the alert will develop the most concise message to convey the appropriate information to the community. The goal is to ensure individuals are aware of the situation and that they know the steps to take to safeguard their own personal safety and that of those in the community.

Procedures Used to Notify the Campus Community

In the event of a situation that poses an immediate threat to members of the campus community, the institution has various methods in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an emergency to all or a segment of the campus community. These methods of communication include Praxis Alert e-mail system, text message, and Praxis Alert webpage messages. The institution will post important updates during critical incidents on their homepage.

II. RESPONSE TO SEXUAL AND GENDER VIOLENCE

Personal Safety

Despite law enforcement's efforts, serious crimes do occur on campuses. It is important to report any suspicious incidents to police and always remain alert and vigilant.

One of the more serious crimes that too often is unreported is sexual assault. It is important to know what these crimes are because in many cases, victims do not realize that they have been victimized. Additionally, crimes of this nature are very difficult for victims to report for a number of very complex reasons. We provide the following information to help those who may have been victims of sexual assault and/or domestic violence or who have a friend who has been sexually assaulted. There are many guidelines to help you be more alert and aware of the situation to prevent such serious crimes. Such as:

- Know your surroundings
- Be alert
- Call for help
- Report any suspicious people and/or activity, immediately

Defining Rape and Sexual Assault in Florida

Rape and sexual assault are called “Sexual Battery” under Florida criminal law. See criminal code in Florida section 794.011

Sexual battery

(1) As used in this chapter:

(a) “Consent” 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.

(b) “Mentally defective” means a mental disease or defect which renders a person temporarily or permanently incapable of appraising the nature of his or her conduct.

(c) “Mentally incapacitated” means temporarily incapable of appraising or controlling a person’s own conduct due to the influence of a narcotic, anesthetic, or intoxicating substance administered without his or her consent or due to any other act committed upon that person without his or her consent.

(d) “Offender” means a person accused of a sexual offense in violation of a provision of this chapter.

(e) “Physically helpless” means unconscious, asleep, or for any other reason physically unable to communicate unwillingness to an act.

(f) “Retaliation” includes, but is not limited to, threats of future physical punishment, kidnapping, false imprisonment or forcible confinement, or extortion.

(g) “Serious personal injury” means great bodily harm or pain, permanent disability, or permanent disfigurement.

(h) “Sexual battery” 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; however, sexual battery does not include an act done for a bona fide medical purpose.

(i) “Victim” means a person who has been the object of a sexual offense.

(j) “Physically incapacitated” means bodily impaired or handicapped and substantially limited in ability to resist or flee.

(2)(a) A person 18 years of age or older who commits sexual battery upon, or in an attempt to commit sexual battery injures the sexual organs of, a person less than 12 years of age commits a capital felony, punishable as provided in ss. 775.082 and 921.141.

(b) A person less than 18 years of age who commits sexual battery upon, or in an attempt to commit sexual battery injures the sexual organs of, a person less than 12 years of age commits a life felony, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.

(3) A person who commits sexual battery upon a person 12 years of age or older, without that person’s consent, and in the process thereof uses or threatens to use a deadly weapon or uses actual physical force likely to cause serious personal injury commits a life felony, punishable as provided in s. 775.082, s.

775.083, s. 775.084, or s. 794.0115.

(4) A person who commits sexual battery upon a person 12 years of age or older without that person's consent, under any of the following circumstances, commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115:

(a) When the victim is physically helpless to resist.

(b) When the offender coerces the victim to submit by threatening to use force or violence likely to cause serious personal injury on the victim, and the victim reasonably believes that the offender has the present ability to execute the threat.

(c) When the offender coerces the victim to submit by threatening to retaliate against the victim, or any other person, and the victim reasonably believes that the offender has the ability to execute the threat in the future.

(d) When the offender, without the prior knowledge or consent of the victim, administers or has knowledge of someone else administering to the victim any narcotic, anesthetic, or other intoxicating substance which mentally or physically incapacitates the victim.

(e) When the victim is mentally defective and the offender has reason to believe this or has actual knowledge of this fact.

(f) When the victim is physically incapacitated.

(g) When the offender is a law enforcement officer, correctional officer, or correctional probation officer as defined by s. 943.10(1), (2), (3), (6), (7), (8), or (9), who is certified under the provisions of s. 943.1395 or is an elected official exempt from such certification by virtue of s. 943.253, or any other person in a position of control or authority in a probation, community control, controlled release, detention, custodial, or similar setting, and such officer, official, or person is acting in such a manner as to lead the victim to reasonably believe that the offender is in a position of control or authority as an agent or employee of government.

