



**Johnson University  
Florida Branch Campus**

**Combined 2020 Annual Security  
and Fire Safety Report**

**Includes:**

**Campus Security Policies and Procedures  
Clery Disclosure Information  
Crime Statistics for 2017, 2018, 2019  
Fire Statistics for 2017, 2018, 2019**

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## Campus Security Policies and Procedures

### Campus Safety

#### Responsibilities

The university seeks to provide an environment free of unreasonable risks to the campus community. The Florida Campus Safety and Security Committee accepts the role of providing leadership and structure in the area of campus safety and security. The Florida Campus Safety and Security Committee implements the safety and security procedures of the university. However, the committee seeks to partner with all the campus community in maintaining campus safety and security. In doing so, the campus family, as a whole, works to protect the safety and security of the campus community.

All members of the campus community, students and employees alike, are empowered to aid in the task of providing a safe, secure campus by following personal safety and security practices. In addition, students and employees are obligated to report to someone in a higher position of authority any infraction of the university's Code of Conduct, which includes biblical standards, legal standards, and university standards of conduct. All members of the campus community are also obligated to report any perceived threat to the campus community or any type of emergency situation on or near the campus.

All members of the campus community are instructed to report all criminal behavior to both the local law enforcement authorities and to the Associate Dean of Students in the Student Life Office for the purpose of making timely warning reports and the annual statistical disclosure. The university strongly encourages accurate and prompt reporting of all crimes to appropriate law enforcement agencies, even when the victim of a crime elects not to or is unable to make such a report. Non-emergency concerns are to be reported to a member of the Student Life Office for appropriate intervention. Incident reports will be used to determine if a timely warning is needed and to complete the university's Annual Security and Fire Safety Report by October 1 each year. Clery Act crimes may be reported to the Associate Dean of Students on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

**At a minimum, any serious campus safety, campus security, or campus crime concern should be reported immediately to the Associate Dean of Students in the Student Life Office, the Resident Director, and/or the appropriate off-campus authority (9-1-1, fire department, sheriff's office, as needed).** The university will respond appropriately and immediately to a serious safety situation or threat, including the issuance of a campus-wide warning, if necessary or prudent.

The university seeks to provide vigilant stewardship of its Florida campus facilities, including the safety and security of educational and administrative buildings, recreational facilities, campus apartments, campus grounds, and tangible university property and equipment. The university provides sub-contracted, professional campus security officers, typically from 9:30 pm to 5:30 am every day. The campus safety and security personnel do not have the authority to arrest individuals allegedly involved in the commission of a crime on campus. However, they do have complete authority to contact the appropriate legal and campus authorities.

The university routinely provides crime prevention information to students during new-student orientation, campus housing orientation, e-Announcements, campus-wide memorandums, and bulletin board postings. In addition, employees also receive some crime prevention information in the *Employee Handbook*. The university periodically reviews its physical facilities, programs, policies, procedures, and practices to ensure compliance with insurance requirements, applicable laws and regulations, including

the Student Right-to-Know Act, the Campus Crime and Security regulations, and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

## Clery Disclosure Information

### Federal Reporting Requirements

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f); TCA 49-7-2206) is the landmark federal law, originally known as the Campus Security Act, that requires colleges and universities across the United States to disclose information annually by October 1 about crime on and around their campuses. The law is tied to an institution's participation in federal student financial aid programs, and it applies to most institutions of higher education, both public and private. The Act is enforced by the United States Department of Education.

The Campus Security Act was amended in 1992 to add a requirement that schools afford the victims of campus sexual assault certain basic rights and was amended again in 1998 to expand the reporting requirements. The 1998 amendments also formally named the law in memory of Jeanne Clery. Subsequent amendments in 2000 and 2008 added provisions dealing with registered sex offender notification and campus emergency response. The 2008 amendments also added a provision to protect crime victims, "whistleblower" and others from retaliation. The 2013 amendments expanded the Clery-reportable crimes to include stalking, dating violence, and domestic violence. For more information on the details of the Clery Act, see the Johnson University website.

The 2008 Reauthorization of the Higher Education Act requires institutions with on-campus student housing facilities to collect fire statistics, publish an Annual Fire Safety Report, and keep a "fire log." Even though this law is separate from the Clery Act, the dissemination regulations of the Annual Fire Safety Report are very similar to those of the Clery Act. Historically, Johnson University Florida has published both annual reports together as one combined report. In accordance with federal regulations, fire statistics are reported annually to the U.S. Department of Education's Office of Postsecondary Education by way of the web-based Campus Safety and Security Survey.

The university complies with all federal reporting requirements related to campus security and fire safety. Beginning in 2014, all of the information and data required for both of these annual reports is contained in the *Student Handbook*. To request a copy of previously filed Campus Safety and Security Reports or previously filed Fire Safety Reports, contact the Associate Dean of Students in the Student Life Office on the Florida campus.

### Campus Security Authorities – Florida Campus

- Associate Dean of Students, Student Life Office, 407-569-1331
- Resident Director, Student Life Office, 407-569-1169
- Resident Assistants, Student Life Office, 407-569-1169, and Residence Halls
- Student Community Director, Student Life Office, 407-569-1169
- Plant Services Director, Plant Services Office, 407-569-1366
- Athletic Director, Student Life Office, 407-569-1348
- Title IX Coordinator for branch campus, Academic Support Center, 407-569-1340
- Campus Security Officers (9:30 pm – 5:30 am), mobile phone 407-433-4355

### Current Crime Statistics

Statistics based on reports of alleged criminal incidents occurring within the Clery geography of the Florida branch campus are provided below in compliance with the federal *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act, 1998)* and the federal *Violence Against Women Reauthorization Act of 2013 (VAWA)*, both of which are amendments to the *Higher Education Act of 1965 (HEA)*.

Clery-Reportable Criminal Offenses **	On-Campus						Immediately Adjacent & Accessible Public Property			Non-Campus Building or Property *
	Student Housing Facilities			TOTAL			2017	2018	2019	N/A
	2017	2018	2019	2017	2018	2019				
Criminal Homicide: Murder / Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	N/A
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	N/A
Sexual Assault: Rape	0	0	0	0	0	0	0	0	0	N/A
Fondling	0	0	0	0	0	0	0	0	0	N/A
Incest	0	0	0	0	0	0	0	0	0	N/A
Statutory Rape	0	0	0	0	0	0	0	0	0	N/A
Robbery	0	0	0	0	0	0	0	0	0	N/A
Aggravated Assault	0	0	0	0	0	0	0	0	0	N/A
Burglary	0	0	0	0	0	0	0	0	0	N/A
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	N/A
Arson	0	0	0	0	0	0	0	0	0	N/A
<b>VAWA Offenses **</b>										
Sexual Assault	0	0	0	0	0	0	0	0	0	N/A
Domestic Violence	0	0	0	0	0	0	0	0	0	N/A
Dating Violence	0	0	0	0	0	0	0	0	0	N/A
Stalking	0	0	0	0	0	0	0	0	0	N/A
Hate Crime:	0	0	0	0	0	0	0	0	0	N/A
Category of Bias:	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Arrests: Liquor Law	0	0	0	0	0	0	0	0	0	N/A
Arrests: Drug Abuse	0	0	0	0	0	0	0	0	0	N/A
Arrests: Weapons Law	0	0	0	0	0	0	0	0	0	N/A
Disciplinary Actions: Liquor Law	0	0	1	0	8	1	0	0	0	N/A
Disciplinary Actions: Drug Abuse	2	0	0	2	2	0	0	0	0	N/A
Disciplinary Actions: Weapons Law	0	0	0	0	1	0	0	0	0	N/A

NOTES: \* The Florida campus of Johnson University does not currently own, lease, control, or otherwise operate any non-campus building or property.

\*\* The Florida campus of Johnson University did not receive any report of what was determined to be an “unfounded crime” during these reporting years.

## Current Fire Statistics

Statistics based on reports of fires occurring in on-campus student housing facilities on the Florida branch campus are provided below in compliance with the *Higher Education Act of 1965 (HEA)* fire safety regulations.

Fire Statistics for 2019	Beazell Hall	Chambers Hall	Foundation Hall	Heritage Hall	Packer Hall	Trulock Hall
Number and cause of fires: Unintentional Fire	0	0	0	0	0	0
Intentional Fire	0	0	0	0	0	0
Undetermined Fire	0	0	0	0	0	0
Number of deaths related to the fire	0	0	0	0	0	0
Number of injuries related to the fire that resulted in treatment at a medical facility	0	0	0	0	0	0
Value of property damage related to the fire	\$0	\$0	\$0	\$0	\$0	\$0
Number of campus housing fire drills held in 2019	0	0	0	0	0	0

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## Florida Campus Property and Buildings

A gift by the Clifford Chapman family of Kissimmee in 1979 made possible the development of the permanent campus on a land tract of roughly 40 acres at 1011 Bill Beck Boulevard in Kissimmee, Florida. The Florida campus property includes two lakes, spacious green areas, and stands of cypress and live oaks that enhance the quality of life on campus. Facilities for recreation and relaxation include a deck overlooking the ponds near the apartment buildings, a prayer garden by the ponds, a 55,000-gallon swimming pool, swings, picnic tables, and the Tribble Student Union Building (nicknamed “the SUB”).

The university seeks to provide vigilant stewardship of its Florida campus facilities, including the safety and security of educational and administrative buildings, recreational facilities, campus apartments, campus grounds, and tangible university property and equipment. The university provides safety and security services on campus overnight, typically from 9:30 pm to 5:30 am. The campus safety and security personnel do not have the authority to arrest individuals allegedly involved in the commission of a crime on campus. However, they do have complete authority to contact the appropriate legal and campus authorities. For the purpose of this document, “campus community” includes students, faculty, staff and their immediate family members, and may include guests and alumni visiting the campus. Students may not invite off-campus groups or individuals to use campus recreation or housing facilities without prior permission from the Campus Services Coordinator.

The Florida campus includes the buildings described below:

**Chapman Center** – The multipurpose building opened in 1985 and houses classrooms, offices, lounges, work and storage rooms, and an auditorium that is adaptable for worship, concerts, basketball, volleyball, and banquets. Access to the Chapman Center is available to students from 7:30 am until 11:00 pm on most weekdays; however, classroom doors lock at 5:00 pm. The Chapman Center is available on weekends only for previously scheduled and approved events. Building use is scheduled via the online facilities request form located within the my.JohnsonU.edu portal.

**Tribble Student Union Building** – Also known as the SUB, the Student Union Building was built in 1990. It is designed to provide recreational and meeting space for both residential and commuter students. It also houses the Student Life Office. Access to the SUB is available from 6:00 am until midnight; however, the doors lock at 5:00 pm and can only be opened with a currently active keycard. The SUB has a large recreational area with a television, pool table, ping-pong table, snack machine, and so forth. It also has a kitchen, showers in the restrooms, a fitness center, and an outdoor swimming pool.

**Library** – A separate library building was opened in September 1994, built largely by donations from Virginia Davenport and the Fred Smith family. The second phase of Library construction was completed in 2001. The university has a modern library facility with electronic access to the Catalog of the Library Collection and links to other resources available online. The Library is open to the campus community and to the general public during regular, posted hours of operation. Access to the Library lobby, where the student printer station is located, is accomplished after regular hours and up until curfew only with a currently active key card or valid access code.

**Brough Music Wing** – The Brough Music Wing was completed in 1998 and is attached to the east side of the Chapman Center. It is equipped with a piano lab, music practice rooms, and additional classroom space. This addition serves to meet the needs of the Florida campus music department.

**The Florida Commons Dining Hall and Café** – Built in 2018, The Florida Commons Dining Hall offers the campus community professionally prepared healthy, balanced meals with multiple menu options and the convenience of prepared food. The Café offers the campus community a coffee/snack shop open after normal business hours, as well as another gathering space for social, study, and fellowship activities.

The Florida campus of Johnson University is also blessed with comfortable campus housing for both single and married students. Campus housing includes apartments in Foundation Hall (1985), Trulock Hall (1985), Roger Chambers Hall (1990), Packer Hall (1994), Beazell Hall (1998), and Heritage Hall (2005). Each apartment has a bathroom and kitchen, which is equipped with a sink, refrigerator, and stove. The townhouse-style apartments in Roger Chambers Hall also contain hook-ups for a clothes washer and dryer. Access to assigned campus housing is granted to duly authorized individuals via the use of security-coded identification and key cards, which may be obtained in the Student Life Office on weekdays during normal hours of operation (8 am – 5 pm).

**Single Student Housing.** Single students share apartment-style housing units, which provide the experience of independent living, opportunities for Christian fellowship, security, and a family atmosphere. Apartments feature kitchen appliances, satellite television service, and wireless internet access. Other campus amenities include on-campus parking, laundry facilities, swimming pool, exercise room, student lounge with TV/VCR/DVD and stereo access, and plenty of outdoor space for recreation. On-campus housing includes ground-level apartments designed and equipped for the physically disabled.



**Family Housing.** Johnson University Florida welcomes families and encourages them to become involved in the campus community. Students with families enjoy the pool and recreation rooms, as well as the play area, swings, bicycle racks, picnic tables, and an abundance of grassy areas for outdoor play. Childcare and employment are available either on campus or within an easy drive. Students interested in family housing on the Florida campus should contact the Resident Director.

## Maintenance of the Apartments

The university shall have the responsibility to maintain the premises in good repair at all times. Maintenance requests must be emailed to [1FIX@JohnsonU.edu](mailto:1FIX@JohnsonU.edu), or called in to the repair line at 407-569-1349 (1FIX). Service calls for repair work will normally occur during business hours. The Plant Services Team is not responsible for shower curtains, bedding, or cleaning supplies. They do, however, change the light bulbs in university-owned light fixtures. Maintenance problems that could endanger residents or property must be reported immediately to a Resident Assistant or to the Resident Director. Dial 9-1-1 in the case of a threatening emergency.

Maintenance and custodial services of all campus facilities are performed by properly authorized university personnel; including full-time staff members, part-time staff members, and part-time student workers; or by properly supervised, sub-contracted professional service providers. Maintenance and custodial personnel are required to adhere to the safety and security policies and practices established by the university. Please contact the Director of Plant Services for the Florida campus for more information about the specific safety and security policies, procedures, and practices used in maintenance and custodial services.

