

**basCampus Security Policy and
Annual Security Report
October 1, 2022**

Florida Education Institute (also referred to in this document as “FEI” or “Institution”) is providing the following information to all its employees, students, prospective students and guests as part of the FEI’s commitment to safety and security. This report complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Please note that “Policy” in the FEI website consumer information page documents may at times be referring to “policies.”

This report provides statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings and property owned, leased, or controlled by the Institution. Disclose crime statistics for on-campus facilities and public property immediately adjacent to the campus, which are obtained from various resources, including local law enforcement and school officials who have significant responsibility for student and school activities. We have also included crime report definitions below to further assist with the understanding of Campus Security Policies and Crime Statistics. This report also includes Institutional policies concerning campus security, sexual assault, alcohol, and other drugs.

If you should have questions about any of the information provided in this report or wish to obtain a paper copy of this report, please contact us at:

Florida Education Institute
5818 SW 8 Street,
Miami, FL 33144
(305) 263-9990
admin@fei.edu

CAMPUS SECURITY POLICY

Dial 9-1-1

Emergencies come in many forms and situations. Therefore, the best policy if for anyone, student and employee, to feel free to call 9-1-1 should he/she determine it is necessary. Safety is everyone’s responsibility.

Overview of Florida Education Institute’s Commitment and Responsibility

Florida Education Institute is committed to providing a reasonably safe and secure environment for students and employees to study and work. Although FEI cannot guarantee that crimes will never be committed on campus or on public property within proximity to the campus, the Institution takes reasonable and effective measures to minimize the risk.

This report provides suggestions about crime prevention strategies as well as important policy information on emergency procedures, reporting of crimes and support services for victims of sexual assault. Students with ideas, concerns or suggestions for improved safety are encouraged, without fear of reprisal, to share them by writing to the Campus Director. In addition, students who have medical conditions that would prevent them from engaging in course activities are asked to report this to the Campus Director in writing.

FEI strives to provide a safe and healthy school environment. Should students be witnesses to or victims of a crime, they should immediately report the incident to the local law enforcement agency and to campus administration.

Campus Security Policy and Annual Security Report

The Institution distributes a notice of the availability of the Jeanne Clery Annual Security Report and Campus Annual Security Report by October 1 of each year to all employees and students. The Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Report is available to prospective employees, prospective students, or anyone else

at www.fei.edu/consumer-information. Additionally, enrolling students are provided with information on how to access the report.

Campus Security Authorities (CSA)

The Jeanne Clery Disclosure Act defines a Campus Security Authority (CSA) as an official of an Institution who has significant responsibility for student and campus activities and who is specified in an Institution’s statement of campus security policy as an individual to which students and employees should report criminal offenses. The function of a CSA is to report to the official or office designated by the Institution to collect crime report information those allegations of Clery Act crimes that he or she receives. At Florida Education Institute, the “official or office” designated to collect crime report information and assist CSA’s in the handling of campus crimes and emergency situations is the Safety and Emergency Team (SET), which is comprised of the following employees:

Name	Title	Telephone
Ramon Valenti IV	VP of Operations	(305) 778-0173
Yosvany Peña	Safety Coordinator for SET	(786) 486-2977
Barbie Valenti	Safety Coordinator for SET	(305) 801-2624

By policy, the Campus Director must be a CSA and is required to designate at least two additional CSA’s to ensure the availability of a CSA at all times during normal business hours and in the event of a campus crime and/or the reporting of such.

All CSA’s receive applicable training in Clery Act compliance and on the policies and procedures outlined in this Annual Security Report. FEI does not employ on a regular basis campus police or security personnel, and CSA’s are non-commissioned with and have no authority to arrest an individual other than the ability to make a Citizen’s Arrest. Therefore, each campus CSA relies on local law enforcement to arrest an individual suspected of a reported crime or offense, as applicable.

Exemption for Pastoral and Professional Counselors

The Clery Act excludes two types of individuals from Clery reporting requirements even though they may have significant responsibility for student and campus activities. Therefore, the following two persons, when operating in the capacity described below, cannot be considered as CSA’s:

Pastoral Counselor: 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: 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.

However, FEI does not employ in-house counselors, including pastoral or professional counselors.

No Assumption of Responsibility

While FEI strives to provide a safe and secure learning environment, FEI does not assume responsibility for any loss of any kind to those people who enter our facilities or attend our events.

Personal Responsibility

The cooperation and involvement of students and employees is necessary. Every individual must assume responsibility for their own safety and the security of their property by following precautions and guidelines in this document and operating with common sense.

Procedures for Reporting of Criminal Actions and Emergencies

For an emergency occurring on campus or in any public areas immediately adjacent to or accessible from the campus which requires fire, police, or medical assistance, first **dial 9-1-1**. Immediately after dialing 9-1-1, report the occurrence to the Campus Director or an administrator, including any CSA, whoever you can report to the fastest.

In a non-emergency situation, the occurrence should first be reported to the Campus Director, administrator, or CSA.

FEI encourages and requests that students, staff, and faculty accurately and promptly report all crimes witnessed or personally experienced while on campus or on surrounding property to the appropriate law enforcement agencies.

Incident Report/Reporting to Authorities

The CSA will complete a Clery Incident Report (F-12-523) based on the information provided by the victim and/or witnesses. The Clery Incident Report includes the nature, date, time, and general location of each crime, along with the disposition of the reported occurrence. Once completed, the Clery Incident Report is forwarded to the Campus Director for review and determination of any further actions to be taken. Depending on the nature and severity of the occurrence, further actions may include an alert, investigation, disciplinary proceedings, or no further action. Copies of the reports are maintained with the CSA's and with the SET for compilation and inclusion in the Annual Security Report, as they pertain to Clery reporting requirements.

Information will be withheld from Clery Incident Reports only in the event that disclosure could result in compromising an ongoing criminal investigation, jeopardizing the safety of an individual, causing a suspect to flee or evade detection, or causing evidence to be compromised or destroyed. All crimes tracked on the Clery Incident Reports will be reported in the Annual Security Report if they are determined to be reportable crimes under the Clery Act. Only a reportable crime that is determined to be "unfounded" or "false" as a result of a law enforcement investigation will be excluded from the Annual Security Report. Information contained on the Clery Incident Reports will be updated, as applicable, based on additional information provided by law enforcement authorities.

FEI does not maintain campus police or security departments within its campuses; therefore, FEI does not maintain a daily crime log.

Collaboration with Local Law Enforcement Agencies

Florida Education Institute makes a reasonable, good faith effort to obtain Clery Act crime statistics from local law enforcement agencies that have jurisdiction over the Institution's Clery Act geography as defined in this report. These statistics, along with those statistics obtained from the CSA's, are included in the Annual Security Report. The Institution does not independently verify the accuracy of statistics obtained from local law enforcement agencies but does provide these agencies with the specific geography to include to help ensure the relevancy and accuracy of these statistics.

Responding to Reports of Criminal Activity

In collaboration with local law enforcement when applicable, FEI will investigate and appropriately respond to each report of criminal activity, which includes notifying the victim of the outcome of the investigation and any actions taken. If a reported criminal offense involves a student or employee as the alleged offender, the offender is subject to applicable conduct policies and disciplinary procedures. Disciplinary actions may include expulsion for student offenders and termination for employees, as outlined in the Institution's policies and procedures.

Outcome of Disciplinary Proceedings

Upon written request, FEI will disclose to an alleged victim of a crime of violence or a non-forcible sex offense the outcome of any disciplinary proceeding conducted by the Institution against the student(s) who is/are the alleged perpetrator(s). Additionally, the Institution will disclose results upon written request to a victim's next of kin in cases where the crime resulted in the victim's death.

Timely Warning Notification

Upon the reporting of a Clery Act crime which is determined by the CSA and the SET to represent a serious or continuing threat to students and employees on campus or on public property adjacent to campus facilities, a Timely Warning Notification will be issued. This can include but may not be limited to:

- Incidents of arson
- Murder/non-negligent manslaughter
- Robbery
- Aggravated assault
- Sexual offenses

The decision to issue a Timely Warning Notification is determined by the SET and is made on a case-by-case basis. This decision is influenced by the nature of the crime, if there is any continuing danger to the campus community, and if there could be the possible risk of compromising any law enforcement efforts. The content of the warning is also dependent on the nature of the crime but will include specifics regarding the actual crime which occurred (to the extent it still provides necessary confidentiality and complies with the Institution's FERPA policy) and the steps each member of the campus community can take to protect themselves.

At the direction of the SET, FEI's Information Technology department will issue Timely Warning Notifications in the form of emails sent through the Institution's database system. Depending on the nature and severity of the crime, notifications may also be posted on campus bulletin boards and in other visible areas of the campus, such as lobby areas, hallways, and/or classrooms. A Timely Warning Notification will be issued as soon as pertinent information is available and/or within 72 hours of the initial reporting of the criminal occurrence.

Campus Security Personnel

FEI maintains a Safety and Emergency Team (SET) consisting of the Campus Director and President, at a minimum, and other key personnel for assuring the safety of all those associated to FEI and their security while on school premises. FEI may elect to contract with local police agencies to provide security at some school sponsored events.

Student and Employee Orientation and Awareness

FEI conducts new student orientation each time new students start a program. This orientation includes information about on-site security and crime awareness. Employees are informed of crime reporting policies, campus policies and crime statistics at the time of their employment and are given updates yearly. Further, all students are informed of FEI's drug and alcohol policy as a condition of eligibility to participate in Title IV financial assistance programs. FEI has no other specific program designed to inform students and employees about the prevention of crimes, except for those described herein, the ones posted on the Institution's consumer information page and occasional announcements from outside authorities.

Facilities Access

The campus premises are considered off limits to anyone who has not been welcomed as a visitor by a staff, faculty, or administrator and has legitimate and appropriate reasons for entering any of the FEI campus buildings. All visitors, in all buildings, who are not students or employees are required to have a:

- 1) FEI Visitor ID;
- 2) Legitimate and appropriate reason for entering any campus building;
- 3) Required to sign in at the Main Campus front desk and provide a government issued ID; and
- 4) If possible, be escorted by an employee or the employee(s) the visitors are visiting.

Students, staff, and faculty are required to report intrusions immediately to any FEI employee and do not hesitate to **call 9-1-1** if you feel threatened.

Unidentified Visitors/Possible Intruder

All unidentified visitors or possible intruders to campus buildings may be challenged for purpose of visit at any time by students, employees, and administration. Any unauthorized person inside a campus building or suspiciously outside must be reported immediately to the Campus Director, a CSA, or employee.

Dial 9-1-1

In the event a visitor is deemed or even assumed to be an “intruder” in any of the campus buildings, any FEI employee or student shall without hesitation **call 9-1-1** on their cell phones.

Sounding Device

When possible, a “police button” or other “sounding device” (i.e, air horn) will be available for employees to act and consider the moment an emergency.

Active Shooter/Armed Intruder or Threat Preparedness – For Students and Employees

This policy applies to all employees and students. All students, faculty and staff are strongly encouraged to take a few minutes to watch the following videos and read the DHS Booklet/Pocket Card below so as to familiarize themselves with the Active Shooter/Armed Intruder Action Guidelines FEI uses.