(5) A person who commits sexual battery upon a person 12 years of age or older, without that person's consent, and in the process thereof does not use physical force and violence likely to cause serious personal injury commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.

(6) The offense described in subsection (5) is included in any sexual battery offense charged under subsection (3) or subsection (4).

(7) A person who is convicted of committing a sexual battery on or after October 1, 1992, is not eligible for basic gain-time under s. 944.275. This subsection may be cited as the "Junny Rios-Martinez, Jr. Act of 1992."

(8) Without regard to the willingness or consent of the victim, which is not a defense to prosecution under this subsection, a person who is in a position of familial or custodial authority to a person less than 18 years of age and who:

(a) Solicits that person to engage in any act which would constitute sexual battery under paragraph (1)(h) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) Engages in any act with that person while the person is 12 years of age or older but less than 18 years of age which constitutes sexual battery under paragraph (1)(h) commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) Engages in any act with that person while the person is less than 12 years of age which constitutes sexual battery under paragraph (1)(h), or in an attempt to commit sexual battery injures the sexual organs of such person commits a capital or life felony, punishable pursuant to subsection (2).

(9) For prosecution under paragraph (4)(g), acquiescence to a person reasonably believed by the victim to be in a position of authority or control does not constitute consent, and it is not a defense that the perpetrator was not actually in a position of control or authority if the circumstances were such as to lead the victim to reasonably believe that the person was in such a position.

(10) Any person who falsely accuses any person listed in paragraph (4)(g) or other person in a position of control or authority as an agent or employee of government of violating paragraph (4)(g) is guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

The following information provides steps to follow should a sexual assault occur:

- Get to a safe place as soon as possible!
- Try to preserve all physical evidence - The victim should not bathe, shower, brush teeth, douche, use the toilet, or change clothing until he or she has a medical exam. Contact a close friend or relative, if available, who can provide support and accompany the victim to the medical exam and/or police department.
- Get medical attention as soon as possible - An exam may reveal the presence of physical injury of which the victim is unaware. Following a sexual assault, antibiotics are typically given at the time of the exam to help prevent the victim from acquiring certain sexually transmitted diseases. Emergency contraceptive pills are offered to all victims at the time of the exam (if the victim presents within 120 hours) to help prevent pregnancy from occurring as a result of the rape. If the victim reports memory loss, loss of consciousness or other circumstances suspicious for a drug-facilitated assault, a urine test may be done if the victim presents within 96 hours. Some of the commonly used “date rape” drugs, however, are only detectable in the urine for 6-8 hours after ingestion.
- Contact the police - Sexual assault is a crime, it is vital to report it. It is important to remember reporting a crime is not the same as prosecuting the crime. The decision to prosecute may be made at another time. The final decision to prosecute is determined by the District Attorney.
- Consider talking to a counselor - Seeing a counselor may be important in helping the victim understand his/her feelings and begin the process of recovery.

Our Commitment to Addressing Sexual Harassment, Including Sexual Assault

Praxis Institute does not tolerate sexual misconduct or abuse, such as sexual assault, rape or any other forms of non-consensual sexual activity. Sexual misconduct in any form violates the Student Code of Conduct, institutional policies and may violate Federal and State Laws. Violations of this policy are subject to disciplinary sanctions as outlined in applicable institutional policies. The institution provides the following rights to all sexual assault victims:

- Upon request, the institution will make any reasonable change to a victim's academic, living, transportation, and/or working situation.
- The victim and the accused will receive a written explanation of their rights and options.
- Both the complainant and the respondent will have the same opportunities to have others present during the conduct proceedings.
- The institution will ensure that the complainant and the respondent both receive a written notice of the final determination of the investigation.
- If desired, institution's staff will assist the victim in contacting local law enforcement authorities.
- Counseling services are available to students through the Student Services Department.
- Students who have been subject to sexual assault, sexual violence or sexual harassment may request to withdraw from a semester or individual courses.