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## TITLE IX, CLERY ACT, AND VAWA POLICY

**Policy.** It is the policy of Johnson University that sexual misconduct is unacceptable and will not be tolerated; therefore, sexual misconduct committed by or upon a Johnson University student or employee is strictly prohibited. Reported violations of this policy will be investigated thoroughly and resolved promptly.

**Rationale.** Relationships between men and women at Johnson University are guided by biblical principles of respect for other's feelings, rights, and responsibilities. The university is committed to its moral, educational, and legal obligations to provide policies, procedures, and programs that protect students and employees from sexual misconduct (both on and off campus) and to establish an environment in which unacceptable behavior will not be tolerated. This policy complies with the following federal laws:

- Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. Sec. 1681, *et seq.*, which prohibits discrimination on the basis of sex in any federally funded education program or activity
- Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (Clery Act), 20 U.S.C. Sec. 1092(f), originally enacted as the Crime Awareness and Campus Security Act of 1990 (Title II of Public Law 101-542)
- Violence Against Women Reauthorization Act of 2013 (VAWA), an amendment to the federal Clery Act and companion to Title IX

**History of Title IX Legislation and Regulations.** The list below outlines the sequence of legislation and regulations relating to Title IX, the Clery Act, and VAWA:

1972: Title IX was passed as part of the Education Amendments. It prohibited sex discrimination by recipients of federal funds, which includes most colleges, universities, and public elementary and secondary schools.

1975: The U.S. government published Title IX Implementing Regulations.

1990: The Clery Act was passed, requiring institutions of higher education to enhance campus safety efforts.

1997: Sexual Harassment Guidance was published.

2001: The [Revised Sexual Harassment Guidance](#) was published.

April 4, 2011: The Office of Civil Rights (OCR) of the U.S. Department of Education released its “Dear Colleague Letter,” which ushered in a new era of federal enforcement.

March 7, 2013: The Violence Against Women Reauthorization Act (VAWA) amended the Clery Act.

April 29, 2014: The OCR released Questions and Answers on Title IX and Sexual Violence.

October 20, 2014: The U.S. Department of Education issued final negotiated rules implementing VAWA, which took effect on July 1, 2015.

April 2015: The U.S. Department of Education published the Title IX Coordinator Guidance and Resource Guide.

June 2016: The Revised Clery Handbook was released.

September 22, 2017: The U.S. Department of Education rescinded the 2011 Dear Colleague Letter and 2014 Questions and Answers. It released a new set of [Questions and Answers](#).

November 2018: The U.S. Department of Education provided Notice of Proposed Rulemaking for implementation of Title IX.

On May 6, 2020, the U.S. Department of Education released [final regulations](#) governing how institutions that receive federal financial assistance covered by Title IX of the Education Amendments of 1972 (Title IX) must respond to allegations of sexual harassment. The regulations were published on May 19, 2020, in the *Federal Register*. This is the first time the Title IX regulations have been updated since the first regulations were issued in 1975. These regulations require institutions that receive Title IV funds to address sexual harassment as a form of prohibited sex discrimination in education programs or activities under Title IX, and it is the first time that protections against sexual harassment have been enshrined into federal education regulations. The regulations spell out the requirements for providing procedural due process to both complainants and respondents. These final regulations represent the U.S. Department of Education’s interpretation of a university’s legally binding obligations; therefore, they focus on precise legal compliance regulations rather than best practices, recommendations, or guidance. The following policy was developed to meet the requirements of these regulations.

**Scope.** This policy applies to locations and events where Johnson University exercises substantial control over the respondent and the context in which the sexual harassment occurred. These locations and events can include activities held off campus that were funded, promoted, or sponsored by the University, but they do not include actions that may occur in a private, off-campus apartment or dwelling or off-campus conduct that may occur during summer or school breaks. The policy also applies to incidents that may occur in any building owned or controlled by a student organization that is officially recognized by the University. Respondents potentially include students (including campus residents, commuters, and online students), employees, applicants for admission or employment, contractors, and volunteers. Because the Title IX regulations apply only in the United States, trips or events outside the country, such as study abroad or mission trips, are not covered by the policy. The policy also covers employee-to-employee sexual misconduct. For a complaint to be considered, the complainant must be participating in, or attempting to participate in, the University’s education program or activity at the time of filing a formal complaint. This includes students who are attending the University, are on leave from the University, or have graduated but have plans to return for another program or degree. Complainants may also be employees, applicants for admission or employment, alumni participating in alumni events, and guests or visitors participating in school activities such as sporting events. Allegations of sexual assault, domestic

violence, dating violence, or stalking may fall under VAWA regulations regardless of the location of the alleged conduct.

**Non-Discrimination Policy.** Johnson University is a Christian university affiliated with Christian Churches and Churches of Christ. Its mission is to educate students for “Christian ministries and other strategic vocations framed by the Great Commission in order to extend the Kingdom of God among all nations.” Accordingly, Johnson seeks to hire and educate individuals who share its vision and core values to carry out that mission. Johnson University does not unlawfully discriminate in admissions, educational programs, or employment practices.

Johnson University does not discriminate on the basis of race, sex, color, national origin, age, handicap, veteran status, genetic information, or political affiliation in provision of educational opportunities, programs and activities, or employment opportunities and benefits, pursuant to the requirements of Title VI of the Civil Rights Act of 1964 and subsequent amendments to that act, Title IX of the Educational Amendments of 1972 and subsequent re-authorization of that act, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act of 1990 and subsequent amendments to that act.

Direct questions concerning the non-discrimination policy to Dr. Greg Linton, Vice Provost for Academic Services, Johnson University, 7900 Johnson Drive, Knoxville, TN 37998, telephone: 865-251-2364, email: [glinton@johnsonu.edu](mailto:glinton@johnsonu.edu).

For the Tennessee and Online campuses and for the various extension sites, inquiries related to Title IX may be referred to the lead Title IX Coordinator, Dr. Greg Linton, Vice Provost for Academic Services, Johnson University Tennessee, 7900 Johnson Drive, Knoxville, TN 37998, telephone: 865-251-2364, email: [glinton@johnsonu.edu](mailto:glinton@johnsonu.edu).

For the Florida campus, inquiries related to Title IX may be referred to the branch Title IX Coordinator, Garrett Thompson, Assistant Director of Academic Support and Career Services, Johnson University Florida, 1011 Bill Beck Boulevard, Kissimmee, FL 34744, telephone: 407-569-1340, e-mail: [gthompson@johnsonu.edu](mailto:gthompson@johnsonu.edu).

Other inquiries related to Title IX may be referred directly to the U.S. Department of Education’s Office for Civil Rights at 800-421-3481 or [ocr@ed.gov](mailto:ocr@ed.gov).

**Title IX Coordinator.** Each campus has a designated employee who ensures that the University’s response to sex discrimination complies with federal law. For the Tennessee and Online campuses and for the various extension sites, the lead Title IX Coordinator is Dr. Greg Linton, Vice Provost for Academic Services, Johnson University Tennessee, 7900 Johnson Drive, Knoxville, TN 37998, telephone: 865-251-2364, email: [glinton@johnsonu.edu](mailto:glinton@johnsonu.edu). For the Florida campus, the branch Title IX Coordinator is Garrett Thompson, Assistant Director of Academic Support and Career Services, Johnson University Florida, 1011 Bill Beck Boulevard, Kissimmee, FL 34744, telephone: 407-569-1340, email: [gthompson@johnsonu.edu](mailto:gthompson@johnsonu.edu).

Core responsibilities of the lead Title IX Coordinator include overseeing the university’s response to Title IX reports and complaints, effectively implementing supportive measures and remedies for victims of sexual harassment, identifying and addressing any pattern or systemic problem revealed by such reports and complaints, and evaluating an alleged victim’s confidentiality request, if one is made. Core responsibilities of the branch Title IX Coordinator include overseeing the university’s response to Title IX reports and complaints made on the Florida branch campus, effectively implementing supportive measures and remedies for victims of sexual harassment, and evaluating an alleged victim’s confidentiality request, if one is made.

The University will notify applicants for admission and employment, students, and employees of the name or title, office address, email address, and telephone number of the Title IX Coordinator. The identity and contact information for the Title IX Coordinators will be prominently displayed on the University’s website.

**Categories of Sexual Harassment.** Government regulations have identified three categories of sexual harassment that are covered by Title IX. The regulations state that the phrase “on the basis of sex” does not require an inquiry into the subjective motive of the respondent. Where conduct is sexual in nature or where conduct references one sex or another, such facts are sufficient to determine that the conduct is “on the basis of sex.”

(1) *Quid pro quo.* This term refers to situations where educational aid or an educational benefit or service is conditioned on unwelcome sexual misconduct by an employee. Students who may commit quid pro quo offenses are not subject to the Title IX process but may be subject the disciplinary process under the student code of conduct. Quid pro quo offenses do not need to meet the standards of severity, pervasiveness, offensiveness, or denial of equal education access that are required to determine “unwelcome conduct.” Even if it occurs once, such conduct is objectively sufficiently serious to deprive a person of equal access to education.

(2) *Unwelcome Conduct.* This term refers to conduct of a sexual nature or on the basis of sex that a reasonable person would determine so severe, pervasive, and objectively offensive that it would effectively deny a person equal access to an educational program or activity. Sexual harassment is unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment is a form of sex discrimination which is illegal under Title VII of the Civil Rights Act of 1964 for employees and under Title IX of the Education Amendments of 1972 for students. The Title IX definition differs from Title VII, which says that sexual harassment may be severe or pervasive or objectively offensive. The Title IX definition requires that all three criteria be met.

(3) *Sexual Assault.* Sexual assault means coerced or non-consensual sexual intercourse, sexual activity, sexual contact, or sexual conduct against the victim’s will. Sexual assault includes rape, sexual battery, sexual coercion, intentional sexual touching, and sexual exploitation. For Clery Act purposes, sexual assault is defined as an offense that meets the definition of rape, fondling, incest, statutory rape, sodomy, or sexual assault with an object as used in the FBI’s Uniform Crime Reporting (UCR) program. The 2020 Title IX regulations include the categories of dating violence, domestic violence, and stalking on the basis of sex under the broader category of “sexual assault,” and those terms are defined in line with the Clery Act and the VAWA. Sexual assault offenses do not need to meet the standards of severity, pervasiveness, offensiveness, or denial of equal education access that are required to determine “unwelcome conduct.” Such conduct, even when it occurs only once, is objectively sufficiently serious to deprive a person of equal access to education.

(3)(a) *Sexual Violence.* Sexual violence is a form of sexual harassment. Sexual violence means any incident of rape; sexual battery; lewd or lascivious act committed upon or in the presence of a person younger than 16 years of age; luring or enticing a child under the age of 12 into a structure, dwelling, or conveyance for other than a lawful purpose; sexual performance by a child; or any other forcible felony wherein a sexual act is committed or attempted, regardless of whether criminal charges based on the incident were filed, reduced, or dismissed by prosecuting authorities.

(3)(b) *Stalking on the Basis of Sex.* Stalking is any course of conduct directed at a specific person on the basis of sex that would cause a reasonable person to fear for his or her safety or the safety of others, or any conduct that would cause a reasonable person to suffer substantial emotional distress. This definition includes stalking that occurs online or through messaging platforms, commonly known as “cyberstalking,” when it occurs in the University’s education program or activity.

(3)(c) *Dating Violence.* Dating violence means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. For Clery purposes, stalking is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(3)(d) *Domestic Violence.* Domestic violence means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false

imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member. For Clery Act purposes, domestic violence is defined as a felony or misdemeanor crime of violence committed (a) by a current or former spouse or intimate partner of the victim; (b) by a person with whom the victim shares a child in common; (c) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (d) 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, or (e) 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. A single incident of dating/domestic violence or stalking may qualify as sexual harassment.

### **Other Related Definitions.**

(1) *Complainant.* An individual who is alleged to be the victim of conduct that could constitute sexual harassment, which includes students, employees, applicants for admission or employment, alumni participating in alumni events, and guests or visitors participating in school activities such as sporting events.

(2) *Respondent.* An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment, including students, employees, applicants for admission, and applicants for employment.

(3) *Formal Complaint.* A document or electronic submission filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the University investigate the allegation of sexual harassment.

(4) *Consent.* Consent is a voluntary agreement to engage or participate in sexual activity. Someone who is incapacitated cannot consent. Incapacitation may occur due to the use of drugs or alcohol, when a person is asleep or unconscious, or because of an intellectual or other disability that prevents the person from having the capacity to actively give consent. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent to engage or participate in sexual activity with one person does not imply consent to engage or participate in sexual activity with another. Consent can be withdrawn at any time. Coercion, force, or threat of either invalidates consent.

**Confidentiality.** The University will keep confidential the identity of complainants, respondents, and witnesses, except as permitted by FERPA, or as required by law, or as necessary to carry out a Title IX proceeding. Confidentiality and anonymity may have to give way to the university's obligation to investigate and take appropriate action, especially if the university is required to provide a timely warning of a Clery-reportable campus crime or an immediate threat to the health or safety of students or employees. When necessary, university officials will make a timely warning to the campus community (as required by federal regulations) unless issuing the notification will, in the professional judgment of responsible university officials, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency (as permitted by federal regulations).

The University encourages the professional or pastoral counselors among the faculty and staff to inform persons they are counseling (when the counselor deems it appropriate) about procedures for confidential reporting so that Clery-reportable crimes may be included in the annual disclosure of crime statistics. Certain criteria must be met for complete confidentiality between a victim and a pastoral counselor or a professional counselor. There may be situations in which counselors are in fact under a legal obligation to report a crime. To be exempt from disclosing reported offenses, pastoral or professional counselors must be acting in the role of pastoral or professional counselors, as defined below. The following definitions apply to Title IX and Clery situations:

- **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.

## **Title IX and Clery Act Grievance Process**

The Grievance Process is designed to meet the Title IX Implementing Regulations in the following ways:

- Both parties will be treated equitably.
- The respondent will be provided the presumption of non-responsibility until a determination regarding responsibility is made at the conclusion of the grievance process.
- The process will be carried out in a reasonably prompt time from with the possibility of extensions for good cause.
- Practitioners will be trained and free from conflict of interest and bias.
- The same standard of evidence will be used for both students and employees.
- The use of legally recognized privileged information will be restricted, unless the person holding such privilege has waived the privilege.
- All relevant evidence, including inculpatory and exculpatory evidence, will be evaluated objectively.
- Credibility determinations will not be based on a person’s status.
- A range of supportive measures, remedies, and sanctions will be provided.
- Remedies will be implemented only following a finding of responsibility.
- Sanctions will be applied only after the conclusion of the grievance process.
- Grounds for appeal will be designated.