Active Shooter Situation: Options to Consider

<https://www.youtube.com/watch?v=yz5P2wy4X4o>

RUN. HIDE. FIGHT.® Surviving an Active Shooter Event

<https://www.youtube.com/watch?v=5VcSweju2D0>

DHS Active Shooter Training Booklet

https://www.dhs.gov/xlibrary/assets/active_shooter_booklet.pdf

DHS Active Shooter Pocket Card

https://www.dhs.gov/xlibrary/assets/active_shooter_pocket_card.pdf

Threats to the Campus or the Campus Area

The procedures above are the same ones to take in case of any other threat to the campus or the campus areas.

Lock Down “Code Red”

If a “Code Red” is announced or if you hear an AIR HORN, all classrooms and offices must lock their doors and follow the procedures above until law enforcement authorities arrive.

Do NOT let your guard down until instructed by law enforcement authority

Only when you see law enforcement authority give instructions should you stop protecting yourself and others in any of the above situations.

Additional Resources:

DHS Active Shooter Website

<https://www.dhs.gov/active-shooter-preparedness>

The above information was provided by the U.S. Department of Homeland Security (DHS).

Programs to Inform Students and Employees About Campus Security

All new FEI students or employee are instructed on crime awareness, prevention and campus security during the enrollment process and orientation. Students and Employees are encouraged to take responsibility for their own security, as well as their fellow classmates and the FEI employees, respectively. The orientation includes a description of campus security policies and procedures, suggestions on how to avoid becoming a crime victim, evacuation plans at the Institution, and procedures for reporting any criminal activity or emergency. Every student and employee is required to read and know the Campus Security Policies.

Access and Security of Campus Facilities

Florida Education Institute uses various methods and equipment to secure campus facilities. The type of methods and quantity of equipment varies campus by campus depending on the size of the facility and/or location. Detailed campus-specific information is included within each campus's Emergency Response and Evacuation Procedures, which is available in FEI's Website consumer information page or by contacting the Campus Director.

For each campus, the Campus Director is responsible for the basic security of facilities, which includes the identification of unsafe conditions, lighting that is not working, and facilitating any and all required maintenance. Public access to the main entrances of campus buildings is unrestricted during normal business hours. Campus buildings utilize some or all of the following measures to help secure campus facilities:

- Use of security cameras and monitors placed at various places throughout the campus
- Ensure all visitors check in at the front desk, wear applicable identification badges, and are escorted
- Locked and/or alarmed doors
- Promote "buddy" system for students to walk in groups to the parking lot and other nearby areas after hours

Members of the FEI campus community are encouraged to report any potential unsafe or hazardous conditions to the Campus Director for immediate attention.

Residence Halls and Student Organizations

Florida Education Institute does not maintain residential facilities and does not have any officially recognized student organizations that own or control any off-campus property.

Externship Sites and Clinical Facilities

Students who are physically attending their externship follow the employer site's safety plan in the case of an emergency.

Alcohol and Drug-Free Policy

Florida Education Institute is committed to fostering and maintaining an environment for students and employees that is free of drugs and alcohol. Therefore, the institute prohibits the illegal and irresponsible use of alcohol and drugs and will strictly enforce federal, state, and local laws, as well as the institute's own policies and procedures which support these laws. To that end, the Institution has a zero-tolerance policy regarding the possession, use, and sale of alcoholic beverages and illegal drugs on campus. Additionally, the Institution will strictly enforce applicable state underage drinking laws.

This policy applies to all employees and students. Alcoholic beverages or drugs/medications (except when prescribed by a licensed physician) are not permitted to be used, possessed, sold, distributed on school premises or when participating in a school-related function or activity. Reporting to or remaining at work or school under the influence of or impaired by alcohol or illicit drugs is also prohibited. This policy applies to all students, employees and individuals that visit FEI. Student and/or employee that violates this policy may be terminated, suspended, or put on probation at the discretion of the administration. Referral to a rehabilitation facility and/or referral for criminal prosecution may occur where appropriate.

Students and employees are strongly encouraged to voluntarily come forward and notify the school of any substance abuse problem they may have. In such cases, FEI may assist the student or employee in seeking professional help.

Student and employees, please refer to Website for complete Policy and to the School Catalog. Employees must also refer to the Employee Manual for complete Policy. Please refer to FEI website's consumer information page www.fei.edu/consumer-information for the complete policy and additional information.

Weapons Policy

This policy applies to all employees, students, and visitors. FEI does not allow weapons on campus. More specifically, the Institution prohibits the possession of firearms, explosives, devices which fire metal or other harmful projectiles (e.g., bb or pellet guns), certain knives, or other harmful objects which could be used as weapons while on the Institution's campus premises. Exceptions to this policy include law enforcement and military personnel who are engaged in the performance of their responsibilities. The campus community is encouraged to report violations of this policy to any CSA or other school official immediately. Anyone found in violation of this policy will be subject to disciplinary action, including termination and/or criminal prosecution. Please refer to FEI website's consumer information page www.fei.edu/consumer-information for the complete policy and additional information.

Policy on Non-Discrimination

To the extent provided by applicable law, including Title IX, no person shall be excluded from participation in, denied the benefits of, or be subject to discrimination under any education program or activity sponsored by or conducted by the Institution on the basis of race, color, national origin, ancestry, religion, sex (including pregnancy, childbirth and related medical conditions), disability (physical or mental), age (40 and older), citizenship status, genetic information, military or veteran status, marital status, sexual orientation, gender identity and gender expression, AIDS/HIV, medical condition, political activities or affiliations, or status as a victim of domestic violence, assault or stalking. Additionally, the Institution treats a student's gender identity as the student's sex for Title IX purposes, and the Institution does not treat a transgender student differently from the way it treats other students of the same gender identity. The requirement not to discriminate in the education program or activity extends to admission and employment, and any inquiries regarding the application of Title IX may be referred to the Institution's Title IX Coordinator. Please refer to FEI website's consumer information page www.fei.edu/consumer-information for the complete policy and additional information.

Policy on Sexual Misconduct

Florida Education Institute is committed to providing a safe educational and working environment that is free from sexual harassment or misconduct directed towards any and all members of the FEI community, of which employees and students are a central part of. To achieve this goal, no behavior of this nature will be tolerated and, if discovered, the procedure for investigation and potential adjudication, as outlined in this policy, will be followed. Similarly, and retaliation against an individual who has filed a complaint regarding an alleged sexual harassment or misconduct is also against Institutional policy and will face its own disciplinary procedure. The Institution encourages students, faculty, staff, contracted workers, and visitors to promptly report any suspected behavior that is in violation of this policy. Title IX is a federal law addressing sexual misconduct. For more information or to report sexual misconduct refer to the FEI website's consumer information www.fei.edu/consumer-information Title IX page. For confidential consultation, students and employees are encouraged to speak with the Campus Director, Director of Human Resources, or the President.

This policy applies to all employees and students. FEI strives to maintain a school and workplace that fosters mutual respect for all employees and students. FEI is committed to and promotes harmonious, productive working relationships and learning environment. Our organization believes that discrimination and/or harassment in any form constitutes misconduct that undermines the integrity of both the employment relationship and the student's learning relationship with an instructor or any member of the FEI staff. There will be no retaliation for reporting in good faith any behavior or conduct that violates this policy. Please refer to FEI website's consumer information page www.fei.edu/consumer-information for the complete policy and additional information.

VIOLENCE AGAINST WOMEN ACT (VAWA)

Violence Against Women’s Act (VAWA) Response to Domestic Violence, Dating Violence, Sexual Assault and Stalking. The Institution does not discriminate based on sex or gender in any phase of its educations or employment programs; the Institution is required by Title IX and other laws to not discriminate and provide an effective antidiscrimination and anti-harassment program. If the Office of the Campus Director or the Officer of the Director of Human Resources aware of possible sexual misconduct, and a complainant files a formal complaint, a thorough, impartial, and confidential investigation will be conducted as promptly as possible to determine if there has been a violation of FEI Regulation or Policy. Sexual misconduct includes sexual harassment, sexual assault, dating violence, domestic violence, and stalking. Victims are not required to file a complaint but are encouraged to do so. Regardless if a victim chooses to report sexual misconduct, reasonable supportive measures will be provided to the victim upon request. Please refer to FEI website’s consumer information page www.fei.edu/consumer-information for the complete policy and additional information.

TITLE IX POLICIES AND PROCEDURES

In accordance with Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972, Florida Education Institute (also referred to as “FEI” or “Institution”) strives to provide an environment free from all forms of harassment, violence and discrimination, including sexual harassment, sexual assault, domestic violence, dating violence, and stalking. Such conduct by employees or students is deemed unacceptable behavior and will not be tolerated by the Institution. The sections which follow detail the Institution’s efforts to provide an environment for all employees and students which is free from sexual harassment, sexual assault, domestic violence, dating violence and stalking. Definitions of terminology used in the following sections is provided directly below to aid in the understanding of these policies, procedures, and initiatives.

Title IX Compliance

Florida Education Institute is committed to fostering an environment in which staff, faculty, and students, learn and work in an atmosphere free of unlawful sex discrimination, which includes instances of sexual or gender-based harassment or sexual violence. The institution does not discriminate on the basis of sex or gender in any of its education or employment programs and activities. The policies and procedures described below (hereinafter referred to as the “policy”) prohibit specific forms of behavior that violate Title IX of the Education Amendments of 1972 (“Title IX”).

The institution recognizes its continuing obligation to take immediate and appropriate action to address sex discrimination, sexual and gender-based harassment and sexual violence, prevent its recurrence, eliminate any hostile environment and remedy its effects on any student, employee, third party or the broader institution community, as appropriate, in all of its education programs and activities. The institution regards sex discrimination, sexual or gender-based harassment, sexual violence, including sexual assault, domestic violence, dating violence, and stalking as serious offenses as a violation of this policy; these offenses may result in suspension, expulsion, or termination of employment. The institution will address all incidents of sex discrimination or sexual or gender-based harassment for which is has notice (knows or should know about) even when a complaint or report is not filed. As necessary and appropriate under this policy, the institution will discipline individuals who engage in behavior that violates this policy. Please refer to FEI website’s consumer information page www.fei.edu/consumer-information for the complete policy and additional information.

Definitions of Terminology Used

To aid in the understanding of the Institution’s policies and procedures regarding Title IX, the following are definitions of terminology used in the remaining sections of this Annual Security Report:

1. **Title IX:** Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states that: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

2. **Title IX Coordinator:** The Title IX Coordinator is responsible for coordinating the Institution's responses to all complaints involving possible sex discrimination and harassment. For Florida Education Institute, the Title IX Coordinator contacts are:

Janet Rodriguez
Human Resources Manager/Title IX Coordinator
5818 SW 8 Street
Miami, FL 33144
(305) 263-9990
(305) 733-0176 or admin@fei.edu

Barbara Valenti
Business Office Manager
5818 SW 8 Street
Miami, FL 33144
(305) 263-9990
(305) 801-2624 or admin@fei.edu

3. **Actual knowledge:** Notice of sexual harassment or allegations of sexual harassment to the Institution's Title IX Coordinator or any FEI official who has authority to institute corrective measures on behalf of the Institution.
4. **Deliberately indifferent:** A response would be considered deliberately indifferent only if it were clearly unreasonable in light of known circumstances.
5. **Complainant:** An individual who is alleged to be the victim of conduct that could constitute sexual harassment.
6. **Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
7. **Education Program or Activity:** Includes locations, events, or circumstances over which the Institution exercises substantial control over both the respondent and the context in which the harassment occurs.
8. **Formal complaint:** A document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the Institution investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the Institution with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. The "document filed by a complainant" may be a physical document or an electronic submission, such as an email, which contains the complainant's physical or digital signature.
9. **Supportive Measures:** Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the Institution's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the Institution's educational environment, or deter sexual harassment.