Institution's Procedures for Responding to Reports of Sexual Assault

If you or someone you know is the victim of a sexual assault, the victim has several rights, including:

- The right to report the incident to the local authorities. Upon request, the institution will assist victims in notifying the local police. Filing a police report does not mean the victim must pursue criminal charges. The victim maintains his or her rights throughout the process.
- There are several community service organizations that can provide counseling, mental health, and other related services to sexual assault victims. Student Services Department can assist with connecting victims to these services.
- The victim can also contact the Office of Civil Rights (OCR) by calling 1-800-421-3481 or by visiting the OCR website (www.hhs.gov).

Campus Resources

- Student Services Department

Off-Campus Resources

- Roxcy Bolton Rape Treatment Center
 - 305-585-5185
 - Provides services at JMH and Jackson South Community Hospital to victims, non-offending family members and other relatives.
- Men and Women United in Justice, Education Reform
 - 305-247-1388
 - Provides direct response services to domestic and sexual abuse victims and families.
- HELPLine Miami
 - 305-358-HELP (4357)
 - Free and confidential counseling, crisis intervention, suicide prevention and referral services.
- Florida Abuse Hotline
 - 1-800-962-2873
 - Accepts reports 24/7 of known or suspected abuse of children or vulnerable adults.
- Rape Abuse and Incest National Network (RAINN)
 - 1-800-656-4673
 - Confidential online chat with a trained staff member who can provide help and support in Spanish or English.
- Rape Hotline
 - 305-585-RAPE (7273)
- Sexual Crime Investigation Unit
 - 305-715-3300
- Domestic Crimes Investigations Unit
 - 305-418-7200

Miami-Dade Police Victim Advocates Email

- svbinfo@mdpd.com
- Special Victims Bureau
1701 NW 87th Avenue
Suite 100
Doral, FL 33172

If a victim of a sexual assault or relationship violence incident requests a change in her or his living arrangements or academic schedule, Student Services Department, and other offices at Praxis Institute, will assist the individual with making these changes, as long as they are reasonably available.

Medical Services for Survivors/Victims of Sexual Assault

A survivor/victim of sexual assault may also receive comprehensive medical services for sexual assault WITHOUT reporting to the Police or the institution. Sexual Assault Forensic Evidence exams are available at local hospital Emergency Departments.

A survivor may request for evidence to be collected ANONYMOUSLY using a SAFE kit from local hospital, and may later decide to make a formal report to law enforcement.

Disciplinary Procedures in Sexual Assault Incidents

If you have been sexually assaulted, you have options for addressing such conduct. You may wish to discuss the problem privately with a student service representative.

The institution's student conduct process is designed to afford a complainant (the person who is bringing a charge) and a respondent (the person who is answering a charge) a fair, prompt, and appropriate resolution process. The process is designed to help persons who need support as they address these incidents.

The Student Services Department manages the resolution proceeding in which a student is the alleged perpetrator. The Executive Director office is responsible for managing proceedings for those cases in which an employee is the respondent.

In determining whether the alleged conduct constitutes sexual harassment or assault, the full context in which the alleged incident occurred must be considered. In any case, both the accuser and the accused are entitled to the same opportunities

to have others present during any disciplinary proceeding. Both the accuser and the accused will be informed of the outcome of any proceeding.

During any sexual assault complaint proceeding, the institution has a range of sanctions available. Those sanctions may range from probation to expulsion from Praxis Institute, depending upon the nature and circumstances of the specific incident.

Sexual Assault Prevention Education Programs

The Student Services Department is primarily responsible for sexual assault education and awareness. The Student Services Department will provide education for the student community about sexual violence through presentations at least once a year. Below is a list of some of the topics:

- Student Information & Awareness Programs:
 - Stalking Awareness & Suicide Prevention
 - Date Rape
 - Dating Violence & Sexual Assault
 - Staying Safe on Campus
 - Alcohol, Drugs and Sexual Assault Prevention Fair
 - These presentations will educate students about the elements of a healthy relationship, the importance of sexual consent and the role of bystanders in creating safe and healthy communities.

Sex Offender Registration - Campus Sex Crimes Prevention Act

The Florida Statute 943.0345 requires that sexual offenders register with the department of law enforcement (FDLE). The Registry serves as a resource to help protect and inform the public.

FDLE has established the following toll-free number for public access to FDLE's Missing Persons and **Offender** Registration: 1-888-FL-PREDATOR (1-888-357-7332). By contacting FDLE at this number, the public can request information about **Sexual Offenders** living in their communities and around the state. For information about registered sex offenders in the State of Florida, you may also visit the U.S. Department of Justice National Sex Offender website

www.nsopw.gov .