**Reporting and Complaint Procedures.** The University must have “actual knowledge” of sexual harassment allegations in order to respond deliberately and effectively. “Actual knowledge” means notice to the Title IX Coordinator at JUTN or the Branch Title IX Coordinator at JUFL. These are the only University officials with authority to institute corrective measures on behalf of the University for sexual harassment.

Notice occurs whenever a Title IX coordinator: (1) witnesses sexual harassment; (2) hears about sexual harassment or receives sexual harassment allegations from a complainant or a third party (e.g., a complainant’s parent, friend, or peer); (3) receives a written or verbal complaint about sexual harassment or sexual harassment allegations; or (4) receives notice by any other means. The person who reports does not need to be the complainant; rather, a report may be made by any person.

Any person who becomes aware of a possible Title IX infraction, including bystanders and parents, may report it to the Title IX coordinator by phone, mail, email, in person, online form, or other method at any time, day or night. If an informal report comes from a third party, the coordinator will contact the complainant confidentially, offer supportive measures, explain the option and process for filing a formal complaint, and carefully document the conversation. The following link may be used to report a Title IX incident:

<https://websurvey2.johnsonu.edu/cgi-bin/rws5.pl?FORM=TitleIXReporting>

Only the alleged victim (or their parent or guardian in some cases) may file a formal complaint, but a formal complaint may also be signed by the Title IX Coordinator without a submission of a formal complaint by another party. In such a case, the complainant is under no obligation to participate in the grievance process, and any statements by the complainant may be excluded. Individuals may not be pressured or coerced into filing, or not filing, a formal complaint or participating in, or not participating in, a grievance process. There is no time limit or statute of limitations on a complainant’s decision to file

a formal complaint.

If a victim or eyewitness desires to make an anonymous report, the university's ability to respond will be limited by the confidentiality request. In certain cases, strict confidentiality is not possible because of federal Clery Act requirements to report certain crimes, including but not limited to the more serious forms of sexual misconduct. Each reported Clery crime is evaluated on a case-by-case basis to determine whether the university must issue a timely warning to the campus community about that particular criminal incident. If confidentiality is requested, every effort will be made to keep the name and location of the alleged victim and/or witnesses confidential. Ultimately, confidentiality requests are decided by the Title IX Coordinator who may initiate a grievance process against the complainant's wishes only if it is not clearly unreasonable in light of the known circumstances.

The university is obligated under the federal Clery Act to report certain crimes that occur on campus, in a non-campus building or property, or on public property within the reasonably contiguous geographic area of the institution on its annual campus crime report provided to the U.S. Department of Education. The university is also obligated to issue timely warnings to the campus community about certain crimes that have already occurred but may continue to pose a serious or ongoing threat to students and/or employees.

**Dismissal of Title IX Allegations.** Dismissal of allegations will be reviewed at the beginning of the process, after a formal complaint has been received, and after the end of the investigation. Dismissal is mandatory if the allegations do not constitute actionable sexual harassment, or if the event took place outside the University's programs or activities, or if the event took place outside the United States. Discretionary dismissal of a formal complaint may occur if the complainant submits a written request to withdraw the complaint, if the respondent is no longer enrolled or employed, or if specific circumstances prevent gathering of evidence sufficient to reach a determination regarding the actions alleged in the formal complaint. Both parties must be simultaneously notified of the case dismissal, the reasons for the dismissal, and their right to challenge the dismissal on appeal. Dismissal of a complaint does not preclude the University from taking disciplinary measures for misconduct covered by the student code of conduct or that violates state law, even if the misconduct is not sexual harassment under Title IX.

**Amnesty for Reporting.** The University recognizes that some victims or witnesses of sexual harassment may be reluctant to report such incidents because they fear that they may be disciplined for other conduct violations. Because sexual misconduct is a more serious matter than other conduct violations, the University wants to encourage reporting and promote safety. Therefore, the University will not conduct a disciplinary process for violations of the student or employee code of conduct in which a complainant or witnesses might have engaged in connection with the reported incident. This amnesty provision includes the use of alcohol or drugs, engaging in consensual sexual activity, and curfew violations. The University may require education or counseling related to these other violations to provide support and care for the individuals, but they will not be subject to disciplinary sanctions.

**Supportive Measures.** A victim or eyewitness of sexual misconduct by or upon a Johnson University student or employee must first go to a place of safety. Time is especially critical if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred. In such a case, the victim should not bathe until physical evidence of the assault can be obtained by medical personnel or law enforcement officers. It is important to preserve all physical evidence for examination by a physician that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order, particularly if there were no witnesses. If such a crime has occurred, the university will take prompt and effective steps to end the violence, prevent its recurrence, and address its effects.

Upon the victim's request, a specially trained Student Services (in the case of a student) or Human Resources (in the case of an employee) staff member will assist the victim in notifying local law enforcement of the incident, if the victim so chooses; guide the victim through the available options; and

support the victim in his or her decisions related to the incident.

When the Title IX Coordinator receives notice of an allegation of sexual harassment, the Coordinator will promptly contact the complainant to discuss supportive measures, consider the complainant's wishes regarding 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 option and process for filing a formal complaint. If the complainant chooses not to file a formal complaint, he or she is still eligible to receive supportive measures.

The goal of supportive measures is to restore or preserve the right to equal access to education without unreasonably burdening the respondent or any other person. Also, supportive measures protect the safety of all parties and deters sexual harassment. However, supportive measures may not affect the respondent's presumption of innocence throughout the investigation and grievance process. Such measures will be available to both parties without fee or charge, and they will be nondisciplinary, nonpunitive individualized services.

Supportive measures may include moving a complainant or respondent's seat in a class, modified work schedules, revised class schedules, mutual restrictions on contact between the parties, campus escorts, counseling, deadline extensions, course-related adjustments (such as the opportunity to retake classes or exams), alternative housing arrangements, leaves of absence, and increased security. Supportive measures provided by the University will be kept confidential to the extent that confidentiality does not impair the University's ability to provide the supportive measures. The Title IX Coordinator is responsible for implementing the supportive measures.

If the University conducts an individualized safety and risk analysis that concludes that the respondent poses an immediate threat to the physical health and safety of anyone, the University has the right to remove the respondent on an emergency basis from the educational program or activity. If the respondent is an employee, the University may place the employee on administrative leave during the investigation. The respondent may challenge the removal immediately, but the University will determine the scope and duration of the removal. Removal does not eliminate the University's obligation to continue the grievance process.

**Notice of Allegations.** A Title IX investigation begins with the initial report of sexual misconduct made to the Title IX Coordinator. The grievance process will treat complainants and respondents equitably in a predictable process, which presumes the respondent is not responsible for the alleged conduct and does not have to prove innocence. No disciplinary sanctions will be imposed before the grievance process is completed.

The Title IX Coordinator will provide a written description to both parties in advance about the allegations of sexual harassment, including date, location, identities of parties (if known), and the alleged misconduct that constitutes sexual harassment. The notice will include a statement that the respondent is presumed not responsible for the conduct alleged and that a determination regarding responsibility will be made at the end of the grievance process. The notice to the parties will also include a description of the grievance process (including the possibility of informal resolution), standard of evidence, summary of possible sanctions, each party's right to select an advisor, each party's right to inspect and review evidence, appeal rights, and supportive measures. The notice will not disclose medical information or any other sensitive information of the complainant without voluntary, written consent. The notice will include sufficient details known at the time and with sufficient time (at least 10 days) to allow the parties to prepare a response before any initial interview. The notice will also inform the recipients of any code of conduct policies that prohibit knowingly making false statements or submitting false information during the grievance process.

**Informal Resolution.** If a formal complaint has been filed, an informal resolution process (e.g., mediation) may be used only if all parties agree to participate in an informal resolution process that does not involve a full investigation and adjudication. Both parties must provide voluntary, written consent



without any conditions on enrollment or continuing enrollment or employment or continuing employment or enjoyment of any other right. Any party may decline or terminate an informal resolution process at any time prior to agreeing to a resolution, without penalty. In such cases, the facilitator of the informal resolution process will not be allowed to serve as a witness in the formal grievance process.

Before using any informal process, the Title IX Coordinator will notify those involved of the advantages and disadvantages of the informal resolution process and will establish and notify those involved about reasonable timeframes for the informal process. If all parties voluntarily choose an informal resolution process, the Title IX Coordinator will provide both parties in writing the allegations, requirements of the informal resolution process including whether the process is confidential, the circumstance under which it precludes the parties from resuming the formal complaint, assurances that either party may withdraw from the process at any time before its conclusion, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The Title IX Coordinator will appoint a facilitator who is free from conflicts of interest or bias and who has received special training for the role. The Title IX Coordinator will record the use, timeliness, and outcome(s) of the informal process, without disclosing the parties' names. In the case of alleged sexual assault or sexual misconduct, it is unnecessary and, most likely, inappropriate for an alleged victim to attempt informal resolution with the alleged perpetrator. Also, informal resolutions are not available when a student-complainant alleges sexual harassment by an employee-respondent. In these cases, the formal grievance procedure should be initiated immediately.

**Investigation Procedures.** If the parties decline an informal resolution process, reported sexual misconduct of any kind will be adequately, reliably, and thoroughly investigated, regardless of whether the incident is the subject of a separate criminal investigation. A victim of sexual misconduct has the right to file a criminal complaint with the appropriate local law enforcement agency, if they desire to do so. The filing of a criminal complaint will not replace or hinder the university's investigation of a sexual misconduct violation. A victim of sexual misconduct may elect to have the investigation proceed through the criminal justice system, the university's disciplinary process, or both.

Every formal complaint must be investigated. The University bears the burden of gathering evidence; therefore, the Title IX Coordinator will appoint an investigator (who may be the Title IX Coordinator himself or herself) who will thoroughly search for facts and evidence relevant to the claims made in the initial report or complaint. The investigator will be properly trained and free from conflicts of interest or bias. Throughout the course of an investigation, both parties will have an equal opportunity to discuss the allegations or gather evidence and to present the relevant evidence that they gather. The University will not issue gag orders on respondents or complainants.

The investigator will gather information by interviewing both parties and other witnesses and by collecting additional evidence. The investigator will gather all evidence, inculpatory and exculpatory, directly related to the allegations whether the evidence is considered relevant or whether the investigator intends to rely on the evidence or include it in the final report. No information protected by a legal privilege, such as the attorney-client privilege or the doctor-patient privilege, can be used during an investigation unless the person holding that privilege has waived it. Neither a party or the University is allowed to seek, permit questions about, or allow the introduction of evidence that is protected by a recognized privilege.

Although advisors of the parties may be present during an interview, the parties themselves, rather than their advisors, must personally answer, or refuse to answer, questions posed by an investigator. The investigator will provide written notice in advance to parties who will be interviewed or requested to attend a meeting with sufficient time for the parties to prepare to participate. This written notice will include date, time, location, participants, and purpose of the interview or meeting. If the allegations fall under VAWA regulations, then notice will be given to the other party if a meeting will be held with a complainant or respondent. If the investigation identifies other potential Title IX violations not included in the original report or complaint, the Title IX Coordinator will provide written notice to the parties

involved that those subsequent allegations will also be investigated.

At the conclusion of the investigation, the parties will be allowed a period of 10 days to inspect and review copies of any evidence directly related to the allegations. Examples of such evidence are text messages, emails, social media posts and messages, photos and videos, police reports, security footage, WiFi access point records, and audio recordings or transcripts of interviews (with evidence that is not directly related to the allegations redacted). Information that is not directly related to the allegations or falls under legally protected privileges will be redacted, but information that is confidential, sensitive, or prejudicial may not be redacted if it is directly related to the allegations. The Title IX Coordinator will assist the investigator in making these determinations. The investigator will maintain records of any information withheld and the rationale for doing so. Evidence does not include notes made by the investigator. The parties and their advisors will be required to sign a non-disclosure agreement stating that they will use the evidence only for purposes of the grievance process and that they will not disseminate or disclose the materials to other people. The parties may submit a written response to the investigator. The investigator must consider the written response prior to completing the final report.

The investigator will then prepare a written investigative report that fairly summarizes all directly related and relevant evidence, including inculpatory and exculpatory evidence. The investigator will simultaneously provide both parties with a copy of the investigative report, and they will have at least 10 days before a hearing where a responsibility will be determined to review the report and respond in writing.

At the investigation's conclusion, the investigator must either dismiss the allegations or determine if there is sufficient evidence to conclude that a Title IX violation may have occurred and that a hearing should be held. The investigator may not make a determination regarding responsibility. Only a decision-maker can make such a determination after a live hearing.

Investigations will be conducted promptly. A typical complaint may take up to 90 days to complete the investigation and the hearing. The actual amount of time needed for each stage of the process will be determined by the facts of a particular case. This time frame may be temporarily delayed or extended for good cause such as absence of a party, advisor, or witness; law enforcement proceedings; or the need to provide accommodations. Both parties will receive written notice of the delay or extension and its reason.

**Hearing Procedures.** If the investigation has concluded that sexual harassment may have occurred, the University will initiate the grievance process outlined in this policy. If the Title IX Coordinator determines that a hearing is necessary, a time shall be set for a Title IX hearing not less than 10 days after the written notice has been made to both the complainant and respondent.

(1) *Decision-maker.* A decision-maker who is not the Title IX coordinator or investigator will preside over the hearing. The University may choose to appoint a hearing panel to serve as the decision-maker. The decision-maker must have extensive training in Title IX procedures as well as all applicable evidentiary requirements, issues of relevance, standards of proof, and relevant state and local laws, and this training must be made available to the public. The decision-maker is under an independent obligation to objectively evaluate relevant evidence. Only the decision-maker can make a finding of responsibility and only after a live hearing is conducted.

(2) *Pre-hearing Procedures.* Both parties will receive a copy of the final investigative report at least 10 days before a hearing. In preparation for the hearing, the decision-maker will review the complaint, notice to the parties, the investigative report, and the parties' responses to the investigative report. The decision-maker will identify witnesses who are relevant to the decision and make sure they are available for cross-examination at the hearing.