Policy on Sexual Harassment

Florida Education Institute will respond promptly upon actual knowledge of sexual harassment against any person in the United States in an education program or activity in a manner that is not deliberately indifferent.

Sexual harassment is defined as conduct on the basis of sex that satisfies one or more of the following:

- An Institution employee conditioning the provision of an aid, benefit, or service of the Institution on an individual's participation in unwelcome sexual conduct (otherwise known as a *quid pro quo*);

- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Institution’s education program or activity;
- “Sexual assault,” “dating violence,” “domestic violence,” or “stalking” as defined under the Violence Against Women Act (VAWA) – *please see definitions included in the next section.*

Florida Education Institute considers harassment a serious offense, and any violation of this policy which is determined through the investigation process will constitute cause for disciplinary action. Investigations are conducted by individuals who are trained on the issues related to sexual harassment, domestic violence, dating violence, sexual assault and stalking. Specific disciplinary action will be based on the severity of the incident and/or the degree to which repeated incidents have occurred. Such disciplinary actions for employees may include, but are not limited to, verbal warnings, letters of reprimand, suspension with or without pay, and termination. Such disciplinary actions for students may range from counseling to suspension and/or expulsion.

Florida Education Institute is committed to preventing acts of sexual harassment and encourages any student or employee to report such acts immediately. Any person can report sexual harassment or discrimination (whether or not the person reporting is the alleged victim) in person, by mail, telephone or by email, using the contact information for the Title IX Coordinator. A report can be made at any time, including during non-business hours. However, responses to reports made outside of business hours, including during weekends and holidays, may be delayed. Along with taking these allegations very seriously, the Institution has also established procedures which provide a person accused of harassment the opportunity to respond to allegations.

Upon receiving a formal or informal complaint of sexual harassment, the Institution will treat complainants and respondents equitably by offering supportive measures to a complainant, and by following the grievance process detailed on the subsequent pages of this Annual Security Report before the imposing any disciplinary sanctions or other actions which are not supportive measures against a respondent. The Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant’s wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

If the Institution determines that there is an immediate threat to the physical health or safety of any students or other individual arising from the allegation(s) of sexual harassment, the Institution may remove the respondent from the educational program or activity. If this occurs, the respondent will be provided notice and an opportunity to challenge the decision immediately upon removal. In the event the respondent is a non-student employee, the Institution may place the employee on administrative leave during the investigative process.

Policy on the Awareness and Prevention of Dating Violence, Domestic Violence, Stalking and Sexual Assault

Florida Education Institute strongly prohibits acts of dating violence, domestic violence, stalking, and sexual assault and is committed to fostering an environment of awareness and prevention. To that end, the Institution will investigate and/or execute disciplinary actions for all offenses of dating violence, domestic violence, stalking and sexual assault when the Institution is made aware of such an occurrence.

Anyone can be the victim of sexual assault, domestic violence, dating violence, or stalking, regardless of race, age, sexual orientation, religion, or gender. These offenses can impact individuals of all education levels and socioeconomic backgrounds and may occur in both opposite-sex and same-sex relationships, as well as between intimate partners who are married, living together or dating.

These offenses not only affect the victims but can also have a negative impact on family members, friends, co-workers, other witnesses, and the community at large. Children who grow up witnessing domestic violence may be among those seriously affected by this type of crime. Frequent exposure to violence in the home not only predisposes children to potential social and physical problems but may also teach them that violence is a normal way of life, increasing the risk of them becoming society’s next generation of victims and abusers.

To aid in identifying these offenses, we are providing the following definitions per the Violence Against Women Act of 1994 (VAWA):

Advisor: A person chosen by a party, or appointed by the Institution in Title IX Matters, to accompany the party to meetings related to the resolution process, to advise the party on that process. In Title IX Matters, the advisor may conduct cross-examination for the party at the hearing, if any.

Complainant: An individual who is alleged to be the victim of the conduct that could constitute harassment, discrimination, or sexual misconduct, or retaliation for engaging protected activity.

Discrimination (unlawful or prohibited): A difference in treatment based on a person's status in a protected class. Harassment based on one's membership in a protected class is a form of unlawful discrimination. Prohibited discrimination includes unlawful discrimination and discrimination based on other protected classes defined by Institution regulation or policy. A violation of this policy may occur regardless of any finding of "unlawful" conduct, as the standards for finding a violation of this policy are independent. Discrimination includes disparate treatment and disparate impact.

Disparate impact: When policies, practices, rules or other systems that appear to be neutral result in a disproportionate impact on a protected group. Disparate impact may be unintentional.

Disparate treatment: When a person is treated differently than others who were similarly situated based on a protected characteristic and is denied a benefit under FEI's educational program or activities or a benefit of employment. Disparate treatment on the basis of a class not protected by federal, state or local law shall not constitute discrimination or harassment if such disparate treatment is required by federal or state law.

Educational Program or Activity: Location, events, or circumstances where the Institution exercised substantial control over both the Respondent and the context in which the allegations occurred, including but not limited to any building owned or controlled by a student organization that is officially recognized by the Institution.

Formal Complaint: A complaint that has been signed by a Complainant or by the Title IX Coordinator alleging harassment or discrimination based on a protected class or retaliation based on a protected activity against a Respondent and requesting that OEI investigate the allegation. A Formal Complaint is required for investigations in Title IX Matters.

Investigator: The person or persons charged by FEI with gathering facts about an alleged violation of this policy, assessing relevance and credibility, synthesizing the evidence, and compiling information into an investigative report.

Parties: Complainant and Respondent. Witnesses are not parties.

Respondent: An individual reported to be the perpetrator of conduct that could constitute harassment, discrimination, or sexual misconduct, or retaliation for engaging in protected activity.

Retaliation: Intimidating, threatening, coercive, or discriminatory behavior by the Institution or any person over whom the Institution holds jurisdiction against any individual for the purpose of interfering with any right or privilege secured by this policy, because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Retaliation may be a claim under Title IX or under other harassment or discrimination.

Hostile environment harassment: Unwelcome verbal and/or physical conduct based on a person's protected class that is severe or pervasive and has the purpose or effect of: (a) creating an objectively intimidating, hostile or offensive work or educational environment; (b) unreasonably interfering with an individual's work or learning performance; or (c) otherwise unreasonably adversely affects an individual's employment or educational opportunities. Examples could include making comments ("humorous" or "non-humorous") based on a protected characteristic, objectionable epithets/slurs, threatened or actual physical harm or abuse, the display of hostile symbols/objects, and other intimidating or insulting conduct directed against the individual because of their membership in a protected class.

Quid pro quo harassment: Submission or rejection of conduct is used, explicitly or implicitly, as the basis for decisions affecting an individual's education, employment, or participation in an Institution program or activity.

Title IX Matters: Complaints in which the alleged violation includes sexual harassment, sexual assault, domestic violence, dating violence, or stalking, and where the Institution's response and procedures are governed by Title IX of the Education Amendments Act of 1972 and its implementing regulations, and this Institution Policy.

DEFINITIONS SPECIFIC TO TITLE IX MATTERS:

Consent: An agreement between two or more individuals for activity that is affirmative, informed, freely given and mutually understood. Consent shall be determined based on consideration of the following factors: (i) it is the responsibility of each person involved in any sexual activity to ensure that they have the affirmative consent of the other or others to engage in the sexual activity; (ii) the existence of a dating or sexual relationship between the persons involved, or the fact of past sexual relations, should never by itself be assumed to be an indicator of consent for any current or future sexual encounter; (iii) consent cannot be obtained by force, threat, coercion, manipulation, reasonable fear of injury, intimidation, use of position of influence, or through the use of one's mental or physical helplessness or incapacity; (iv) consent must be ongoing throughout a sexual activity and can be revoked at any time; (v) within each sexual encounter, there may be separate individual sexual acts involved. Consent to one act by itself does not constitute consent to another act; (vi) consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another; (vii) lack of protest or resistance does not mean consent; and (viii) silence does not mean consent has been granted.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant'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. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of Domestic Violence.

Domestic Violence: Violence committed by a current or former spouse or intimate partner of the Complainant; by a person with whom the Complainant shares a child in common; by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner; by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Florida; By any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Florida.

Sexual assault: Includes Sex Offenses, Forcible or Nonforcible.

Sex Offenses, Forcible: Any sexual act directed against another person, without the consent of the Complainant including instances where the Complainant is incapable of giving consent. Includes Forcible Rape, Forcible Sodomy, Sexual Assault with an Object, and Forcible Fondling.

Forcible Rape: 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 Complainant.

Forcible Sodomy: Oral or anal sexual intercourse with another person, forcibly and/or against that person's will or not forcibly or against the person's will (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

Sexual Assault with an Object: To use an object or instrument to penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will or not forcibly or against the person's will (non-consensually) in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

Forcible Fondling: The touching of the private body parts of another person (buttocks, groin, breasts) for the purpose of sexual gratification, forcibly and/or against that person's will (non-consensually) or not forcibly or against the person's will in instances where the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

Sex Offenses, Nonforcible: Nonforcible sexual intercourse, including Incest and Statutory Rape.

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

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

Sexual harassment: Conduct on the basis of sex that satisfies one or more of the following: (i) an employee of FEI conditioning the provision of an aid, benefit, or service of FEI on an individual's participation in unwelcome sexual conduct; or (ii) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to FEI's educational program or activity.

Stalking: 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. For the purposes of this definition, 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 Complainant; and substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Minimizing Risk

Throughout this report, Florida Education Institute suggests ways to help minimize the risk of becoming a victim of criminal acts, including sexual offenses. These suggestions for risk reduction are not meant in any way to attribute blame to victims, but to provide an educational basis for identifying the signs of abuse. A perpetrator's actions should never be excused or overlooked because of a victim's behavior or judgments.

Engaged Bystander Intervention

Bystanders are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, and/or do something about it. A bystander is someone who is present and thus potentially in a position to discourage, prevent or interrupt an incident. Engaged bystander intervention is the act of feeling empowered and equipped with the knowledge and skills to effectively assist in the prevention of sexual violence. Bystander intervention does not have to jeopardize the safety of the bystander.

Florida Education Institute is an advocate for bystander intervention when it is conducted in a positive and safe manner and when it is executed to prevent harm in the event of potential domestic violence, dating violence, stalking or sexual assault on a person other than the bystander. Knowing how and when to intervene may be dependent in part on recognizing the situation as an emergency or non-emergency. A potential bystander can use the following steps to help decide if and how to intervene:

5 Decision Making Steps

1. Observing the event
2. Interpreting the event as a problem
3. Assuming personal responsibility
4. Knowing how to intervene
5. Implementing the intervention

Strategies If There Appears to be an Emergency Situation

Something to remember in a perceived emergency situation is not to take any action that may escalate the situation or put you or the victim in danger. You can decide to intervene directly (you are the primary helper) or indirectly (you enlist someone else to be the primary helper, e.g. the police, other students, school administrators, etc.). Whichever way you decide on how to intervene, remember to keep the person calm, gather as much information as you can, consider all options, and provide support. The following strategies are not meant to be all inclusive and may not apply in every situation, but are being providing as effective strategies for intervention in an emergency situation:

- Identify the best exit strategies for those involved to get out of the situation. If prudent, create a distraction to potentially allow the victim to get to a safe place.
- State any and all requests clearly and directly.
- Consider all actions before intervening and choose the safest methods.
- Remember that verbal fights can quickly escalate to physical fights. If this happens, it is sometimes better to walk away and not try to be a hero.
- Act quickly but safely before a problem turns into a larger problem or crisis.
- Vocalize your commitment to help and engage other bystanders, as needed.
- Consider your personal exposure or liability regarding actions you know about which are criminal.
- If it is not safe for you to intervene directly, call 9-1-1.