(3) *Process Meeting.* The decision-maker may provide rules of conduct and decorum to ensure that all participants are treated with respect at live hearings. These rules will apply equally to both parties and will comply with the Title IX Implementing Regulations. If a party's advisor of choice refuses to comply with a recipient's rules of decorum, the decision-maker may require the party to use a different advisor or appoint a different advisor to conduct cross-examination on behalf of that party. A process meeting will be held in advance of the hearing to discuss rules of decorum, policy, and procedures. Only the parties

and their advisors may attend this meeting.

(4) *Hearing Procedures.* A Title IX hearing will be conducted in private and will be closed to the public. The University may appoint a Hearing Coordinator (who may be the Title IX Coordinator) who will ensure that proper procedures and rules of decorum are followed. Only the parties and their advisors will be allowed to attend the hearing, unless another party is required by law, such as a language interpreter or a person assisting someone with a disability. Hearings must be conducted in a live setting in real time. Typically, hearing will be conducted by videoconference with the parties watching and listening in separate locations. At all times, all participants, including the parties, advisors, witnesses, and decision-maker, must be able to see and hear each other. If a participant does not possess the proper videoconference technology or equipment, the University will provide a location and/or equipment to facilitate participation. No one will be allowed to participate only by telephone. However, an in-person hearing may be held if both parties agree to it. An audio or audiovisual recording, or a transcript, of any live hearing will be created and made available for inspection and review by either party.

(5) *Advisors.* Both the complainant and respondent have the same opportunity to have an advisor of choice, who may or may not be a lawyer, present during all meetings in the Title IX grievance process. Participating as a witness in the hearing does not prevent someone from serving as an advisor. The parties must inform the Title IX Coordinator in advance of a hearing whether they intend to bring an advisor of choice to a hearing. If a party does not have an advisor for the hearing, the University will provide one who is competent to participate without fee or charge. The University will not require training of selected advisors or provide training for assigned advisors since they only need to present factual questions that advance the perspective of the party being advised. A party cannot dismiss an assigned advisor during a hearing, but if the party correctly asserts that the assigned advisor is refusing to conduct cross-examination on the party's behalf, then the decision-maker must counsel the assigned advisor to perform that role or stop the hearing to assign a different advisor.

(6) *Evidence.* Evidence gathered during the investigation that has been subject to the parties' inspection and review will be made available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

(7) *Witnesses.* Both parties may call a limited number of witnesses at the hearing at the discretion of the decision-maker, but all witnesses must have been previously identified during the investigation.

(8) *Time Limits.* The decision-maker may set a time limit for the hearing and/or time limits for each party's cross-examination.

(8) *Opening and Closing Statements.* The decision-maker may permit the parties or their advisors to make opening and/or closing statements.

(9) *Cross-examination of Witnesses.* Advisors of both parties (but not the parties themselves) may conduct direct, oral, and real-time cross-examination of parties and other witnesses. The decision-maker must allow each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Cross-examination consists simply of posing questions intended to advance the asking party's perspective with respect to the specific allegations at issue. The only time advisors may speak during a hearing is to make an opening or closing statement or to ask questions of parties or witnesses. A party's advisor may appear and conduct cross-examination even when the party being advised does not appear. Advisors will be encouraged, but not required, to submit cross-examination questions in advance so that the decision-maker can review them and evaluate them for relevance. Advisors may be allowed to ask all their questions at the hearing, and the decision-maker can explain reasons for excluding any of them as irrelevant.

(10) *Determination of Relevance.* After an advisor asks a question on cross-examination, and before the party to whom it is directed answers it, the decision-maker must determine if the question calls for relevant information. All relevant evidence must be admitted, but the decision-maker must exclude evidence based on legally recognized privileges; the complainant's prior sexual history (with limited exceptions); any party's medical, psychological, or similar records (without their voluntary, written consent); and party or witness statements that have not been subjected to cross-examination at a live hearing. Relevant evidence cannot be excluded because it may be unduly prejudicial, concern prior bad

acts, or constitute character evidence. Questions that are misleading or assumes facts not in evidence may be considered relevant. Advisors may not ask about a complainant's sexual predisposition or prior sexual behavior, unless such questions 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. Questions concerning prior or subsequent sexual misconduct may be asked of the respondent if the decision-maker determines that they are relevant to provide evidence of a pattern of inappropriate behavior by the alleged harasser. Questions that are duplicative or repetitive or that are not probative of any material fact concerning the allegations may be deemed not relevant and therefore excluded. The decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant. Parties and advisors may not challenge the relevance determination during the hearing.

(11) *Statements Not Subject to Cross-Examination.* The decision-maker must not rely on any statements by a party or witness that were not subjected to cross-examination, but they may consider statements that would not require cross-examination. Failure by a party or witness to answer even one question posed by an advisor means that the decision-maker cannot rely on any statements from that party or witness in making a finding of responsibility. Such statements would include those included in the investigation report or any other sources, such as a police report, medical exam, text messages, witness accounts, etc. Statements allegedly made by a respondent that constitute part of the alleged sexual harassment at issue can be considered even if they are not subjected to cross-examination. Statements by respondents that cannot be relied upon if not subject to cross-examination involve the making of factual assertions to prove or disprove the allegations of sexual harassment. Also, the decision-maker cannot draw inferences about a determination regarding responsibility based on a party's failure or refusal to appear at a hearing or answer cross-examination questions.

(12) *Standard of Evidence.* The decision-maker's determination of responsibility shall be made using a preponderance of evidence standard (for both students and employees) on the basis of whether it is more likely than not that the respondent violated Title IX. The decision-maker must evaluate all relevant evidence under this standard without making credibility determinations based on a party's status as a complainant or respondent or based on their sex. None of the following rules of evidence apply during a Title IX hearing: the federal rules of evidence, the Tennessee rules of evidence, the Florida rules of evidence, common-law principles of evidence, or any other formal law or rule of evidence.

(13) *Sanctions and Remedies.* If the decision-maker makes a finding of responsibility for sexual harassment, the decision-maker will provide sanctions against the respondent (which are listed below) and remedies to the complainant designed to restore or preserve equal access to the school's education program or activity. These remedies can be punitive or disciplinary against the respondent. The Title IX Coordinator will be responsible for implementing any disciplinary sanctions against the respondent and any remedies provided to the complainant.

(14) *Written Determination.* Following the hearing, the decision-maker will issue a written determination simultaneously to both parties, which will include the following information:

- a. Identification of the portion of the University's policies that was violated;
- b. A description of the procedural steps taken from receipt of the formal complaint through the determination regarding responsibility;
- c. Findings of fact supporting the determination;
- d. Conclusions regarding the application of the code of conduct and/or applicable policies to the factual findings;
- e. A statement and rationale for the ultimate determination regarding responsibility for each allegation;
- f. Any disciplinary sanctions imposed on the respondent;
- g. A statement and rationale for any remedies that will restore or preserve equal access provided to the complainant, which may be the same as the supportive measures provided and may burden the respondent if responsibility has been determined;

- h. Information about the appeals process, including a reasonable time frame within which an appeal must be filed.

The decision becomes final if the parties do not appeal or at the conclusion of the appeal process if either party files an appeal.

**Possible Disciplinary Sanctions.** Following a disciplinary hearing, a student or employee determined to have committed sexual misconduct will be subject to disciplinary action up to and including expulsion from school for a student or termination of employment for an employee.

Possible disciplinary sanctions for a student include the following:

- Issuance of verbal or written warning, and/or monetary fine
- Mandatory meeting with Dean of Students or his/her designee
- Mandatory counseling or other professional intervention
- Discretionary sanctions (i.e., revocation of any student privilege, community service, disqualification from awards or representing the university, loss of institutional financial aid, etc.)
- Housing suspension or expulsion
- Disciplinary probation for a specified period of time
- Institutional suspension, administrative withdrawal, or expulsion

Possible disciplinary sanctions for an employee include the following:

- Issuance of verbal or written warning, recorded in the personnel file
- Mandatory meeting with the appropriate university administrator or his/her designee
- Mandatory counseling or other professional intervention
- Discretionary sanctions (i.e., revocation of any employee privilege, campus housing suspension or expulsion, community service, disqualification from awards or representing the university, etc.)
- Employment probation for a specified period of time
- Suspension from or termination of employment

**Appeal Procedures.** Either party may appeal a decision to dismiss allegations, whether mandatory or discretionary. Findings of responsibility reached at the end of the grievance process may also be appealed by either party. Grounds for appeal include procedural irregularities (including erroneous relevance determinations), newly discovered evidence that was not available at the time of the determination of responsibility or dismissal, or conflict of interest or bias on the part of the investigator, Title IX Coordinator, or decision-maker. However, these matters will be considered only if they affected the outcome. Appeals based solely on the severity of the sanctions will not be allowed. The party should follow the grievance procedures that can be found at the end of Unit Six of the *Student Handbook*. A Title IX appeal would begin with submission of an online grievance form, which may be accessed by using the following link on the university website:

<https://websurvey2.johnsonu.edu/cgi-bin/rws5.pl?FORM=StudentGrievances>

After the online grievance complaint form is submitted, the administrator who handles grievances will notify both parties in writing of the appeal. In line with the grievance policy and procedures, that person will appoint a grievance committee to consider the appeal. Since the Title IX Coordinator, investigator, and decision-maker were closely involved in the resolution of the initial sexual misconduct complaint, they will be recused from service on the grievance committee assigned to a Title IX appeal. The parties will be allowed to submit a written statement supporting or challenging the outcome. After considering the parties' written statements, the grievance committee will issue a written decision and send it to the parties simultaneously.

**Prohibition of Retaliation.** The University prohibits any person from intimidating, threatening, coercing, or discriminating 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 a Title IX investigation, proceeding, or hearing. 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. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation, provided that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a bad faith materially false statement. The exercise of rights protected under the First Amendment does not constitute retaliation. Complaints alleging retaliation may be filed according to the University's grievance procedures.

**Records Maintenance.** For a period of at least seven years from the date of creation, the university will maintain documentation and records regarding alleged violations of the Title IX Policy and their resolution in a manner that protects the confidentiality of the parties involved, complies with the Family Educational Rights and Privacy Act (FERPA), and to the extent possible excludes personally identifiable information of victims of sexual assault, domestic violence, dating violence, and stalking, unless disclosure of someone's identity is required under other laws or is necessary in order to conduct the grievance process. For each investigation, the Title IX Coordinator will maintain all files relating to the initial report or complaint, supportive measures, informal resolutions, investigation, final investigative report including determination of responsibility or dismissals, audio or audiovisual hearing record or transcript, disciplinary sanctions imposed on the respondent, remedies provided to the complainant, and appeals of a Title IX case and the result. With respect to supportive measures, the University's records should include its basis for belief that it was not deliberately indifferent and that it took measures designed to restore or preserve equal access to its education program or activity. The University will also maintain training materials and records for Title IX coordinators, investigators, decision-makers, and informal resolution facilitators. The parties may have access to records relevant to their case such as allegations raised in the formal complaint, copies of evidence, investigative report, and written determination and reports provided in the course of the formal grievance process, but they may not have access to supportive measures provided to the other party. If a student is found responsible for violating the Title IX Policy, this finding remains a part of that student's conduct record.

**Training.** The University will ensure that Title IX Coordinators, investigators, decision-makers, and facilitators of the informal resolution process receive training on the following:

- The definition of sexual harassment in § 106.30
- The scope of the University's education program or activity
- How to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable
- How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

The University will ensure that Title IX Coordinators, investigators, decision-makers, and facilitators of the informal resolution process receive training on the following:

- Any technology to be used at a live hearing
- 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

Training materials cannot rely on sex stereotypes, and they must promote impartial investigations and

adjudications. They must also be posted on the University's website.

Annual training will also be provided to all employees and students on issues related to Title IX. The primary sources of Title IX training on the Tennessee campus, Online campus, and various extension sites are the lead Title IX Coordinator and the Vice President for Student Services. The primary sources of Title IX training on the Florida campus are the branch Title IX Coordinator and the Associate Dean of Students. These designated university officials should have the most current knowledge of federal and state laws, regulations, and policies relating to Title IX. Since these university officials are the most informed members of the university community with regard to the university's Title IX responsibilities, they are best prepared to train others in the appropriate responses to a Title IX complaint or potential sex discrimination situation that needs special attention and/or corrective action.

**Awareness and Prevention Programs.** The university offers an educational program for students and employees that promotes awareness and prevention of sexual harassment, promotes both individual and community safety, and reduces the perpetration of violent crimes. The university works to create and maintain a campus community culture designed to prevent sexual harassment; rape; acquaintance or date rape; dating violence, domestic violence, or stalking; other sex offenses, forcible or non-forcible, heterosexual or homosexual; and other Title IX offenses. Ultimately, the foundation for such a program comes from the university's mission, Christian perspective, and core values.

The university's initial Title IX awareness and prevention program begins with a new-student orientation session during Genesis Weekend, which is held on both Tennessee and Florida campuses. The same awareness and prevention information is also provided during the orientation process for new distance-education students and new employees.

The university's ongoing Title IX awareness and prevention program continues with additional educational activities on both campuses offered to both students and employees. These ongoing educational activities include, but are not limited to: (1) safety awareness and violence prevention articles published in the *Johnson University Royal Scribe* ([royalscribe.net](http://royalscribe.net)), a student publication for the entire university community; (2) educational materials available on the university's website and employee portal; and/or (3) special events or activities during Sexual Assault Awareness Month in April.

**Victim Services and Resources.** Local and referral help is available for victims of sexual misconduct from the university's Health Services department and counseling center (available only on the TN campus), as well as the Student Services department. Local community and state victim services organizations are listed below for both Tennessee and Florida campuses. Many of these resources have websites and toll-free telephone numbers that would be helpful for online students.

**In Knox County, Tennessee:**

**Knox County Sheriff's Office – Family Crisis Unit**

[www.knoxsheriff.org/family/index.php](http://www.knoxsheriff.org/family/index.php)

Emergency Phone: 9-1-1

24-hour Helpline: 865-521-6336

Office Phone: 865-215-6820

Family Justice Center, 400 Harriet Tubman St., Knoxville, TN 37915

The Family Crisis Unit is responsible for investigating incidents of domestic violence, child abuse, and elder abuse. In addition to investigating these incidents, the unit also provides immediate safety crisis counseling information and support to victims of these crimes.

**Sexual Assault Crisis Center of East Tennessee**

<http://www.mcabbcenter.org/sacet>

24-hour Crisis Line: 865-522-7273

2455 Sutherland Avenue, Building B, Knoxville, TN 37919

**YWCA of Knoxville, Victim’s Advocacy Program**

[www.ywcaknox.com/programs/vap/](http://www.ywcaknox.com/programs/vap/)

Office Phone: 865-523-6126

Advocates for victims of domestic violence.

**Tennessee Domestic Violence Hotline**

1-800-356-6767

**In Osceola County, Florida:**

**Victim Services of Central Florida**

[www.victimservicecenter.org/](http://www.victimservicecenter.org/)

24-hour Helpline: 407-500-4325 (HEAL)

2111 E. Michigan Street, Suite 210, Orlando, FL 32806

Victim Service Center of Central Florida is the Certified Rape Crisis Center in Orange and Osceola counties. They serve all victims of sexual assault, violent crime and traumatic circumstance through free and confidential crisis intervention, therapy, advocacy, and outreach.

**Florida Coalition against Domestic Violence – Domestic Violence Hotline**

[www.fcadv.org/](http://www.fcadv.org/)

24-hour Hotline: 800-500-1119

The Florida Domestic Violence Hotline provides crisis counseling and refers callers to the nearest domestic violence center.

**Help Now of Osceola, Inc.**

[www.helpnowshelter.org/](http://www.helpnowshelter.org/)

24-Hour Domestic Violence Hotline: 407-847-8526

Outreach Office: 407-847-3286

Shelter: 407-847-0128

Administrative Office: 407-847-3260

821 Emmett Street, Kissimmee, FL 34741

Help Now provides safe emergency shelter, counseling, case management, information and referral, legal advocacy, and a 24-Hour crisis phone line.

**Florida Council Against Sexual Violence – Sexual Violence Hotline**

[www.fcasv.org/](http://www.fcasv.org/)

24-hour Hotline: 1-888-956-7273

The Florida Sexual Violence Hotline provides crisis counseling and refers callers to the nearest sexual violence services center. For child, adolescent, and adult victims.

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## Campus Emergency Notifications

The Higher Education Authorization Act of 2008 requires institutions of higher education to formulate policies and procedures for notifying the campus community concerning significant emergencies or dangerous situations involving an immediate threat to the safety of the community. Johnson University utilizes the Nixle Community Information Service, which is built exclusively to provide secure and reliable communications, to send a text message to registered phones in the event of an emergency situation. Nixle’s authenticated service connects city agencies to citizens (or, in this case, university



officials to students and employees) in real-time, delivering information to residents of geographically targeted areas and neighborhoods.

In the event of an emergency, students and employees who have registered in Nixle will receive information through the Nixle Community Information Service text message system. Notifications will include information about the nature of the emergency and both general and specific instructions for responding to the emergency. In addition, similar information will be posted to campus email accounts for currently enrolled students and current employees. Standard text message rates may apply, depending on the carrier. The system is simple to use, and there is no spam. Johnson University will only use this system to announce a campus emergency situation or to test the system (at least one test per year, perhaps more frequent tests).

*Nixle Registration & Set-up* – Text **JohnsonUFL** to **888777** and follow the instructions given.

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## **Emergency Management Plan – Education and Preparation**

Johnson University’s **Emergency Management Plan** establishes the policies, procedures, and organizational structure for response to emergencies that are of sufficient magnitude to cause a significant disruption of the functioning of all or portions of the university. This plan describes the roles and responsibilities of departments, units, and personnel during emergency situations. The basic emergency procedures are designed to protect lives and property through effective use of university and community resources. Since an emergency may be sudden and without warning, these procedures are designed to be flexible in order to accommodate contingencies of various types and magnitudes. The purpose of the **Special Unit Plan – Florida Campus** is to supplement the university’s Emergency Management Plan with the procedures and organizational structure unique to the Florida campus at 1011 Bill Beck Boulevard in Kissimmee, Florida.

Johnson University Florida will respond to an emergency situation in a safe, effective, and timely manner. Florida branch campus personnel, equipment, and resources will be utilized to accomplish the following priorities:

1. Protection of human life
2. Support of health and safety services
3. Protection of Johnson University Florida assets
4. Maintenance of Johnson University Florida services
5. Assessment of damages
6. Restoration of general campus operations

In case of any type of emergency on the Florida campus, the Florida Campus Safety and Security Committee serves as the Emergency Management Team. The Chair of the Emergency Management Team (the Executive Vice President) or a member of the Emergency Management Team acting on its behalf will determine whether an emergency or disaster should be declared on the Florida campus and the extent to which the Emergency Management Plan and the Special Unit Plan are activated. The first member of the Emergency Management Team to arrive on the scene is authorized to direct immediate action in response to a crisis. If an emergency or disaster is declared on the Florida campus, the Chair of the Emergency Management Team will assign an appropriate Incident Response Team.

### **Who to Contact in Case of an Emergency**

**If there is any immediate danger, call 9-1-1.**

Osceola County Department of Public Safety	If possible, tell the dispatcher the nature of the emergency, your exact location, and what services are needed. Remain there until help arrives.	Emergency Situation: 9-1-1 Non-Emergency Situation: (407) 348-2222
Campus Security Officer, available daily from 9:30 pm – 5:30 am	Campus Security Officer	Mobile: (407) 433-4355
Resident Director	Micaela Cox	Office: (407) 569-1169 Mobile: (772) 713-5595
Director of Plant Services - Florida Campus	Jacob Cox	Mobile: (407) 446-8841

### Emergency Notification Process

Upon confirmation by university officials of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus, university officials will immediately notify the campus community of the situation. University officials will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. The notice will give instructions for appropriate response actions. Notification methods may include email distribution lists for current students and employees, Nixle text alert system, verbal announcement broadcast on campus telephones, banner on website and portal, official social media post, official press release, or any combination of such notification methods.

### Timely Warning for Clery Crimes

When necessary, university officials will make a timely warning to the campus community (as required by federal regulations) of a Clery crime that occurred on the campus' Clery geography, that was reported to a Campus Security Authority or local police agency, and that is considered to represent a serious or continuing threat to students and/or employees. The timely warning will include pertinent information about the crime that triggered the warning (type and general location of the crime). However, a timely warning will not be issued if, in the professional judgment of responsible university officials, it would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency (as permitted by federal regulations). Notification methods may include email distribution lists for current students and employees, Nixle text alert system, verbal announcement broadcast on campus telephones, banner on website and portal, official social media post, official press release, or any combination of such notification methods.

### Types of Emergencies

#### Level 1 – Minor Incident

A minor incident is defined as a local event with limited impact, which does not affect the overall functioning capacity of Johnson University Florida. In the case of a minor incident, the Emergency Management Plan would not be activated. Examples of a minor incident include a localized fire, minor storm damage, or an unauthorized individual on campus.

#### Level 2 – Emergency

An emergency is defined as a serious event that completely disrupts one or more operations of Johnson University Florida. Multiple university resources are involved. In the case of an emergency, the Emergency Management Plan is activated to the extent necessary. Examples of an emergency

include a hurricane, brush fire, building fire, or active shooter on campus.

**Level 3 – Disaster**

A disaster is defined as a very serious event that seriously impairs or halts the operation of the branch campus. In the case of a disaster, the Emergency Management Plan is fully activated.

Examples of a disaster include a tornado, direct hurricane hit, or large-scale fire on campus.

**Stages of Response**

The stages of the Special Unit Plan summarized below follow the guidance found in the “Guide for Developing High-Quality Emergency Operations Plans for Institutions of Higher Education,” which was published in 2013 by the Federal Emergency Management Agency (FEMA).

Stage One – **Education and Preparation** – Educate the campus community to be ready to prevent, respond to, recover from, and/or mitigate the impact on life or property from any campus emergency or disastrous event of any severity or magnitude, whether man-made or natural.

Stage Two – **Emergency Management** – Respond to an emergency situation or disastrous event affecting the campus.

Stage Three – **Initial Recovery** – Begin the recovery process following an emergency situation or disastrous event on campus.

Stage Four – **Facility Restoration** – Restore damaged campus facilities to full use and operation.

Stage Five – **Completion of Recovery** – Reinitiate use of the repaired campus facilities and/or initiate use of the replaced campus facilities to complete the recovery process.

**Weather/Emergency Alert Information**

<b>ALERT or CONCERN</b>	<b>RESPONSE</b>
Weather Emergency	If your weather radio broadcasts an alert, follow the instructions located near your weather radio or in this table.
Severe Thunderstorm or Tornado Watch	Suitable conditions exist for severe thunderstorms or a tornado. Remain alert and be prepared to seek shelter immediately.
Severe Thunderstorm or Tornado Warning	Take shelter immediately in a room with no windows on the ground floor, unless instructed to do otherwise by authorized personnel.
Hurricane Watch or Warning	Remain alert and listen carefully to information. Prepare to evacuate or shelter-in-place. Listen for instructions from authorized personnel.
Shelter In Place Warning	Do not leave your apartment or office area. Follow shelter-in-place instructions given by authorized personnel. Listen for further instructions.
Civil Danger Watch or Warning	<p>Listen to the information carefully. Be prepared to either evacuate or shelter-in-place. Do not leave your apartment unless instructed by authorized personnel to evacuate. Listen for further instructions from authorized personnel.</p> <p><b>Osceola County Emergency Management Resources:</b></p> <ul style="list-style-type: none"> <li>• Emergency Management website: <a href="http://www.osceola.org/GO/EM">http://www.osceola.org/GO/EM</a></li> <li>• Emergency Management Facebook: <a href="http://www.facebook.com/OsceolaEOC">www.facebook.com/OsceolaEOC</a></li> <li>• Emergency Management Twitter: <a href="http://www.twitter.com/OsceolaEOC">www.twitter.com/OsceolaEOC</a></li> <li>• Osceola County Citizen Information Line: 407-742-0000</li> </ul>
Radiation Hazard Watch or Warning	
Material Hazard Watch or Warning	
Law Enforcement Warning	
Local Area Emergency	
Severe Weather Statement	

<b>ALERT or CONCERN</b>	<b>RESPONSE</b>
Immediate Evacuation Warning	Listen to the information carefully. Collect your evacuation materials. Do not leave campus on your own. Listen for further instructions from authorized personnel.
Immediate Safety or Health Emergency	<b>Call 9-1-1.</b> While on the phone with the 9-1-1 operator, have someone else call your Resident Assistant or the Resident Director at 407-569-1169 (office) or 772-713-5595 (cell) to notify campus personnel of the location and nature of the emergency.
Immediate Maintenance Emergency	Call the Resident Director at 407-569-1169 (office, during business hours) or 772-713-5595 (cell, during non-business hours). If the Resident Director is unavailable, contact a Resident Assistant or the Associate Dean of Students at 407-973-3229 (cell).
Non-Emergency Maintenance Need	Send email to <a href="mailto:IFIX@JohnsonU.edu">IFIX@JohnsonU.edu</a> , or call 407-569-1349 (1FIX) to submit a maintenance request.
Non-Emergency Local Law Enforcement	Call 407-348-2222 if you need to report a non-emergency situation to the Osceola County Sheriff's Office.

### Preparation for and Response to Fire

**In the event of a fire anywhere on campus, call 9-1-1.** This call will alert the Fire Department and the Department of Public Safety. Once emergency services have been notified, also report the fire to Student Life personnel as soon as possible for appropriate response and for purposes of inclusion in annual fire statistics.

### Fire Drills

Fire drills will typically be conducted two (2) times per year, one to be held in each semester.

1. Fire drills are unannounced and are sometimes monitored by a local fire department official.
2. Fire drills will typically encompass all campus personnel and students.
3. Fire drills are typically scheduled at a time that creates the least interruption in classes and in daily activities.

Fires don't always happen at convenient times. In order to be prepared for a fire or other type of emergency, the University conducts a fire drill each semester. This information is provided to inform you of your responsibilities during a fire or fire drill.

1. Make sure everyone in your area is awake and aware of what is going on.
2. Residents of Heritage Hall, Chambers Hall, and Trulock Hall will gather at the pond deck (1 on map). The Student Community Director or a Resident Assistant will be there to verify your presence.
3. Residents of Beazell Hall, Foundation Hall, and Packer Hall will gather in the grassy area at the fence near the residence gate (2 on map). Resident Assistants will be there to verify your presence.
4. All Resident Assistants will give accountability to the Resident Director, who will report to the Fire Department personnel upon their arrival.
5. Occupants of non-residential buildings will gather at the end of the NW visitor-parking strip beside the Chapman Center (3 on map).
6. **Do not** leave your designated area until notified by the Fire Department personnel, Resident Director, or a Resident Assistant that it is okay to do so.



## Fire Prevention

It is the responsibility of every member of the campus community to bring to the attention of the institution any situation that may be considered a fire hazard. Help prevent fires:

- Stay in the kitchen while cooking.
- Turn pan handles away from the edge of the stovetop.
- Keep stovetop surfaces clean and free from grease buildup.
- Supervise children closely when they help in the kitchen.
- Keep flammable fabrics or shirts with long, loose sleeves away from the oven and stovetop burners.
- Do not keep flammable cleaning fluids, solvents, or other liquids near the stove.
- Having an open fire on campus without permission from Student Life personnel is prohibited.
- Creating a fire hazard is prohibited. *(Many of these prohibited activities also violate local, state, or federal fire safety codes in addition to violating the Campus Community Standards of Conduct, specifically the standard prohibiting endangerment of oneself or others.)*
  - 1) Safety is always a concern in university residence halls. Under no circumstances should anyone tamper with existing electrical equipment such as lighting, wiring, appliances, or switches.
  - 2) Overload on duplex outlet circuitry is a safety hazard. Excessive use of extension cords is discouraged.
  - 3) Corridors, stairwell landings, doorways, and exits are to be kept clear at all times. Nothing should be placed in these areas at any time.

- 4) Emergency exit doors must be kept closed at all times; tampering with or disabling the hardware on an emergency exit door is prohibited.
- 5) Using a burning candle, the stove, a toaster oven, or other portable electrical appliance in an irresponsible manner is prohibited.
- 6) The possession of fireworks or smoke-generating devices, tampering with fire safety equipment, improper use/storage of flammable materials, the use of sun lamps, and the use of space heaters is prohibited.
- 7) Barbeque grills should only be used in open areas at least ten feet from any building.