Strategies in a Non-Emergency Situation

Similar to intervening in an emergency situation, a bystander can decide whether to act directly or indirectly as the best approach in a non-emergency situation. A direct intervention is speaking to the person directly, and an indirect intervention is speaking to another person who could be helpful or provide guidance, such as another student or a school employee. Again, the following strategies are not meant to be all inclusive and may not apply in every situation, but are being providing as effective strategies for intervention in a non-emergency situation:

- When evaluating the situation, remember to consider the frequency, duration and severity of the actions.
- Always be sensitive, understanding and non-judgmental.
- Recognize what you can and cannot do to help and engage others as needed.
- Identify the “red flags” and anticipate problems in advance of them happening.
- Create a distraction to delay or avoid a situation before it turns into an emergency.
- Do not make excuses for (or otherwise enable) the other person – hold strong to your beliefs regarding the situation.
- Hold any and all conversations in a safe environment.

For more information on bystander intervention, please visit the following helpful resources:

1. Step UP!, a bystander intervention program - <http://stepupprogram.org/>
2. The National Sexual Violence Resource Center - <https://www.nsvrc.org/projects/engaging-bystanders-sexual-violence-prevention/bystander-intervention-resources>
3. Sexual Violence Bystander Intervention Toolkit - <https://www.health.ny.gov/publications/2040.pdf>
4. The Rape, Abuse and Incest National Network (RAINN) - <https://www.rainn.org/articles/your-role-preventing-sexual-assault>
5. No More - <http://nomore.org/take-action/preventviolence>

Signs of Stalking

Stalking is a form of emotional abuse which may lead to physical and/or sexual abuse, and may be perpetrated by an acquaintance, friend, past or current spouse or significant other, or by a stranger. The following examples may be indicators that you are being stalked:

- You receive repeated, unwanted, intrusive, and/or frightening communications from the perpetrator by phone, text message, email and/or mail
- An individual repeatedly leaves or sends you unwanted items or gifts
- An individual wait for you at places such as your home, school, place of employment, or other places you frequent
- You are receiving threats of harm to you personally, your children, relatives, friends, and/or pets
- You experience damage to your home, vehicle or other personal property
- You are being harassed, defamed and/or monitored through social media

This list is not meant to be all-inclusive but can provide examples to help you determine whether you or someone you know is being stalked. If so, please contact a CSA at your campus or seek other resources and support for help.

Examples of Domestic and Dating Violence

Acts of domestic or dating violence can take on many different forms of abuse, among them being the following:

- **Sexual Abuse:** Coercing or attempting to coerce any sexual contact or behavior without consent. This includes, but is not limited to, rape, attacks on sexual parts of the body, forcing sex after physical violence has occurred or treating one in a sexually demeaning manner.
- **Physical Abuse:** Slapping, hitting, grabbing, shoving, pinching, biting, hair pulling, etc. are all types of physical abuse. This type of abuse can also include denying a partner medical care or forcing alcohol and/or drugs use upon him or her.
- **Emotional Abuse:** Undermining an individual's sense of self-worth and/or self-esteem is abusive. Emotional abuse may include, but is not limited to, constant criticism, diminishing one's abilities, name-calling, or damaging one's relationship with his or her children.
- **Economic Abuse:** Making or attempting to make a person financial dependent by maintaining complete control over financial resources, withholding one's access to money, or preventing an individual's attendance at school or employment.
- **Psychological Abuse:** Elements of psychological abuse include but are not limited to causing fear by intimidation; threatening physical harm to self, partner, children, or partner's family or friends; destruction of pets and property and forcing isolation from family, friends or school and/or work.

The following scenarios may be indicators that domestic or dating violence is occurring or may lead to instances of violence or abuse:

- Your spouse or significant other checks up on you constantly by calling or texting you and becomes anxious when he or she does not know your whereabouts
- You feel isolated from your friends or family members because your spouse or significant other is demanding of your time and acts jealous when you talk to or spend time with others
- A person you are dating becomes possessive and gets too serious about the relationship too quickly
- A spouse or significant other expects or demands sexual contact when you are not interested or not willing to engage
- Your spouse or significant other constantly demeans you by putting you down or calling you names
- Your spouse or significant other threatens violence and/or abuses you physically, verbally and/or sexually
- Your spouse or significant other does not accept responsibility for his or her actions
- You discover someone is obtaining personal information about you by accessing public records, using internet search services, hiring private detectives, rummaging through your trash, contacting your friends, family, co-workers, neighbors, etc.

While understanding the signs of abuse and taking measures to reduce the risk of abuse may be steps to help explain the context of violence and may act as a deterrent, it can never be used to place blame on the victim or guarantee that violence will not occur. It is important to remember that when violence or abuse occurs, the perpetrator, not the victim, is responsible for his or her actions, and the victim's judgement or behavior is never an excuse for those actions.

If you have been a victim or believe you might become a victim of domestic or dating violence, taking the following proactive measures may help increase your safety:

In the home

- Know where and/or from whom to get help, and memorize and/or program emergency phone numbers
- Plan your escape route when needed, and ensure all other inhabitants know it
- Pack a bag with cash, keys, and important documents and have it accessible in case you have to leave your home quickly

Outside the home

- Vary your travel routes and shop and bank at different places, if possible
- Keep your cell phone with you and ensure 9-1-1 is programmed, along with any other emergency numbers
- Provide a picture of your abuser to friends and co-workers
- Avoid going to lunch alone

In an Emergency Situation

- If you are able to, dial 9-1-1 immediately
- If in your home, stay away from the kitchen, as the abuser may easily obtain a weapon (i.e., a knife)
- Get to a lockable room which has a phone and a window or door to escape
- If you can escape, make a lot of noise and run to a nearby trusted neighbor for help

General Strategies to Help Prevent Sexual Assault or Other Violent Crimes

The following are proactive measures an individual can take which may minimize the risk of you becoming the victim of sexual assault and may help contribute to the overall safety and security of your campus community:

- Use a “buddy” system and avoid walking alone, especially at night. Travel in well-lit areas and in pairs or a group, if possible. Avoid deserted areas and shortcuts.
- Let family and friends know where you are going, your method of transportation, and when you will return.
- Never hitchhike or get in a stranger’s car.
 - Avoid excessive alcohol consumption, which may impair judgment, especially in unfamiliar surroundings or situations. Additionally, to that end:
 - Be aware of rape drugs.
 - Do not leave your drink unattended and keep track of how many drinks you have had.
 - Only drink from un-opened containers or from drinks you have watched being made and poured.
 - Avoid group drinks like punch bowls.
 - If you feel extremely tired or drunk for no apparent reason, you may have been drugged.
 - Find a friend and have him/her help you leave as soon as possible.
 - If you feel you have been drugged, get to a hospital to be tested.
- Always lock your door when you are home or away.
- Always lock your vehicle and keep your keys with you at all times.
- When possible, leave items of value at home.
- If you need to have valuables with you, never leave them visible in your vehicle.
- Avoid being distracted (talking on your cell phone, texting, etc.) when walking through parking lots or in other public areas.
- Do not leave personal property unattended in classrooms, labs, or in the student lounge.
- If you feel unsafe or threatened, contact the Front Desk Receptionist or a designated CSA, or **dial 9-1-1**.

Although the steps listed above cannot guarantee that criminal activity will not occur, they may serve as deterrents and reduce the risk of crime occurring.

Policy on Retaliation

Florida Education Institute believes strongly that students and employees have the right to be free from retaliation and intimidation in any form. To that end, Florida Education Institute and its administration will not allow for intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation and will not be allowed.

The Institution will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to the Institution's grievance procedures for sex discrimination. Any student or employee who is experiencing retaliation and/or intimidation should report this immediately to the Title IX Coordinator, the Human Resources Department, a Campus Security Authority, or to a member of the Corporate Security Team as identified in this Annual Security Report.

Policy on Voluntary Reporting

Florida Education Institute encourages any victim of sexual assault, domestic violence, dating violence or stalking to notify law enforcement immediately; however, the ultimate decision to do so and/or when to do so must reside with the victim. All victims have the right to deny assistance from or involvement with law enforcement. If a victim does decide to report the crime to law enforcement, the following one of two things can happen:

1. The victim can file a complaint but request not to have charges filed against the accused perpetrator(s). The decision to file charges can be made at a later time, but depending on the amount of time that passes, evidence may be lost or unusable. Therefore, it is important that victims cooperate fully with any ongoing investigation and have a rape kit completed (if rape was involved) so that the chances for filing criminal charges in the future are greater, if so desired.
2. The victim can file a complaint and press charges immediately. This would involve full cooperation with law enforcement and the prosecutor's office to determine if the accused perpetrator can and will be charged criminally.

In addition to reporting the crime to law enforcement, victims should report these crimes to either or to both of the following Institution officials:

Janet Rodriguez
Human Resources Manager/Title IX Coordinator
5818 SW 8 Street
Miami, FL 33144
(305) 263-9990
(305) 733-0176 or admin@fei.edu

Barbara Valenti
Business Office Manager

5818 SW 8 Street
Miami, FL 33144
(305) 263-9990
(305) 801-2624 or admin@fei.edu

Any person may report sex discrimination or sexual harassment (including sexual assault, domestic violence, dating violence, and stalking) in person, by mail, by telephone, or by email using the contact information above. The report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office addresses listed above. The Institution will assist by providing options for outside resources, pursuing an investigation, and/or conducting applicable disciplinary proceedings/actions.

Crime Awareness and Prevention Program

The previous sections of this report contain policies and procedures which are designed to inform students and employees about campus security and to encourage and promote responsibility for their own security and the security of others. Employees and students are made aware of all services Florida Education Institute provides during their respective orientations, in the Institution catalog, in student and employee handbooks, and in FEI's policies and procedures, which includes this security report distributed annually and available to all students and employees 24 hours a day, 7 days a week. Florida Education Institute's crime awareness and prevention program consists of promoting campus community awareness; providing suggestions and methods to minimize the risk of campus crime and violence; providing applicable resources to assist victims of crime; publishing crime statistics on an annual basis in the Annual Security Report; and ensuring that applicable investigations and disciplinary proceedings are conducted in the event of a crime occurring. Through the administration of this program, the Institution is committed to cultivating and providing an environment that is free of criminal activity and maintains a zero-tolerance policy for criminal activity and sexual assault. In addition, the Institution feels strongly that increased safety and security can be achieved through the efforts of the entire campus community.

Program to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking

Florida Education Institute's program includes community-wide awareness and is focused on the prevention of domestic violence, dating violence, sexual assault and stalking. In accordance with Clery Act requirements, the program is culturally relevant; inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and considers environmental risk and protective factors as they occur on the individual, relationship, Institutional, community and societal levels.

As stated above, FEI's program consists of primary prevention and awareness programs for all incoming students and new employees and provides for ongoing reinforcement and continual training opportunities for both students and employees. The components of this program are described throughout this Annual Security Report and consist of the following components:

1. FEI's assertion that crimes of domestic violence, dating violence, sexual assault and stalking are strongly prohibited.
2. Definitions of domestic violence, dating violence, sexual assault, stalking, and what constitutes consent, including applicable definitions under local jurisdiction (states of Arizona and New Mexico).
3. Affirmation of FEI's support for safe and positive bystander intervention and providing effective strategies and relevant resources.
4. Signs of domestic abuse, dating abuse, sexual assault and stalking to help students and employees identify when it could be happening to them.
5. Strategies to reduce the risk of becoming a victim of sexual assault or other violent crimes.
6. Procedures that victims should follow in the event of domestic abuse, dating abuse, sexual assault and/or stalking.
7. Efforts made by Florida Education Institute to protect the confidentiality of victims and other applicable parties.

8. Current listing of applicable online and off-campus resources, categorized by location, for local law enforcement, emergency services, legal assistance, victim advocacy, restraining orders, and other services available for victims of sexual assault and/or abuse.
9. Options for assistance with protective orders and changes to living, working, transportation and school situations and schedules.
10. Procedures for applicable investigations and/or disciplinary actions in cases of alleged domestic violence, dating violence, sexual assault and stalking.

Primary Prevention and Awareness Program

To promote ongoing prevention and awareness for students and employees, informational notices are posted on campus bulletin boards and email blasts and/or social media posts are provided as applicable.

If You Are a Victim of Sexual Assault or Domestic Violence

If you become the victim of a sexual assault or domestic violence, you should consider calling the police and seeking medical attention immediately. Additionally, if you fear for your safety or others around you, filing a protective order may be a good idea. We also encourage victims to report the offense to a CSA who will coordinate with Florida Education Institute's Title IX Coordinator to provide you with support and resources, including assistance with notifying local law enforcement authorities, if so desired.

It is important to remember that being the victim of a sexual assault or domestic violence is not your fault. Nothing in what you said, the way you looked, where you were, or who you were with gives anyone the right to assault you. But regardless of this not being your fault in any way, you may still be feeling afraid, ashamed, angry, sad, helpless, betrayed or depressed. For this reason, it is important for you to seek help immediately after the attack and in the days and weeks following. The following are some things you can do if you have been sexually assaulted:

- If you are in danger or need medical care, call 9-1-1. If you can, get away from the person who assaulted you and get to a safe place as fast as you can.
- Save everything that may have the attacker's DNA on it. Do not brush, comb or clean any part of your body. Do not change clothes, if possible. Do not touch or change anything at the scene of the assault. That way the local police will have physical evidence from the person who assaulted you.
- Go to the nearest hospital emergency room as soon as possible, where you can be examined and treated for any injuries. In case of rape, you can be given medication to prevent HIV and other sexually transmitted infections and emergency contraception to prevent pregnancy. A doctor or nurse will use a rape kit to collect evidence which may include fibers, hair, saliva, semen or clothing left behind by the attacker.
- If you think you were drugged, talk to the hospital staff about being tested for date rape drugs, such as Rohypnol, Gamma Hydroxybutyrate (GHB), and other drugs.
- Call a friend or family member you trust or call a crisis center or hotline to help you find support and resources near you.

Some online and off-campus resources to help prevent sexual assault and/or to help you in the event of sexual assault or domestic abuse are included on the next page.

Online Resources:

1. The Rape, Abuse and Incest National Network (RAINN) is the nation's largest anti-sexual assault organization. The following strategies are recommended by RAINN to reduce potential risk:
 - a. Steps you can take in a social situation to prevent sexual assault <https://rainn.org/articles/steps-you-can-take-prevent-sexual-assault>
 - b. Safety planning <https://www.rainn.org/articles/safety-planning>

- c. How to respond if someone is pressuring you <https://www.rainn.org/articles/how-respond-if-someone-pressuring-you>
 - d. Staying safe on campus <https://www.rainn.org/articles/staying-safe-campus>
 - e. Your role as a bystander in preventing sexual assault <https://rainn.org/articles/your-role-preventing-sexual-assault>
 - f. What consent looks like <https://rainn.org/articles/what-is-consent>
 - g. Protecting a child from sexual assault <https://rainn.org/articles/how-can-i-protect-my-child-sexual-assault>
2. The United States Department of Justice <https://www.justice.gov/ovw/sexual-assault>
 3. Next Door Solutions to Domestic Violence <http://www.nextdoor.org/>
 4. The National Domestic Violence Hotline operates 24 hours a day, seven days a week, is confidential and free of cost, and provides lifesaving tools and immediate support to enable victims to find safety and live lives free of abuse:
 - a. Help for Survivors <http://www.thehotline.org/help/help-for-survivors/>
 - b. Path to Safety <http://www.thehotline.org/help/path-to-safety/>
 - c. Survivor Stories <http://www.thehotline.org/about-us/share-your-story/>
 - d. Moving on Emotionally After an Abusive Relationship <http://www.thehotline.org/2012/05/emotionally-recovering-from-an-abusive-relationship/>

Protective Orders

Florida Education Institute complies with state laws with respect to orders of protection, “no contact” orders, restraining orders, or similar lawful orders. A student who obtains a protective order should immediately provide a copy to a Campus Security Authority (employees should provide a copy to their direct supervisor and/or to Human Resources). The Campus Security Authority, in collaboration with the Title IX Coordinator, will develop a plan to ensure the provisions of the order are followed. This may include but is not limited to: changing classroom location and/or seating within the classroom; special parking arrangements, increased patrol services; and escorts.

An Emergency Protective Order can help protect a victim of abuse, sexual harassment, or stalking. This type of protective order is available 24 hours a day through your local police department. Other protective orders can be applied for through the court systems within your local county. The Institution cannot apply for a legal order of protection, “no contact” order or restraining order for a victim or on his/her behalf. Victims are required to apply directly for these services on their own behalf. However, the Institution will abide by the requirements of the order to help ensure the victim’s safety.

Confidentiality

Florida Education Institute is committed to protecting the confidentiality of the victim in either the presence or absence of a victim’s request for confidentiality. Personally identifiable information (PII) will not be included in any publicly available records, including Clery Act reporting, the Institution’s Annual Security Report, or in any Timely Warning Notices that could be issued. Per Section 40002(a) of the Violence Against Women Act of 1994, “personally identifiable information” (PII) is defined as “individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault or stalking, regardless of whether the information is encoded, encrypted, hashed or otherwise protected, including: a first and last name; a home or other physical address; contact information (including a postal, email or Internet protocol address, or telephone or fax number); a social security number, driver’s license number, passport number or student identification

number; and any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.”

The Family Educational Rights and Privacy Act (FERPA) allows schools to disclose “directory” information without the student’s consent. For Florida Education Institute, “Directory Information” is defined as student’s name, identification number, program name, address, email address, telephone number, date and place of birth, honors and awards, enrollment status, most recent previous educational Institution attended, and dates of attendance. At any time, all students have the right to “opt out” of allowing the Institution to share this directory information. However, regardless of whether a student has opted out or not opted out, personally identifiable information (PII) about the victim and other applicable parties will be treated as confidential and only shared with individuals who have a specific need-to-know reason, such as individuals who are conducting an investigation and/or disciplinary proceedings or those involved in providing support services to the victim, such as accommodations and protective measures. To that end, the Institution will maintain as confidential any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the Institution to provide the accommodations or protective measures.

Students may opt out of allowing the Institution to share Directory Information at any time by contacting the Registrar.

Options for Supportive Measures and Complainant’s Rights

Upon receipt of a report of alleged domestic violence, dating violence, sexual assault and/or stalking on or off campus, Florida Education Institute is obligated and will provide the complainant with written documentation regarding his/her rights and options and written notification regarding supportive measures available to him or her, including academic, living, transportation and work situations. This written notification will include information regarding supportive measures, available assistance in making requests for supportive measures, and who to address requests to. At the complainant’s request and to the best of the Institution’s ability, Florida Education Institute will provide the complainant and/or the respondent with appropriate supportive measures. If possible and reasonably available, the parties may be offered changes to academic, living, working or transportation situations regardless if the complainant files a formal complaint or reports the alleged crime to local law enforcement. Examples of supportive measures may be to transfer a student to a different cohort group or withdrawing and re-enrolling if there is no option for moving to a different cohort group or different campus. A supportive measure regarding a work situation may be changing a person’s hours or transferring to another department. A supportive measure for transportation may be arranging for special parking or having the complainant escorted to and from his/her car. A complainant or respondent who wishes to request supportive measure(s) should contact the Title IX Coordinator, a Campus Security Authority, and/or the Human Resources Department.

Below are procedures the Institution will follow upon receiving a report of domestic violence, dating violence, sexual assault and stalking:

1. The Institution will help provide the complainant with access to medical care, as needed and requested by the complainant.
2. The Institution will assess the immediate safety needs of the complainant.
3. The Institution will provide the complainant with written contact information for the local authorities and will help the complainant contact the authorities at the complainant’s request.
4. The Institution will provide written information on how to preserve evidence, if any.
5. The Institution will provide the complainant with written documentation regarding the services of Well Connect, a referral and counseling services available to all students.
6. As stated above, the Institution will determine if any immediate supportive measures need to be implemented and will maintain confidentiality of these measures to the extent that maintaining such confidentiality would not impair the ability of the Institution to provide the supportive measures. These supportive measures may include:
 - i. Counseling referrals
 - ii. Deadline extensions or other academic adjustments

- iii. Modification of work or class schedules
 - iv. Campus escort services
 - v. Mutual restrictions on contact between the parties
 - vi. Leaves of absence
 - vii. Increase security and monitoring of certain areas of the campus
7. The Institution will provide written information on how to obtain a protective/restraining order through the respective court system (or an Emergency Protective Order through local authorities).
 8. The Institution will provide the complainant with written documentation regarding his/her rights and options.
 9. The Institution will provide the complainant with written documentation regarding the investigation and disciplinary proceedings which will be conducted as a result of the report.

Grievance Process to Address Title IX Sexual Harassment Complaints

Florida Education Institute maintains a grievance process which treat complainants and respondents equitably by providing resolution to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following a grievance process before imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Institution’s process is designed to enable the restoration or preservation of equal access to the Institution’s education program or activity. Such resolution may include the supportive measures listed in this document and/or may be punitive or disciplinary, without regard to burdening the respondent, as applicable. The investigation will include an objective evaluation of all relevant evidence, and credibility will not be pre-determined based on a person’s status as complainant, respondent or witness.

Individuals designated by the Institution to conduct an informal resolution process, which includes the Title IX Coordinator, investigator(s), and decision-maker(s), will not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Additionally, all individuals involved in the resolution process receive training on the definition of sexual harassment, the scope of the recipient’s education program or activity, how to conduct an investigation and grievance process, and how to perform impartially, which includes not prejudging the facts at issue, no conflicts of interest, and no bias. The Institution ensures that decision-makers receive applicable training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant. The Institution also ensures that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. Materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process does not rely on sex stereotypes and promotes impartial investigations and adjudications of formal complaints of sexual harassment.