### **Fire Extinguishers**

Fire extinguishers and fire alarms are located in accessible locations in all buildings. When using a fire extinguisher, remember the **PASS** system:

**P**ull the pin // **A**im the Fire Extinguisher // **S**queeze the trigger // **S**weep nozzle from side to side

### **Fire Safety Systems in Campus Housing**

- Each apartment building (Foundation, Trulock, Chambers, Beazell, Packer, and Heritage Halls) has a fire extinguisher located on the outside wall of each floor.
- Each apartment in Foundation Hall and Trulock Hall has a smoke detector located in the kitchen/living room area near the bedroom entrances.
- Each apartment in Chambers Hall has a smoke detector at the top of the stairs. These apartments are also equipped with a sprinkler fire-suppression system.
- Each apartment in Beazell Hall, Packer Hall, and Heritage Hall has a smoke detector in the kitchen/living room area and a smoke detector located in each of the bedrooms. All smoke detectors are interconnected.
- Each apartment building is equipped with a fire emergency notification system with two pull stations outside on each floor.
- Each apartment is equipped with a notification horn within hearing range of all residents. Notification horns are also located on the outside of each apartment building.
- Personnel from the Plant Services Department inspect and test the smoke detectors monthly for proper operation and report failed detectors for repair or replacement.
- Personnel from the Plant Services Department inspect the fire extinguishers monthly for proper charge and report failed fire extinguishers for repair or replacement.
- Annually, an outside vendor inspects (and hydro-tests extinguishers scheduled for said testing) all fire extinguishers for proper charge and repairs or replaces any failed extinguishers.

### **Fire Safety Training and Education**

Fire safety training is included in the annual Resident Director and Resident Assistant Training program conducted before the beginning of the fall semester. Topics covered include emergency procedures, and fire and building evacuation zones on the Florida campus. Fire safety education is included in the semi-annual new-student orientation session covering campus safety and security held at the beginning of the fall and spring semesters. In addition, a colorful “Emergency Procedure Guide” is posted on the inside of every campus apartment’s front door. Topics covered include health or safety emergency contacts, maintenance assistance, RD and RA phone numbers, evacuation emergency procedures, evacuation zones map, and basic shelter-in-place instructions.

### **Response to Fire Alarm**

If a fire alarm is activated on campus, JUFL personnel should follow the response protocol described below.

1. Evacuate the affected buildings immediately and send people to the appropriate Emergency Assembly Area (refer to campus map below).

2. Determine the nature and location of the fire threat or false alarm.
3. If it is determined to be a false alarm, re-set the alarm system and permit people to return to the area from which they were evacuated.
4. If there is a fire or fire threat on campus, call 9-1-1 immediately and request assistance from the fire department.
  - a. Notify a member of the Florida Campus Safety and Security Committee that a fire has been detected on campus. A committee member will determine if an emergency is to be declared and if the emergency management plan will be activated.
  - b. If the fire alarm was activated from a residence hall, a committee member will communicate with the fire alarm monitoring company.
  - c. Follow instructions given by fire department personnel.
  - d. Once cleared by fire department personnel, permit people to return to the area from which they were evacuated.



### Response to Tornado

Upon hearing of a weather alert over the National Oceanographic Aeronautical Administration (NOAA) weather radio, obey the instructions of the warning and follow the Shelter-In-Place protocol.

#### When a tornado watch is announced:

*(A tornado watch means a tornado, severe thunderstorm, or both, are possible.)*

1. All campus personnel and currently enrolled students will be notified via text alert to those registered in Nixle, email message to Johnson University FL Info distribution list, email message to currently enrolled JUFL students, and campus phone announcements.

2. Remain alert for instructions from either campus or local authorities. Updates will be given, as conditions warrant, until the Emergency Management Team issues an “all clear” signal to the campus community.

When a tornado *warning* is announced, be prepared to:

*(A tornado warning means a tornado has been sighted.)*

3. Listen for special instructions from the National Weather Service, the Emergency Management Team, or other university officials.
4. Evacuate quickly to a designated area when requested to do so.
5. Shelter-in-place. Record the names of everyone who is sheltered in the area.
6. Get beneath heavy furniture if a safe area is not accessible or time does not permit.
7. Stay away from outer walls or glass.
8. Avoid any room with a wide free-span roof.
9. If the structure you are in appears to be unsafe, cautiously exit the structure.
10. Wait for the “all clear” signal from the weather radio, the local authorities, or the Emergency Management Team Chair.

### **Response to Hurricane**

Hurricane season extends from the beginning of June through November. If there is a hurricane or other high wind event in this area, you will be informed by the Emergency Management Team. Information received from weather radios should be obeyed.

Hurricane season preparations:

- Have two (2) gallons of water for drinking (for each resident) reserved throughout hurricane season.
- Stock some non-perishable foods that can be eaten with little or no preparation (i.e. canned foods, cereals, peanut butter and crackers).
- Have a flashlight ready with fresh batteries.

When a hurricane *watch* is issued:

*(A hurricane watch means hurricane conditions pose a possible threat to your area. It does not mean a hurricane will strike.)*

1. All campus personnel and currently enrolled students will be notified via text alert to those registered in Nixle, email message to Johnson University FL Info distribution list, email message to currently enrolled JUFL students, and campus phone announcements.
2. Updates will be given, as conditions warrant, until the Emergency Management Team issues an “all clear” signal to the campus community.
3. Listen for special instructions from the National Weather Service, the Emergency Management Team, or other university officials.
4. Make sure you have stocked up on emergency supplies.
5. Remain calm and alert for instructions from either campus or local authorities.

When a hurricane *warning* is issued:

*(A hurricane warning means that hurricane conditions are expected in your area within 24-36 hours. Conditions may include gale-force winds, flood danger, and possible tornadoes.)*

Upon the issuance of a Hurricane Warning that encompasses the Kissimmee area, the Emergency Management Team Chair, in conjunction with the other Emergency Management Team members, will chose one of the following options:

- Shelter-In-Place (Category 1 Hurricane only)
- Shelter-In-Place in first floor apartments or evacuate to hardened Chapman Center prior to sustained winds of 96 MPH (Category 2 Hurricane)
- Evacuate to hardened Chapman Center prior to sustained winds of 111 MPH or greater (Category 3 and above)
6. Secure any loose objects outside by bringing them inside.



7. Avoid unnecessary use of phones as the Emergency Management Team may be issuing updates.
8. All campus residents should remain in their own apartments until they are notified to do otherwise. Should a student choose to leave campus, they must notify the Emergency Management Team, Resident Director, or an RA of their destination. If the Emergency Management Team deems it necessary, students may be evacuated to the Chapman Center—this will be mandatory for all students residing in campus housing. The Emergency Management Team will record the names of everyone who is sheltered in the area. Students will be instructed to remain sheltered in their apartment or designated area until given the “all clear” signal from the weather radio, the local authorities, or the Emergency Management Team Chair.

## Shelter-in-Place Instructions

During an emergency, you may be asked to "shelter-in-place." The JUFL Emergency Management Team or local city/county emergency management officials may ask you to shelter-in-place when the risk of harm during an evacuation is greater than sheltering yourself in your home or workplace. The information provided below was developed from various emergency management resources, including the American Red Cross (<https://www.redcross.org/get-help/how-to-prepare-for-emergencies.html>), Osceola County Emergency Management (<https://www.osceola.org/agencies-departments/emergency-management>), and Florida Division of Emergency Management (<https://www.floridadisaster.org/planprepare/disaster-supply-kit>).

### Follow these Shelter-In-Place instructions for on-campus apartments

1. Choose a room with few or no windows.
2. Close all doors and windows. Close the blinds and stay away from the windows.
3. Close as many internal doors as possible.
4. Take your weather radio and a portable radio with you.
5. Stay inside until you are advised it is safe to exit your home. Once advised, open your apartment to air it out.
6. Stay off the telephone except to report emergencies. Authorities may be trying to communicate with you.
7. Wait for the “all clear” signal from authorized personnel.

### Follow these Shelter-In-Place instructions for non-residential campus buildings

1. Cancel class. Follow reverse evacuation procedures to bring the campus community indoors.
2. If there are visitors in the building, provide for their safety by asking them to stay – do not leave. When authorities provide directions to shelter-in-place, they want everyone to take those steps now, where they are, and not drive or walk outdoors.
3. Provide for answering telephone inquiries from concerned parents by having at least one telephone with the school’s listed telephone number available in the room selected to provide shelter for the school secretary or person designated to answer these calls. This room should also be sealed. Acquire all school two-way radios available for communication, if time permits.
4. Allow those with wireless phones to call to let others know where they are. However, instruct them to keep calls short.
5. If time permits, change the automated attendant message on the telephone system to indicate that the school is closed, students and staff are remaining in the building until authorities advise that it is safe to leave.
6. Provide directions to close and lock all windows, exterior doors, and any other openings to the outside.

7. If you are told there is danger of explosion, direct that window shades, blinds, or curtains be closed.
8. Have employees familiar with your building’s mechanical systems turn off all fans, heating and air conditioning systems. Some systems automatically provide for exchange of inside air with outside air – these systems, in particular, need to be turned off, sealed, or disabled.
9. Pre-stage essential disaster supplies, such as nonperishable food, bottled water, battery-powered radios, first aid supplies, flashlights, batteries, duct tape, plastic sheeting, and plastic garbage bags.
10. Select interior room(s) with the fewest windows or vents to serve as **shelter-in-place** rooms. The room(s) should have adequate space for everyone to be able to sit. Avoid overcrowding by selecting several rooms, if necessary. Classrooms may be used if there are no windows or the windows are sealed and cannot be opened. Large storage closets, utility rooms, meeting rooms, and even the gymnasium may also work well.
11. It is ideal to have a hard-wired telephone in the room(s) you select. Call emergency contacts and have the phone available if you need to report a life-threatening condition. Wireless telephone equipment may be overwhelmed or damaged during an emergency.
12. Bring everyone into the room. Shut and lock the door.
13. Write down the names of everyone in the room and call your school’s designated emergency contact to report who is in the room with you.
14. Listen for an official announcement from school officials and stay where you are until you are told all is safe or you are told to evacuate. Local officials may call for evacuation in specific areas at greatest risk in your community.

#### **Shelter-In-Place Rooms**

Campus Apartment Buildings	<ul style="list-style-type: none"> <li>• First-floor bathroom</li> <li>• Or as instructed</li> </ul>
Chapman Center	<ul style="list-style-type: none"> <li>• Restrooms</li> <li>• Registrar’s Office area</li> <li>• Non-windowed offices</li> <li>• CH-5</li> <li>• Or as instructed</li> </ul>
Brough Music Wing	<ul style="list-style-type: none"> <li>• Restrooms</li> <li>• Or as instructed</li> </ul>
Library	<ul style="list-style-type: none"> <li>• Restrooms</li> <li>• LB-2</li> <li>• Or as instructed</li> </ul>
Student Union Building (SUB)	<ul style="list-style-type: none"> <li>• Restrooms</li> <li>• Mailroom</li> <li>• Or as instructed</li> </ul>
Florida Commons Dining Hall	<ul style="list-style-type: none"> <li>• Restrooms</li> <li>• Or as instructed</li> </ul>
The Café	<ul style="list-style-type: none"> <li>• Restrooms</li> <li>• Or as instructed</li> </ul>
Maintenance Building	<ul style="list-style-type: none"> <li>• Tool Room</li> <li>• Or as instructed</li> </ul>

**Basic Shelter-In-Place Kit and/or Evacuation Kit**

As a last-minute preparation for sheltering in place, quickly gather as many of the following items as you can:

- Scissors
- Duct tape
- Plastic sheeting
- Towels (to put under doors)
- Radio with spare batteries
- Flashlight with spare batteries
- Spare battery for weather radio
- Water and snack foods
- Games and books

**Full Shelter-In-Place Kit and/or Evacuation Kit**

Most emergency management resources recommend that the six basics you should stock for your home are **water, food, first aid supplies, clothing and bedding, tools and emergency supplies, and special items**. Keep the items that you would most likely need during an evacuation in an easy-to-carry container. Possible containers include a large covered trash container, a camping backpack, or a duffel bag. Remember to place important family papers (such as your marriage certificate, Social Security cards, passports, current insurance documents, and any other legal paperwork) in one place for quick and easy removal for taking them with you.

- Store your kit in a convenient place that is known to all family members.
- Keep a smaller version of the supplies kit in the trunk of your car.
- Keep items in airtight plastic bags.
- Change your stored water supply every six months so it stays fresh.
- Replace your stored food every six months.
- Re-think your kit and family needs at least once a year.
- Replace batteries, update clothes, etc.
- Ask your physician or pharmacist about storing prescription medications.

**Water**

- Store water in plastic containers, such as soft drink bottles. Avoid using containers that will decompose or break, such as paper milk cartons or glass bottles.
- A normally active person needs to drink at least two quarts of water each day. Hot environments and intense physical activity can double that amount. Children, nursing mothers, and ill people will need more.
- Store one gallon of water per person per day.
- Keep at least a three-day supply of water per person (two quarts for drinking, two quarts for each person in your household for food preparation/sanitation).