Other elements of the Institution’s grievance and informal resolution process include the following:

- The Institution will not presume that the respondent is responsible for the alleged conduct prior to a determination being made at the conclusion of the grievance process.
- The Institution strives to complete all resolution proceedings, including the investigation, formal and informal meetings, hearing, and sanctions, as applicable, within sixty (60) calendar days of receiving a report. However, there is an allowance for extensions of timeframes for good cause, as necessary, and in that instance, written notice will be provided to the complainant and the respondent announcing the delay and the reason for it. Good cause may include considerations such as the absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.
- The Institution uses the “preponderance of evidence” standard of evidence to determine whether the respondent has violated the Institution’s policies. Use of this standard is irrespective of whether the respondent is a student or employee and is used consistently in all formal complaints of sexual harassment.
- Disciplinary actions for employees may include, but are not limited to, verbal warnings, letters of reprimand, suspension with or without pay, and termination. Such disciplinary actions for students may range from counseling to suspension and/or expulsion.
- Both the complainant and the respondent will be provided with written documentation of his/her right to appeal the decision and/or the sanction imposed. The appeal must be based on either a process error or based on new information/evidence which is introduced. Appeals must be made within 5 days of the original decision and should be directed to the Title IX Coordinator at admin@fei.edu.

- The Institution will not rely upon or use questions or evidence which constitute, or seek disclosure of, information protected under a legally recognized privilege unless the person holding such privilege has waived the privilege.

Providing Notice of Allegations

Upon receipt of a formal complaint, the Institution will provide notice of the Institution's grievance process to all known parties, including the allegations of sexual harassment potentially constituting sexual harassment and including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice will confirm that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process. The written notice will also inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and that the parties may inspect and review evidence. Parties will also be reminded of the Institution's Code of Conduct which prohibits knowingly making false statements or knowingly submitting false information during the grievance process. During the course of the investigation, if the Institution decides to investigate allegations about the complainant or respondent which are not included in the original notice, the Institution will notify the parties of the additional allegations.

Dismissal of a Formal Complaint

The Institution will investigate the allegations in a formal complaint; however, if the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the Institution's education program or activity, or did not occur against a person in the United States, then the Institution will dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX. Dismissal of a formal complaint for these reasons does not preclude action under another provision of the Institution's Code of Conduct.

The Institution may also dismiss the formal complaint or any allegations contained therein if at any time during the investigation or hearing: (1) a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations contained therein; (2) the respondent is no longer enrolled or employed by the Institution; or (3) specific circumstances prevent the Institution from gathering evidence sufficient to reach a determination as to the formal complaint or allegations contained therein. Upon any dismissal, the Institution will provide prompt written notification of the dismissal and the reason(s) for the dismissal action.

Consolidation of Formal Complaints

The Institution reserves the right to consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Investigation of a Formal Complaint

During an investigation of a formal complaint, the Institution will ensure the following:

- The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility will rest on the Institution and not on the parties, provided that the Institution cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the Institution obtains that party's voluntary, written consent to do so for a grievance process.
- Both parties will be provided with equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory evidence (usually favorable to the complainant) and exculpatory evidence (usually favorable to the respondent).

- The Institution will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
- Both parties will be provided with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding. The Institution, however, may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
- The Institution will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
- The Institution will provide both parties with an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the Institution does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
- Prior to completion of the investigative report, the Institution will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report. The Institution will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.
- The Institution will ensure the creation of an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a hearing (if a hearing is required under this section or otherwise provided) or other time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

Hearings

The Institution's grievance process allows for a live hearing, as applicable. The following outlines the Institution's process when conducting a hearing:

- At the live hearing, the decision-maker(s) will permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including that challenging credibility. Such cross-examination at the live hearing will be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally, notwithstanding the discretion of the Institution to otherwise restrict the extent to which advisors may participate in the proceedings.
- At the request of either party, the Institution will provide for the live hearing to occur with the parties located in separate rooms with technology enabling the decisionmaker(s) and parties to simultaneously see and hear the party or the witness answering questions.
- The Institution will ensure that only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
- If a party does not have an advisor present at the live hearing, the Institution will provide without fee or charge to that party, an advisor of the recipient's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.
- Questions and evidence about the complainant's sexual predisposition or prior sexual behavior will be deemed not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the

questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

- If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) will not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.
- Live hearings may be conducted with all parties physically present in the same geographic location or, at the recipient's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other. In this case, the Institution will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.

Determination Regarding Responsibility

Upon conclusion of the hearing, the appointed decision-maker(s) will issue a written determination regarding responsibility. To reach this determination, the Institution will apply the "preponderance of evidence" as the standard of evidence. The written determination will include:

- 1) identification of the allegations potentially constituting sexual harassment;
- 2) a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- 3) the findings of fact supporting the determination;
- 4) conclusions regarding the application of the Institution's Code of Conduct to the facts;
- 5) a statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the Institution imposes on the respondent, and whether resolution designed to restore or preserve equal access to the Institution's education program or activity will be provided by the Institution to the complainant; and
- 6) the Institution's procedures and permissible bases for the complainant and respondent to appeal. The Institution will provide the written determination to the parties simultaneously.

The determination regarding responsibility becomes final either on the date that the Institution provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely. The Institution's Title IX Coordinator will be responsible for the effective implementation of any resolution measures.

Right to Appeal

The Institution provides both parties with the opportunity to appeal a determination made regarding responsibility and the Institution's decision to dismiss a formal complaint or any allegations therein on the following bases:

- An irregularity or irregularities which affected the outcome of the matter;
- New evidence which was not reasonably available at the time the determination regarding responsibility or the dismissal was made which could affect the outcome of the matter;
- An individual or individuals involved in the resolution process and/or hearing (Title IX Coordinator, investigator, decision-maker, etc.) had a conflict of interest or bias for or against the complainant(s) or respondent(s) which affected the outcome of the matter.

In addition to the above-listed bases, the Institution may offer an appeal equally to both parties based on additional factors, as applicable.

Regarding all appeals, the Institution will:

- Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- Ensure that the decision-maker(s) for the appeal is not the same decision-maker(s) who reached the initial determination regarding responsibility, and that the decision-maker(s) for the appeal is not the Title IX Coordinator or the investigator(s);
- Ensure that the decision-maker(s) for the appeal complies with all of the procedures as set forth in this section;
- Provide both parties with a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- Provide a written decision simultaneously to both parties describing the appeal results and the rationale for the decision.

Informal Resolution Process

The Institution will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment. Additionally, the Institution will not require the parties to participate in an informal resolution process and will not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility, the Institution may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the Institution provides to the parties a written notice disclosing: the allegations; the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared. Additionally, the Institution will obtain the parties' voluntary, written consent to the information resolution process. However, the Institution will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Recordkeeping Policy

The Institution will maintain records for a period of no less than seven (7) years consisting of the following:

- Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript, any disciplinary sanctions imposed on the respondent, and any resolution provided to the complainant designed to restore or preserve equal access to the Institution's education program or activity;
- Any appeal and the result;
- Any informal resolution and the result;
- All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The Institution has made these training materials publicly available on its website;
- Records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

In each instance, the Institution will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the Institution's education program or activity.

If the Institution does not provide a complainant with supportive measures, the Institution will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. However, the documentation of certain bases or measures does not limit the Institution in the future from providing additional explanations or detailing additional measures taken.

SEX OFFENSE POLICY SEXUAL PREDATOR NOTIFICATION

Florida Education Institute (also referred to as “FEI” or “Institution”) herein sets forth its Sex Offense Policy and provides sexual predator/offender notification to strongly indicate its opposition to sexual harassment and identify the complete procedures available to victims whether staff members, employees or students as well as disciplinary penalties which could be imposed for sexually harassing conduct or behavior.

Sexual Assault Prevention

Students and employees are urged to be cognizant of situations which might put them in danger of sexual assault, such as walking out to dark parking lots by themselves, waiting in an unlit area for public transportation by themselves or even working alone at the School late in the evening. In particular, female staff members and female students should not work by themselves at the School and should travel in groups as often as possible when going to public transportation or going to their automobile. Any staff member who is aware of a situation which could give rise to the risk of sexual assault should bring the situation to the attention of the Campus Director and/or President.

Sexual Harassment

Sexual harassment is illegal under federal, state and local laws. It is defined by the Equal Employment Opportunity Commission (EEOC) as any unwelcome sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature when:

- Submission to the conduct is made either explicitly or implicitly a term or condition of an individual’s employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; or
- The conduct has the purpose or effect of unreasonably interfering with the individual’s performance or of creating an intimidating, hostile or offensive working environment.

The types of behaviors that constitute sexual harassment may include, but are not limited to:

- Unwelcome sexual flirtations, advances or propositions;
- Derogatory, vulgar, or graphic written or oral statements regarding one’s sexuality, gender or sexual experience;
- Unnecessary touching, patting, pinching or attention to an individual’s body;
- Physical assault; or
- Unwanted sexual compliments, innuendos, suggestions, or jokes; or the display of sexually suggestive pictures or objects.

It is important recognize that appropriate nonsexual touching or other nonsexual conduct does not necessarily violate this policy. In a school where we have programs that require hands-on instruction, there will be times when staff members and students must touch. Our desire is not to create a sterile or cold environment where individuals fear touching or speaking to each other. However, our desire is to create a comfortable and safe work environment for students, visitors, and staff members.

Sexual Harassment Guidelines:

- Sexual harassment includes any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature where tolerance of such actions is made a condition of employment, or which interferes with an individual's work performance or simply creates an intimidating, hostile or offensive School or work environment. It can include harassment between employees, between employees and students and between students.
- The creation of an intimidating, hostile or offensive learning (school) or working environment may include such actions as persistent sexual comments or the display of obscene or sexually oriented photographs or drawings. However, conduct or actions that arise out of a personal or social relationship and that are not intended to have a social relationship effect and that are not intended to have a discriminatory employment effect or discriminatory grading or treatment effect in the event of students, may not be viewed as harassment. The School discourages staff from seeking or becoming involved in relationships with students that exceed normal and usual educational relationships developed to promote the instructional process (see Non-Fraternization Policy). The School will determine whether such conduct constitutes sexual harassment, based on a review of the facts and circumstances of each situation.
- The School will not condone any sexual harassment of its employees or students. All employees, including supervisors, managers and students, will be subject to severe discipline, up to and including discharge, for any act of sexual harassment they commit.
- Employees or students who feel victimized by sexual harassment are encouraged to report the harassment to the Campus Director or President. If the Campus Director is the source of the alleged harassment, the employee should report the problem to the President of FEI. Twenty-four hours after reporting the harassment to the President, the person filing the complaint must provide a written account of the incident to the President. The President will give a preliminary report to the complainant within one (1) school day after receiving the written complaint and, in general, will inform the complainant and the accused of the School findings and possible actions within seven (7) days.
- The Campus Director who receives a sexual harassment complaint should (1) notify FEI's President and (2) carefully investigate the matter, questioning all employees (or students as appropriate) who may have knowledge of either the incident in question or similar problems. Both the complaint and the investigative steps and findings should be documented as thoroughly as possible. As much as possible, confidentiality will be maintained with respect to a sexual harassment complaint and only those who need to know about such a complaint will be advised of its existence. In the interest of being able to investigate the complaint in an unbiased atmosphere as possible, the person filing the complaint and the accused person shall not discuss the matter with FEI students or FEI personnel not involved in the incident other than the staff person doing the investigation.
- Employees or students who are dissatisfied with the Campus Director's resolution of a sexual harassment complaint may file a complaint with the President of FEI. No employee will be subject to

any form of retaliation or discipline for pursuing a sexual harassment complaint (see Retaliation Prohibited below).