**Food** – Store at least a three-day supply of non-perishable food. Select foods that require no refrigeration, preparation or cooking, and little or no water. If you must heat food, pack a can of sterno. Select food items that are compact and lightweight. Include a selection of the following foods in your Disaster Supplies Kit:

- Ready-to-eat canned meats, fruits, and vegetables
- Canned juices
- Staples, such as salt, sugar, pepper, spices, etc.
- High energy foods
- Vitamins

- Food for infants
- Comfort/stress foods

**First Aid Kit** – Assemble a first aid kit for your home and one for each car:

- Adhesive bandages, various sizes
- 5" x 9" sterile dressing pads
- Conforming roller gauze bandage
- Triangular bandages
- 3 x 3 sterile gauze pads
- 4 x 4 sterile gauze pads
- Roll 3" cohesive bandage
- Germicidal hand wipes or waterless alcohol-based hand sanitizer
- Antiseptic wipes
- Pair large medical grade non-latex gloves
- Adhesive tape, 2" width
- Anti-bacterial ointment
- Cold pack
- Scissors (small, personal)
- Tweezers
- CPR breathing barrier, such as a face shield

**Non-Prescription Drugs**

- Preferred pain reliever
- Anti-diarrhea medication
- Antacid (for stomach upset)
- Laxative
- Syrup of Ipecac (use to induce vomiting if advised by the Poison Control Center)
- Activated charcoal (use if advised by the Poison Control Center)

**Tools and Supplies**

- Mess kits, or paper cups, plates, and plastic utensils
- Emergency preparedness manual
- Battery-operated radio and extra batteries
- Flashlight and extra batteries
- Cash or traveler's checks, change
- Non-electric can opener, utility knife
- Fire extinguisher, small canister ABC type
- Tube tent
- Pliers
- Tape
- Compass
- Matches in a waterproof container
- Aluminum foil
- Plastic storage containers
- Signal flare
- Paper, pencil
- Needles, thread
- Medicine dropper

- Shut-off wrench, to turn off household gas and water
- Whistle
- Plastic sheeting
- Map of the area (for locating shelters)

#### ***Sanitation Supplies***

- Toilet paper, personal cleansing cloths or towelettes
- Soap, liquid detergent
- Feminine supplies
- Personal hygiene items
- Plastic garbage bags and ties (for personal sanitation uses)
- Plastic bucket with tight lid
- Disinfectant
- Household chlorine bleach

#### ***Clothing and Bedding***

- At least one complete change of clothing and footwear per person
- Sturdy shoes or work boots
- Rain gear
- Blankets or sleeping bags
- Hat and gloves
- Thermal underwear
- Sunglasses

***Special Items*** – Remember family members with special requirements, such as infants and elderly or disabled persons.

- Bottles, infant formula, and powdered milk
- Diapers or adult bladder pads
- Prescription medications
- Insulin, if diabetic
- Heart and high blood pressure medication
- Denture needs
- Contact lenses and supplies
- Extra eyeglasses

***Entertainment*** -- Games and books for all ages

***Important Family Documents*** – Keep these records in a waterproof, portable container:

- Will, insurance policies, contracts deeds, stocks and bonds
- Passports, social security cards, immunization records
- Bank account numbers
- Credit card account numbers and companies
- Inventory of valuable household goods, important telephone numbers
- Family records (birth, marriage, death certificates)

#### **Response to Infectious Disease or Contagious Medical Condition**

The following procedures will be enacted if a student shows evidence of having an **infectious disease or any contagious medical condition** that is transferable to others via casual contact (e.g., MRSA, influenza, shingles, coronavirus, other virus, etc.). These procedures will also be enacted if a student

shows evidence of being a danger to him/herself or to the campus community. The decisions of campus personnel, primarily the Associate Dean of Students or Resident Director, are intended to benefit both the individual student and the campus community. The policy and the decisions of the Associate Dean of Students or Resident Director are intended to be precautionary in nature, not punitive.

1. Any symptom of concern is to be reported to the Resident Director or other campus personnel immediately.
2. The student will be instructed to seek medical attention immediately.
3. The Resident Director will determine if the student may stay in campus housing until medical attention is sought.
4. Regardless of whether the student is allowed to stay on campus until medical attention is secured, the student must bring back a doctor's note stating that the student is not contagious or that the student is no longer a danger to him/herself or the community, whichever is the most appropriate as determined by the Associate Dean of Students or Resident Director. The note must specifically address the student's ability to safely return to campus housing and to the classroom.
5. Until a doctor clears the student to return to campus housing, the student is not to be in campus housing, unless the student is temporarily assigned to a quarantine apartment.
6. The Associate Dean of Students or Resident Director will also inform the Executive Vice President for the Florida campus concerning the status of the student, and a determination will be made as to whether the student may continue to attend classes even though he/she is not permitted in campus housing.

The following procedures will be enacted if a student shows evidence of having **head lice**.

1. If a resident student suspects or knows they have head lice, the student is required to contact their Residence Assistant (RA), the Resident Director (RD), or university personnel in the Student Life Office. If a commuter student suspects or knows they have head lice, the student is required to contact university personnel in the Student Life Office.
2. Student Life Office personnel will provide the student with a copy of the document entitled, "What To Do If You Suspect You Have Head Lice."
3. Designated university personnel will inspect the student's head to determine if head lice or nits (eggs) are present.
4. If head lice or nits are present, the student must immediately notify their roommates and the people with whom they have been in close person-to-person contact during the last 3-4 days.
5. The student must immediately begin the four-step elimination process described in the "What To Do ..." document, which contains the following sections:
  - a. Get Rid of the Head Lice
  - b. Use the Right Tools
  - c. Treat the Living Quarters
  - d. Follow-up with University Personnel
6. Compliance with these procedures for the treatment of head lice is essential for a resident student to maintain campus housing eligibility.

### **Response to Police or Medical Emergency**

Should a medical or police emergency arise, any campus personnel who becomes aware of a police or medical emergency should take the following steps:

1. Call 9-1-1 and clearly describe the nature of the emergency.
2. Call a university official and clearly describe the nature of the situation.
3. Do everything possible to ensure the safety of all those present.
4. Do everything possible to provide for the comfort of anyone in need of medical assistance.

Should campus personnel be notified of an escaped prisoner or become aware of one, the Emergency Management Team should be notified immediately.

1. The Emergency Management Team will then request that all exterior doors be locked and all of the campus community and visitors remain extra vigilant until the “all clear” signal is given.
2. All campus personnel are to cooperate fully with law enforcement officers.

### **Response to Active Shooter Threat**

If an active shooter or a civilian armed with a gun comes on campus, employ the **Run / Hide / Fight** method developed and copyrighted by the City of Houston and approved for public use by the Federal Bureau of Investigation (FBI). The Run/Hide/Fight response to an active shooter situation also comes from the “Guide for Developing High-Quality Emergency Operations Plans for Institutions of Higher Education” (pp. 82-84), which was published in 2013 by the Federal Emergency Management Agency (FEMA).

When an active shooter is in your vicinity, you must be prepared both mentally and physically to deal with the situation. You have three options:

#### **RUN**

- Have an escape route and plan in mind.
- Leave your belongings behind.
- Evacuate regardless of whether others agree to follow.
- Help others escape, if possible.
- Do not attempt to move the wounded.
- Prevent others from entering an area where the active shooter may be.
- Keep your hands visible.
- Call 911 when you are safe

#### **HIDE**

- Hide in an area out of the shooter’s view.
- Lock door or block entry to your hiding place.
- Silence your cell phone (including vibrate mode) and remain quiet.

#### **FIGHT**

- Fight as a last resort and only when your life is in imminent danger.
- Attempt to incapacitate the shooter.
- Act with as much physical aggression as possible.
- Improvise weapons or throw items at the active shooter.
- Commit to your actions...your life depends on it.

(Source: Retrieved 7/4/2019 from [https://www.fbi.gov/file-repository/active-shooter-event-quick-reference-guide\\_2015.pdf/view](https://www.fbi.gov/file-repository/active-shooter-event-quick-reference-guide_2015.pdf/view))

### **Response to Bomb/Explosives Threat**

In the event of a bomb or explosives threat, the person receiving the threat should contact the Emergency Management Team immediately!

Upon receipt of a bomb threat, the person receiving the call or note/letter should record the following information:

1. Date and time the call or note/letter was received.
2. Sex, approximate age, and race of the caller, if possible.
3. Speech, mannerisms (nervous, excited, etc.).
4. Background noises.
5. As much information as possible should be obtained about the bomb and its location. The person who takes the phone call should ask the following questions:

- a. What is the exact location of the bomb?
  - b. What is the time the device is set for detonation?
  - c. What does the bomb look like?
  - d. What type of explosive was used to make the bomb?
  - e. Why was the bomb placed?
6. If the threat is received in writing, every effort should be made to preserve the article for evidence analysis.

The Emergency Management Team will make a decision whether evacuation should be effected. If a bomb or other explosive device is detonated on campus, call 9-1-1 and the Emergency Management Team.

### **Response to Demonstrations**

Johnson University Florida is a private institution and does not permit demonstrations of any kind. In all cases, demonstrations will be considered trespassing and law enforcement authorities will be called. Should a demonstration occur, the following procedures should be followed:

Peaceful Non-Obstructive Demonstration – Campus personnel will be notified of the demonstration and will be kept updated on an hourly basis or less if events warrant.

Non-Violent Disruptive Demonstration – If access to the campus is denied, do not try to enter the campus forcefully. Notify the Emergency Management Team or designee and advise him/her of the situation.

Violent Disruptive Demonstration – In the event that a violent demonstration in which injury to persons or property occurs or appears imminent, stay clear of the site. Do not entice or confront the demonstrators.

### **Response to Hazardous Material**

A Hazardous Material occurrence is described as any accidental spill, exposure, or contact with a chemical or substance that could endanger health or welfare. Be sure to stay away and keep others away from the incident site to minimize the chance of contamination.

In the event of a hazardous material spill occurrence on campus, contact someone from the Plant Services Department (407-569-1366) immediately.

### **Classroom Safety**

The instructor has full control and authority in his or her classroom. The instructor is encouraged to do everything possible to protect the well-being of the class, while at the same time not placing himself or herself in danger. Should an incident arise in the classroom that somehow endangers the class, the instructor may use the following options at his or her discretion:

1. Dismiss those causing the disruption.
2. Dismiss the class.
3. Notify the Associate Provost in the Academic Office.
4. Call 9-1-1 and/or the Student Life Office at extension 1163.

### **Class Cancellation**

Classes are normally canceled when the School District of Osceola County cancels their classes due to dangerous weather. The campus community should monitor local TV and radio stations for updates. The decision to cancel classes otherwise will be made by the Executive Vice President. The Emergency Management Team will notify university personnel. University personnel will share the responsibility to notify students under the direction of the Emergency Management Team.



**Chapman Center as a Shelter**

The university holds a cooperative relationship with both the Osceola County Emergency Services and the American Red Cross of Central Florida to employ the Chapman Center as a shelter in the event of a crisis that would warrant the sheltering of a large number of people for a measured period of time. University personnel will run the operation of the shelter with the support of the Red Cross. Should the shelter be activated, every attempt will be made to cause as little disruption as possible to the day-to-day operations of the university.

**Local Activities/Events**

Special events are a regular occurrence in the community surrounding the Florida campus. These events bring an influx of visitors to the area. Everyone is encouraged to be more vigilant than normal and to encourage the following procedures:

1. Report suspicious activity to the Resident Director or a Resident Assistant.
2. Ensure that apartments and vehicles are locked.
3. Ensure exterior doors are closed and locked.

Should some type of disaster strike our local community, the University will mobilize to aid where possible.

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**Alcohol and Drug Abuse Policy**

The 1989 amendments to the federal Drug-Free Schools and Communities Act (DFSCA), as articulated in the Education Department's General Administrative Regulations (EDGAR Part 86.100, Subpart B), require that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education must certify that it has adopted and implemented a program "to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees" both on the institution's premises and as part of any of its activities." Accordingly, Johnson University has developed the following policy regarding alcohol and drug abuse:

*Standard of Conduct.* In keeping with the mission of Johnson University, the use, possession, distribution, manufacture, or sale of narcotics, illegal drugs, alcoholic beverages, tobacco, or the abuse of legal substances by its students and employees is strictly prohibited. [NOTE: If a beverage contains more than zero percent alcohol, it is considered to be an alcoholic beverage.]

*Drug Testing.* Whenever it is reasonable to suspect a student of substance abuse, University officials will make drug testing available. If the results come back negative, the University will bear the cost of the drug test. If the results are positive, the student will bear the cost and will be subject to disciplinary action. If the student refuses a request to be tested for substance abuse, then s/he will be subject to disciplinary action.

*Sanctions for Violation of the Standard.* Violation of this policy will lead to disciplinary action up to and including expulsion from the University or termination of employment (and referral for prosecution when a local code, state code, or federal code has been broken).

*Help is Available.* Confidential referrals for counseling, treatment, or rehabilitation are available on the Tennessee campus from the counseling center and the health services office to students and employees who voluntarily seek such assistance. Helpful literature on alcohol and drug abuse can also be found in those locations.

*Tennessee Codes.* Under Tennessee state law, it is unlawful for any person under the age of twenty-one to buy, possess, transport or consume alcoholic beverages (TCA 1-3-113); to provide alcoholic beverages to minors (TCA 39-15-404); to be intoxicated in public (TCA 39-17-310); to possess or exchange a controlled substance (TCA 39-17-417). Copies of the applicable Tennessee Codes are available from the Student Services Office.

*Florida Codes.* Under Florida state law, it is unlawful for any person to possess or distribute controlled substances or drugs (Section 893.03). With regard to alcohol, it is unlawful for any person to sell, give, or serve alcoholic beverages to persons under age 21 (Section 562.11) or for any person under the age of 21 years to have in her or his possession alcoholic beverages (Section 562.111). It is unlawful for any person to possess an open container of an alcoholic beverage while operating a vehicle in the state or while a passenger in or on a vehicle being operated in the state (Section 316.1936). It is unlawful for any person to drive under the influence of an alcoholic beverage, any chemical substance set forth in Section 877.111, or any substance controlled under Chapter 893, when affected to the extent that the person's normal faculties are impaired (Section 316.193). It is unlawful for any person to be intoxicated and endanger the safety of another person or property, and no person in the state shall be intoxicated or drink any alcoholic beverage in a public place or in or upon any public conveyance and cause a public disturbance (Section 856.011). Descriptions of the applicable Florida Codes are located in the *JUFL Student Handbook*.

*Federal Codes.* Possession and trafficking in controlled substances is regulated by federal law. The federal codes provide for fines plus imprisonment for possession (21USC844); forfeiture of real and personal property used to possess or facilitate possession (21USC853, 21USC881); forfeiture of vehicles, boats, aircraft, etc. used to transport a controlled substance (21USC884); civil fines and denial of federal benefits (21USC854); and ineligibility to purchase or receive a firearm (18USC922).

## Straight Facts About Drugs and Alcohol

### Alcohol

Alcohol abuse is a pattern of problem drinking that results in health consequences, social, problems, or both. However, alcohol dependence, or alcoholism, refers to a disease that is characterized by abnormal alcohol-seeking behavior that leads to impaired control over drinking. If you have a drinking problem, or if you suspect you have a drinking problem, there are many others out there like you, and there is help available. Talk to school counselor, a friend, a parent, or a minister.