Procedures to Be Followed When Reporting Offenses

1. When an alleged sex offense occurs at the School or the accused is a student or employee of the School, students or employees of the School must report such alleged sex offenses directly to the Campus Director, or if the alleged offense involves a Campus Director, directly to the President of FEI. *Employees are to follow the “Employee Reporting Options” in the Employee Manual.*
2. The Campus Director, upon request of the alleged victim, will notify law enforcement officials.
3. The Campus Director, will refer the alleged victim to appropriate counseling services, depending upon the nature of the offense.
4. The Campus Director, will (1) notify FEI’s President and (2) carefully investigate the matter, questioning all employees or students who may have knowledge of the incident. Both the complaint and the investigative steps will be documented as thoroughly as possible. As much as possible, confidentiality will be maintained with respect to the sex offense complaint and only those who need to know about such an incident will know of its existence.

Sanctions for Sex Offences

Aside from criminal penalties that employees or students may be subjected to for sex offenses, the School may take action based upon its own investigation of alleged sex offenses, and based upon the conclusion of its investigation may do one of the following to an alleged offender:

- Suspension for a period of time. In the event of an employee, the suspension may be with or without pay.
- Termination.
- Other disciplinary action.

Available Options in Living and Academic Arrangements

The School maintains no housing for either employees or students. Consequently, any change in living arrangements which would be desired by an alleged sex offense victim must be the responsibility of that individual. However, the School will assist students who are seeking alternate housing by providing recommendations or a source of appropriate housing recommendations.

An alleged victim will have an opportunity to request assistance in changing their academic situation. Possible alternatives include:

- Changing instructors.
- Changing to a different academic schedule if available.
- Withdrawal.

Disclosures to Alleged Victims

FEI will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the School against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, FEI will provide the results of the disciplinary hearing to the victim’s next of kin, if so requested.

Retaliation Prohibited

Any person who brings a claim or complaint of discrimination or harassment, or who assists in the investigation of such claim or complaint, will not be adversely affected in the terms and conditions of employment, or discriminated against or discharged because of the complaint or assistance. Complaints of such retaliation will be promptly investigated and, when warranted, the persons engaging in the retaliation conduct will be subject to disciplinary action up to and including termination.

Non-Fraternization

In order to promote the efficient operation of the Institute's business and to avoid misunderstandings, complaints of favoritism, other problems of supervision, security, morale, and possible claims of sexual harassment, employees are strongly discouraged from having romantic or sexual relationships with other employees. **In addition, all employees are prohibited from fraternizing or having personal relationships with students, including dating or sexual relationships.** Employees who violate this directive will be subjects to discipline, up to and including termination of employment.

Information Regarding Registered Sex Offenders

Information regarding registered sex offenders under section 170101 (j) of the Violent Crime Control and Law Enforcement Act of 1994 is available with the **Miami-Dade Police Department**, located at:

Miami-Dade Police Department
9101 NW 25 Street
Miami, Florida 33172

Additional information can be obtained by calling the police department at **305-595-6263**

or

Information regarding registered sex offenders under section 170101(j):

<http://www.miamidade.gov/police/predators-offenders.asp>

Sex Offender And Predator Registration Law (State Of Florida)

Per the State of Florida's "Sexual Offender and Predator Registration Law", licensed institutions are required to notify students of the existence of the Florida Department of Law Enforcement (FDLE) sexual predator and sexual offender registry website and toll free telephone number. We encourage students to read the information on this website. Student safety is always important to us.

FDLE Website: <http://offender.fdle.state.fl.us/offender/homepage.do>

FDLE Toll-Free Number: 1-888-357-7332 for TTY Accessibility- 1-877-414-7234

Sex Offender Registration-Nationwide Search

In an effort to provide this critical data to all students and employees nationwide, we offer the following from the U.S. Department of justice <http://www.nsopw.gov/en>

The Dru Sjodin National Sex Offender Public Website (Nsopw)

The NSOPW is a public safety resource that provides the public with access to sex offender data nationwide and is a partnership between the U.S. Department of Justice and state, territorial, and tribal governments.

NSOPW links public state, territorial, and tribal sex offender registries from one national search site at <http://www.nsopw.gov/en/Registry>. The public can utilize the website's search tool to identify location information on sex offenders residing, working, and attending school not only in their own neighborhoods but

in other nearby states and communities. In addition, the website provides visitors with information about sexual abuse and how to protect themselves and loved ones from potential victimization.

NSOPW's advanced search tool provides information about sex offenders through a number of search options:

- Search by name nationally or with an individual Jurisdiction
- Search by address (if provided by Jurisdiction)
- Search by zip code
- Search by county (if provided by Jurisdiction)
- Search by city/town (if provided by Jurisdiction)

NSOPW presents the most up-to-date information as provided by each Jurisdiction. Information is hosted by each Jurisdiction, not by NSOPW or the federal government. The search criteria available for searches are limited to what each individual Jurisdiction may provide. Search results should be verified by visiting the providing Jurisdiction's Public Registry Website for further information and/or guidance. For answers to frequently asked questions about NSOPW, visit their FAQ page.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Florida Education Institute (also referred to as "FEI" and "Institution") maintains an Emergency Response and Evacuation Procedures to assure the safety of the FEI campus community in the event of an emergency requiring evacuation. The Campus Director and the Director of Facilities and Operations are responsible for carrying out the safety procedures outlined herein.

FEI's Emergency Response and Evacuation Procedures are maintained on the institution's website consumer information page www.fei.edu/consumer-information/ and a hard copy can be made available to any member of the FEI community by submitting a request to the Campus Director at admin@fei.edu.

Campus Security Personnel

FEI maintains a Safety and Emergency Team (SET) for assuring the safety of all those associated to FEI and their security while on school premises. As a policy, SET members must include the Campus Director and President of the Florida Education Institute and key campus security personnel. SET provides guidance and resources for the creation and maintenance safety and emergency plans and procedures for the institution.

Basic Emergency Response Actions

As a basic principle of emergency response on campus, all calls for fire rescue, fire fighters, ambulance, police, or other emergency response shall be made immediately by **calling 9-1-1**.

In the event of an emergency or if alarm sounds, employees and students are instructed to leave their work/study areas and immediately vacate the building using the nearest exit. Some helpful things to remember in the event of an emergency evacuation are:

- Try to remain calm and do not panic.
- For multi-story campus locations, always remember to use the stairs.
- Never use the elevators in an emergency evacuation.
- To the best of your ability and without jeopardizing your own safety, help others who may need assistance.
- Leave everything that you cannot easily carry with you.
- Follow the posted evacuation procedures/routes.
- Do not re-enter the building unless it is deemed safe to do so by an authorized individual.

Evacuation and Exit Routes

Emergency evacuation procedures and exit routes are posted throughout campus buildings for everyone to follow in the event of an emergency requiring evacuation.

Emergency Response Exercises

Florida Education Institute tests the emergency response and evacuation procedures annually at each campus building through announced and coordinated exercises and/or drills. These exercises help to prepare employees and students for an orderly evacuation of campus building(s) in the event of an actual emergency; are used as a method to train building occupants on the safety issues specific to their campus building; and can help to familiarize building occupants with the exit locations and sound of the alarm. These exercises also provide for an opportunity to test the operation of the alarm system. Documentation of these exercises is maintained by SET, including a description of the event, the date it was held, and the time the event started and ended. The institution does not maintain student housing, and therefore, is not required to perform annual fire drills.

Emergency Notification Procedures

All members of the FEI campus community are urged to immediately **call 9-1-1** in case of any significant emergency or dangerous situation on campus.

Additionally, and especially in the event of an emergency that can be planned for in advance, the Campus Director will immediately contact the Safety and Emergency Team (SET) to report the emergency and confirm necessary action.

Unless such notification would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, SET, the Campus Director, or his/her designee will notify, without delay, the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate or impending threat to the health or safety of students or staff on campus.

This process includes:

- 1) Determining who to notify (the entire campus community or a subset, local public police and fire authorities, local law enforcement, other public safety personnel, etc.);
- 2) Determining the content of the notification(s); and
- 3) Initiating the notification process.

Emergency notifications will be made by using some or all, but not limited to, the following methods: fire alarms, emails, text messages, campus-wide announcements, in-person communications, posting on the internal Student Portal, and/or posting on the institution's website.

As a matter of reference, the decision to notify the entire campus community versus only a segment or segments of the campus community is dependent on whether there is at least the potential that a very large percentage of the campus community will be affected by the situation and/or if the situation threatens the operation of the campus as a whole. In situations where only a segment or segments of the campus community are notified, the institution will continue to assess the situation to determine if additional notification to other segments is warranted.

Notification to individuals and/or organizations outside the campus community may be warranted if it is determined that the immediate and/or ongoing threat stretches beyond the Clery geography identified in this report. The decision to notify the larger community will be determined by SET and may be performed as per the communications methods mentioned above.

What follows is a description of various emergency notification system and processes that can be used depending on the emergency:

Employee WhatsApp Text Alert System

This emergency text alert system allows quick and easy dissemination of information to the campus community in the event of an emergency through cell phones and email.

Emergency Communications System

Emergency sirens/horns available at strategic campus locations will be activated in the event of an emergency.

Employee Campus E-Mail Alert Message

E-mail alerts informs employees of present or imminent threats and directs all to take appropriate steps to maintain safety.

Other Communication Methods

If necessary, announcements could be made via:

1. Institutional Telephone System
2. Two Way Radios
3. Cellular Telephones
4. Voice Mail
5. Website Messages
6. Signage

Medical Emergency

- **Call 9-1-1**
- Provide your name, location, number of people injured, and description of the medical emergency.
- Give a call back number in case of dropped calls and stay on the phone for instructions.
- Attempt to contact a medical professional near by
- Do not move injured party
- Stay with the injured until help arrives

Fire

- **Call 9-1-1**
- When a fire alarm is activated, evacuation is mandatory.
- Evacuate the building immediately.
- Take personal belongings with you (keys, wallets, etc.)
- Follow instructions from supervisors, fire department, or the police
- Help those needing assistance to move from the area
- Do not re-enter the building until authorized to do so by authorized emergency personnel

Inclement Weather/Hurricanes/Tornado/Other

- Monitor local TV stations, radio stations, NOAA weather radio, etc.
- Be prepared to take shelter on the lowest level of the building
- Do not pull the fire alarm
- Stay away from windows
- Move to an interior hallway
- Wait for an all clear notification prior to returning to your work area or classroom
- If outdoors, lie in a ditch or low-lying area if there is no time to get indoors

Refer to Emergency Preparedness for Students and Employees at www.fei.edu/consumer-information.

Chemical Spill/Hazardous Materials Emergency

- **Call 9-1-1**
- Provide information on the type of chemicals (if known), size of the spill, and possible exposures

- Evacuate the area and the building based on instructions from emergency personnel
- The evacuated area should remain evacuated until an all clear indication is given by the appropriate authorities
- Do not leave the area as you may need to be decontaminated.

Armed Intruder

- **Call 9-1-1**
- The Front Desk at main campus is to push the emergency police call button
- In case of an immediate life-threatening event, each individual should take whatever actions are necessary to protect his or her own life
- If it is possible to flee the area safely and avoid danger, do so
- If unable to escape, lock (or barricade) all doors and secure yourself in a safe area
- Remain in place until an “all clear” is given by an authorized person or law enforcement officials

Refer to FEI’s Campus Security Policy at www.fei.edu/consumer-information for training videos and specific information.

Evacuation Count Procedures

If a building evacuation is required, all members of the Campus community (in each building) are to assemble outside of the building to facilitate a count. If the incident being confronted allows, assembly should be outside the building at a safe distance.

No Notification Procedures Required

As mentioned above, FEI does not maintain any student housing, and additionally, does not officially recognize any off-campus student organizations. Therefore, the institution does not maintain emergency and evacuation procedures for such facilities and does not maintain a Missing Student Notification Policy for such facilities.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

General Policy

The Family Educational Rights and Privacy Act (the Act) (20 U.S.C. § 1232g; 34 CFR Part 99) is a federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

The Act gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high-school level. Students to whom the rights have transferred are called "eligible students."

Parents or eligible students have the right to inspect and review the student’s education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.

Parents or eligible students have the right to request that a school correct records that they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

Educational Records

Education records are records maintained by the school that contain information that directly relates to the student. Examples are the student's academic, financial aid, and career services files. Education records may be maintained in electronic format. The only persons authorized to access education records are those with a legitimate administrative or academic interest. Schools are not generally required by FERPA to provide an eligible student with access to academic calendars, course syllabi, or general notices such as announcements of specific events or extra-curricular activities. That type of information is not generally directly related to an individual student and, therefore, does not meet the definition of an education record.

In addition, the following records are exempt from the Act:

- The financial records of the student's parents.
- Information about other students.
- Confidential letters of recommendation to which the student has waived his or her right to inspect.
- Employment records of students who are employed by Florida Education Institute.
- Records created or received after an individual is no longer a student and which do not directly relate to the individual's attendance as a student at Florida Education Institute.
- Grades on peer-graded papers not collected and recorded by an instructor.
- Records about students made by, and only accessible to, faculty and administrative personnel.

Review of Records

It is the policy of Florida Education Institute to periodically review education records to ensure that they do not contain information, which is misleading, inaccurate or otherwise inappropriate. Florida Education Institute may destroy records that it determines, in its sole discretion, are no longer useful or pertinent to the student's circumstances, and which Florida Education Institute is not legally required to maintain.

Directory Information

Directory Information means information contained in an education record of the student that would generally not be considered harmful or an invasion of privacy if disclosed.

Directory Information includes, but is not limited to:

The student's name, address(es), telephone number(s), date and place of birth, program in which enrolled, extracurricular activities, credentials, awards and recognition (i.e., honors) received, last school attended, dates of attendance (i.e. enrollment periods, not daily attendance records), and student or user ID number (other than social security number), but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity that are known or possessed only by the authorized user.

Directory Information may be unconditionally released without the student's consent, unless the student has specifically requested, in writing, that the information not be released.

Release Without Student Consent

The school may release a student's education records without written consent of the student to:

1. Other school officials who have a legitimate educational interest.
2. Other schools where the student has applied for admission.
3. Authorized representatives of the U.S. Department of Education, state and/or local education authorities, the Comptroller General of the United States, or the Attorney General of the United States.
4. Providers of financial aid (and services in connection therewith) for which the student has applied or received, including, without limitation, lenders, guaranty agencies, Veterans Administration, state vocational rehabilitation agencies, and collection agencies.
5. State and local authorities where required.
6. Accrediting agencies.
7. A parent (whether a maternal parent, guardian, or an individual acting as a parent in the absence of a parent or guardian) of a student who is a dependent of the parent for purposes of the Internal Revenue Code (the school is not required, however, to release such records).
8. Any court in which the student or a parent of the student initiates a legal action against the school, but only with respect to the students education records that are necessary for the school to defend itself.
9. Any court in which the school initiates a legal action against the student or a parent of the student, but only with respect to the student's education records that are relevant for the school to prosecute the legal action.
10. Any person pursuant to and in compliance with a judicial order or subpoena provided that a reasonable attempt is made to notify the student prior to compliance (unless the order or subpoena specifies that the student must not be notified).
11. Appropriate persons or agencies in the event of a health or safety emergency.
12. Organizations conducting studies to develop, validate and administer predictive tests, to administer student aid programs, or to improve instruction.
13. The public, if the school determines in its discretion, that the student as an alleged perpetrator has committed a Crime of Violence or a Non-forcible Sex Offense in violation of the Conduct policies of the school, but only the following information from the students education records: the students name, the violation committed, and any sanction imposed by the school on the student. A crime of violence means an act that would, if proven, constitute any of the following offenses or offenses to commit the following offenses: arson; assault offenses; burglary; criminal homicide, whether manslaughter by negligence, murder or non-negligent manslaughter; the destruction, damage or vandalism of property; kidnapping or abduction; robbery; or forcible sex offense. A non-forcible sex offense means an act that would, if proven, constitute statutory rape or incest.
14. The purported victim regardless of whether the school determines that the student, as an alleged perpetrator, committed a Crime of Violence or Non-forcible Sex Offense in violation of the Conduct policies of the school, but only the following information from the students education records: the students name, the violation committed, and any sanction imposed by the school on the student.
15. Any person, if the education records disclosed are Directory Information on the student.
16. The student or the student's parents if the student is less than 18 years old.
17. A parent of the student regarding the students violation of any federal, state or local law, or any rule or policy of the school concerning the use or possession of alcohol or a controlled substance, if the student is under the age of 21 and the school has determined that the student has violated the Conduct policies of the school with respect to that use or possession.
18. The United States Attorney General (or designee not lower than an Assistant Attorney General) pursuant to an ex parte court order concerning investigations or prosecutions of an offense listed in 18 U.S.C. 2332b (g) (5) (B) or an act of domestic or international terrorism as defined in 18 U.S.C. 2331.
19. The public, if the disclosure concerns an individual required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to the school under 42 U.S.C. 14071 and applicable federal guidelines.

Florida Education Institute has adopted a detailed Family Educational Rights and Privacy Act policy which is available to an eligible student upon request. Students may also review the FERPA regulations, frequently asked questions, significant opinions of the U.S. Department of Education's Family Policy Compliance Office (FPCO) and other information regarding FERPA at the following website: www.ed.gov/policy/gen/guid/fpc/index.html

Sexual Offender/Predator Notification

The Federal Campus Sex Crimes Prevention Act of 2000 (CSCPA) requires institutions of higher education to issue a statement advising the campus community where state law enforcement agency information concerning registered sex offenders may be obtained. Any member of the campus community who wants to obtain information regarding sexual offenders in the area may refer to <http://www.sexoffender.com> for the national registry. The CSCPA also requires registered sex offenders/predators to provide appropriate state officials with notice of each institution of higher education in that state at which the offender/predator is employed, carries on a vocation, or is a student.

Introduction to Annual Crime Statistics

Florida Education Institute maintains working relationships with local law enforcement authorities to help promote the direct reporting of any criminal activity which may endanger students or employees to FEI's campus. However, this direct reporting cannot be guaranteed or relied upon. To help ensure that Annual Crime Statistics Reports are accurate and comprehensive, the Institution proactively contacts local law enforcement authorities to obtain data on reportable offenses under the Clery Act. Data obtained from local law enforcement combined with data collected by each campus on Clery Incident Report forms comprise the Annual Crime Statistics Reports published by the Institution, which are in the pages that follow. Definitions of reportable offenses are included in the section immediately below which immediately precedes the statistics.

Definitions of Reportable Offenses under the Clery Act

1. **Murder and Non-negligent Manslaughter** – the willful (non-negligent) killing of one human being by another.
2. **Manslaughter by Negligence** – the killing of another person through gross negligence.
3. **Rape** – 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. Rape is a form of sexual assault. This offense includes the rape of both males and females.
4. **Fondling** – 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. Fondling is a form of sexual assault.
5. **Incest** – sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. Incest is a form of sexual assault.
6. **Statutory Rape** – sexual intercourse with a person who is under the statutory age of consent. The legal age of consent in the state of California is 18. Statutory rape is a form of sexual assault.
7. **Robbery** – the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
8. **Aggravated Assault** – an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

9. **Burglary** – the unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.
10. **Motor Vehicle Theft** – the theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)
11. **Arson** – any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
12. **Illegal Weapons Possession** – 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.
13. **Liquor Law Violations** – 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.
14. **Drug Abuse Violations** – 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.
15. **Domestic Violence** – 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; and/or 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.
16. **Dating Violence** – violence 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 purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
17. **Stalking** – 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 stress. For purposes of this definition, “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.

Hate Crimes

A hate crime is a criminal offense committed against a person, property, or society that is motivated, in whole or in part, by the offender’s bias against a race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, or disability. Hate crimes are not separate, distinct crimes, but are traditional offenses motivated, in whole or in part, by the offender’s bias. Many of the offenses noted above may be designated as a hate crime if motivated by any of the biases noted below:

- **Race** – a preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent

and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.

- **Religion** – a preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding their origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
- **Sexual Orientation** – a preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual orientation is the term for a person’s physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual individuals.
- **Gender** – a preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
- **Gender Identity** – a preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing make-up. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.
- **Ethnicity** – a preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.
- **National Origin** – a preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
- **Disability** – a preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Additionally, for Clery Act reporting purposes, the following crimes are reportable if they meet the definition of a hate crime:

- **Larceny-Theft** - the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing. Attempted larcenies are included.
- **Simple Assault** - an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Intimidation** - to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction / damage / vandalism of property** - 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.

Geographic Locations for Reporting Purposes

For purposes of reporting crimes including under the Clery Act, FEI uses the following definitions for geographic locations:

1. **On-Campus Property:** (1) Any building or property owned or controlled by an institution within the core campus (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; and (2) any building or property that is within or reasonably

contiguous to the area identified in section (1), that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes.

2. **Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the core campus, or immediately adjacent to and accessible from the core campus.
3. **Non-Campus Property:** (1) Any building or property owned or controlled by a student organization officially recognized by the institution; or (2) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution."

Florida Education Institute does not own or control any buildings or property which are considered under the Clery Act as "Non-Campus."

CRIME STATISTICS REPORT

The following statistics are provided for your information in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The following statistics are made available to the Institution by campus security contacts or local police agencies, and show the total criminal offenses, hate crimes, arrests, and disciplinary action that occurred on the Institution's campus and public property:

Please See Statistics in the Next 3 Pages.

Criminal Offenses		On-Campus Property	Public Property	Non-Campus Property*	Unfounded
Murder / Non-Negligent Manslaughter	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Manslaughter by Negligence	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Rape	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Fondling	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Incest	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Statutory Rape	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Robbery	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Aggravated Assault	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Burglary	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Motor Vehicle Theft	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Arson	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0

*Non-Campus statistics include crimes reported at locations away from main campus. These locations may include buildings used for school administration or training purposes. No students are allowed in non-campus locations.

VAWA Offenses		On-Campus Property	Public Property	Non-Campus Property*	Unfounded
Domestic Violence	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Dating Violence	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Stalking	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0

Arrests		On-Campus Property	Public Property	Non-Campus Property*	Unfounded
Weapons: Carrying, Possessing, etc.	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Drug Abuse Violations	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Liquor Law Violations	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0

Disciplinary Actions		On-Campus Property	Public Property	Non-Campus Property*	Unfounded
Weapons: Carrying, Possessing, etc.	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Drug Abuse Violations	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Liquor Law Violations	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0

Hate Crimes		On-Campus Property	Public Property	Non-Campus Property*	Unfounded
Murder / Non-Negligent Manslaughter	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Manslaughter by Negligence	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Rape	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Fondling	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Incest	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Statutory Rape	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Robbery	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Aggravated Assault	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Burglary	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Motor Vehicle Theft	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Arson	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Simple Assault	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Larceny - Theft	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Intimidation	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0
Destruction/Damage Vandalism of Property	2021	0	0	0	0
	2020	0	0	0	0
	2019	0	0	0	0

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