<p>Short-term effects of alcohol use include:</p> <ul style="list-style-type: none"> <li>• distorted vision, hearing, and coordination</li> <li>• altered perceptions and emotions</li> <li>• impaired judgment</li> <li>• bad breath</li> <li>• hangover</li> </ul>	<p>Long-term effects of heavy alcohol use include:</p> <ul style="list-style-type: none"> <li>• loss of appetite</li> <li>• vitamin deficiencies</li> <li>• stomach ailments</li> <li>• skin problems</li> <li>• sexual impotence</li> <li>• liver damage</li> <li>• heart and central nervous system damage</li> <li>• memory loss</li> </ul>
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### Cigarette Smoking

Although many people smoke because they believe cigarettes calm their nerves, smoking releases epinephrine, a hormone that creates physiological stress in the smoker, rather than relaxation. The use of tobacco is addictive. Most users develop tolerance for nicotine and need greater amounts to produce a desired effect. Smokers become physically and psychologically dependent and will suffer withdrawal symptoms including changes in body

temperature, heart rate, digestion, muscle tone, and appetite. Psychological symptoms include irritability, anxiety, sleep disturbances, nervousness, headaches, fatigue, nausea, and cravings for tobacco that can last days, weeks, months, years, or an entire lifetime.

Cigarette smoking is perhaps the most devastating preventable cause of disease and premature death. Smoking is particularly dangerous for teens because their bodies are still developing and changing and the 4,000 chemicals (including 200 known poisons) in cigarette smoke can adversely affect this process. Cigarettes are highly addictive. One-third of young people who are just "experimenting" end up being addicted by the time they are 20.

Risks associated with smoking cigarettes:

<ul style="list-style-type: none"> <li>• diminished or extinguished sense of smell and taste</li> <li>• frequent colds</li> <li>• smoker's cough</li> <li>• gastric ulcers</li> <li>• chronic bronchitis</li> <li>• increase in heart rate and blood pressure</li> </ul>	<ul style="list-style-type: none"> <li>• premature and more abundant face wrinkles</li> <li>• emphysema</li> <li>• heart disease</li> <li>• stroke</li> <li>• cancer of the mouth, larynx, pharynx, esophagus, lungs, pancreas, cervix, uterus, bladder</li> </ul>
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**Cocaine and Crack**

Cocaine is a white powder that comes from the leaves of the South American coca plant. Cocaine is either "snorted" through the nasal passages or injected intravenously. Cocaine belongs to a class of drugs known as stimulants, which tend to give a temporary illusion of limitless power and energy that leave the user feeling depressed, edgy, and craving more. Crack is a smokable form of cocaine that has been chemically altered. Drug users who inject the drug and share needles are at risk for acquiring HIV/AIDS.

Cocaine and crack are highly addictive. This addiction can erode physical and mental health and can become so strong that these drugs dominate all aspects of an addict's life. Some users spend hundreds or thousands of dollars on cocaine and crack each week and will do anything to support their habit. Many turn to drug selling, prostitution, or other crimes. Cocaine and crack use has been a contributing factor in a number of drownings, car crashes, falls, burns, and suicides. Cocaine and crack addicts often become unable to function sexually. Even first-time users may experience seizures or heart attacks, which can be fatal.

<p>Physical risks associated with using <i>any</i> amount of cocaine and crack:</p> <ul style="list-style-type: none"> <li>• increases in blood pressure, heart rate, breathing rate, and body temperature</li> <li>• heart attacks, strokes, and respiratory failure</li> <li>• hepatitis or AIDS through shared needles</li> <li>• brain seizures</li> <li>• reduction of the body's ability to resist and combat infection</li> </ul>	<p>Psychological risks:</p> <ul style="list-style-type: none"> <li>• violent, erratic, or paranoid behavior</li> <li>• hallucinations and "coke bugs"--a sensation of imaginary insects crawling over the skin</li> <li>• confusion, anxiety, and depression</li> <li>• loss of interest in food or sex</li> <li>• "cocaine psychosis"--losing touch with reality, loss of interest in friends, family, sports, hobbies, and other activities</li> </ul>
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**Inhalants**

Inhalants refer to substances that are sniffed or huffed to give the user an immediate head rush or high. They include a diverse group of chemicals that are found in consumer products such as aerosols and cleaning solvents. Inhalant use can cause a number of physical and emotional problems, and even one-time use can result in death.

<p>Using inhalants even one time can put you at risk for:</p> <ul style="list-style-type: none"> <li>• sudden death</li> <li>• suffocation</li> <li>• visual hallucinations</li> <li>• severe mood swings</li> <li>• numbness and tingling of the hands and feet</li> </ul>	<p>Short-term effects of inhalants include:</p> <ul style="list-style-type: none"> <li>• heart palpitations</li> <li>• breathing difficulty</li> <li>• dizziness</li> <li>• headaches</li> </ul>	<p>Prolonged use can result in:</p> <ul style="list-style-type: none"> <li>• headache, muscle weakness, abdominal pain</li> <li>• decrease or loss of sense of smell</li> <li>• nausea</li> <li>• nosebleeds</li> <li>• hepatitis</li> <li>• violent behaviors</li> <li>• irregular heartbeat</li> </ul>
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		<ul style="list-style-type: none"> <li>• liver, lung, and kidney impairment</li> <li>• irreversible brain damage</li> <li>• nervous system damage</li> <li>• dangerous chemical imbalances in the body</li> <li>• involuntary passing of urine and feces</li> </ul>
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**Marijuana**

Marijuana is the most widely used illicit drug in the United States and tends to be the first illegal drug teens use. The physical effects of marijuana use, particularly on developing adolescents, can be acute. Marijuana blocks the messages going to your brain and alters your perceptions and emotions, vision, hearing, and coordination. A recent study of 1,023 trauma patients admitted to a shock trauma unit found that one-third had marijuana in their blood.

<p>Short-term effects of using marijuana:</p> <ul style="list-style-type: none"> <li>• sleepiness</li> <li>• difficulty keeping track of time, impaired or reduced short-term memory</li> <li>• reduced ability to perform tasks requiring concentration and coordination, such as driving a car</li> <li>• increased heart rate</li> <li>• potential cardiac dangers for those with preexisting heart disease</li> <li>• bloodshot eyes</li> <li>• dry mouth and throat</li> <li>• decreased social inhibitions</li> <li>• paranoia, hallucinations</li> </ul>	<p>Long-term effects of using marijuana:</p> <ul style="list-style-type: none"> <li>• enhanced cancer risk</li> <li>• decrease in testosterone levels for men; also lower sperm counts and difficulty having children</li> <li>• increase in testosterone levels for women; also increased risk of infertility</li> <li>• diminished or extinguished sexual pleasure</li> <li>• psychological dependence requiring more of the drug to get the same effect</li> </ul>
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**Methamphetamine**

Methamphetamine is a stimulant drug chemically related to amphetamine but with stronger effects on the central nervous system. Street names for the drug include "speed," "meth," and "crank." Methamphetamine is used in pill form or in powdered form by snorting or injecting. Crystallized methamphetamine known as "ice," "crystal," or "glass," is a smokable and more powerful form of the drug. Methamphetamine is an increasingly popular drug at raves (all night dancing parties), and as part of a number of drugs used by college-aged students. Marijuana and alcohol are commonly listed as additional drugs of abuse among methamphetamine treatment admissions.

The effects of methamphetamine use include:

<ul style="list-style-type: none"> <li>• increased heart rate and blood pressure</li> <li>• increased wakefulness; insomnia</li> <li>• increased physical activity</li> <li>• decreased appetite</li> <li>• respiratory problems</li> <li>• extreme anorexia</li> </ul>	<ul style="list-style-type: none"> <li>• hypothermia, convulsions, and cardiovascular problems, which can lead to death</li> <li>• euphoria</li> <li>• irritability, confusion, tremors</li> <li>• anxiety, paranoia, or violent behavior</li> <li>• can cause irreversible damage to blood vessels in the brain, producing strokes</li> </ul>
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Drug users who inject the drug and share needles are at risk for acquiring HIV/AIDS

Source: The National Clearinghouse for Alcohol and Drug Information, 05/24/2001 – excerpts from <http://www.health.org/govpubs/rpo884/>

## State of Florida Laws Concerning Drug Use

Under state law, it is a crime for any person to possess or distribute controlled substances or drugs as described in Section 893.03, Florida Statutes, except as authorized by law. Punishment for such crimes ranges from first-degree misdemeanors (up to one year imprisonment and up to a \$1,000 fine) to first-degree felonies (up to 30 years imprisonment and up to a \$10,000 fine).

Specifically, possession of less than 20 grams of marijuana is a first-degree misdemeanor punishable with imprisonment of up to one year and a fine of up to \$1,000. Possession of more than 20 grams of marijuana is a third degree felony punishable with imprisonment of up to five years and a fine of up to \$5,000. Possession of less than 28 grams of cocaine is a third degree felony. Possession of more than 28 grams of cocaine is a first-degree felony punishable with imprisonment of up to 30 years and a fine of up to \$250,000. The driving privilege also may be affected if any of these crimes are committed.

Trafficking (distributing specific large quantities of various controlled substances) is punishable by a minimum term of imprisonment of 3 to 25 years and a fine of \$25,000 to \$500,000, depending on the particular illicit drug and the quantity involved. Penalties under federal law for drug trafficking generally are greater than penalties under state law.

Individuals who have been convicted of a felony involving the sale or trafficking in, or conspiracy to sell or traffic in, a controlled substance under certain circumstances may be disqualified from applying for state employment. Convictions on drug-related charges also may result in forfeiture of federal financial aid.

## State of Florida Laws Concerning Alcohol

Florida Statute 562.11 -- Selling, giving, or serving alcoholic beverages to persons under age 21; misrepresenting or misstating age or age of another to induce licensee to serve alcoholic beverages to persons under 21.

It is unlawful for any person to sell, give, serve, or permit to be served alcoholic beverages to a person less than 21 years of age or to permit a person less than 21 years of age to consume such beverages on the licensed premises.

It is unlawful for any person to misrepresent or misstate his or her age or the age of any other person for the purpose of inducing any licensee or his or her agents or employees to sell, give, serve, or deliver any alcoholic beverages to a person less than 21 years of age.

Anyone convicted of violating either of the above provisions is guilty of a second-degree misdemeanor. If a driver's license (or an identification card issued by the Department of Highway Safety and Motor Vehicles) is used in violation of these provisions, additional penalties may be imposed, including suspension or revocation of the driver's license.

Florida Statute 562.111 -- Possession of alcoholic beverages by persons under age 21 prohibited.

It is unlawful for any person under the age of 21 years ... to have in her or his possession alcoholic beverages.... Convicted violators of this statute are guilty of a second-degree misdemeanor. Suspension or revocation of a driver's license may also be imposed.

Florida Statute 316.193 -- Driving under the influence.

A person is guilty of the offense of driving under the influence and is subject to punishment as provided in subsection (2) if the person is driving or in actual physical control of a vehicle within this state, and:

- (a) The person is under the influence of alcoholic beverages, any chemical substance set forth in Section 877.111, or any substance controlled under Chapter 893, when affected to the extent that the person's normal faculties are impaired;
- (b) The person has a blood alcohol level of 0.08 or more grams of alcohol per 100 milliliters of blood, or
- (c) The person has a breath alcohol level of 0.08 or more grams of alcohol per 210 liters of breath.

Florida Statute 316.1936 -- Possession of open containers of alcoholic beverages in vehicles prohibited.

It is unlawful and punishable as provided in this section for any person to possess an open container of an alcoholic beverage while operating a vehicle in the state or while a passenger in or on a vehicle being operated in the state. Convicted violators of this statute are guilty of a noncriminal moving traffic violation.

Florida Statute 856.011 -- Disorderly intoxication.

No person in the state shall be intoxicated and endanger the safety of another person or property, and no person in the state shall be intoxicated or drink any alcoholic beverage in a public place or in or upon any public conveyance and cause a public disturbance. Convicted violators of this statute are guilty of a second-degree misdemeanor.

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## Missing Student Notification Policy

Student residents (those students who reside in on-campus housing) have the option to identify an individual that the university can contact no later than 24 hours after the time the student is determined to be missing. Student residents have the option to submit confidential contact information to authorized campus officials on the online Emergency Contact List form. This information will be used by the Resident Director, Student Life personnel, or other authorized campus personnel in the event that a student resident is determined to be missing. The online Emergency Contact List form is available from the my.JohnsonU.edu portal.

## Missing Student Notification Procedures

- *Single-Student Residents* – Residents of Single-Student Housing will be determined to be missing if they remain unaccounted for during a 24-hour time period, normally determined by two consecutive nightly curfew checks of the apartments conducted by a Resident Assistant or the Resident Director, unless arrangements to be absent from the apartment were previously made with a Resident Assistant or the Resident Director. If a student is not present in the apartment when a Resident Assistant checks curfew for the second consecutive night, the Resident Assistant will immediately notify the Resident Director or Associate Dean of Students that the student is missing.
  - *Student Residents of Non-Traditional Housing* – Student residents of Non-Traditional Housing will be determined to be missing if a resident family member or roommate reports them as having been missing for 24 hours or more to the Resident Director or Associate Dean of Students.
  - Once a student resident is determined to be missing, attempts to contact the missing student will be made within 24 hours via telephone, cell phone, personal pager, email, and/or a physical search of the campus.
  - If a student resident is determined to have been missing for more than 24 hours and has not returned to campus, the university will initiate the emergency contact procedures that the student designates on the Emergency Contact List form. In addition, the university is required to refer the missing student report to the local law enforcement agency that has jurisdiction in this area, which is the Osceola County Sheriff's Office, within 24 hours.
  - If a missing student resident is under 18 years of age and is not emancipated from a custodial parent or guardian, the university will notify a custodial parent or guardian no later than 24 hours after the time the under-aged student resident is determined to be missing, in addition to notifying any other contact person designated by the student.
  - If a missing student has not submitted an Emergency Contact List form to the Student Life Office, the university will make a reasonable attempt to contact a family member of the missing student to assist in locating the missing student.
  - If a missing student resident is located on or off campus, the student will no longer be considered missing.
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## Student Consumer Information and Public Disclosures

Because the University participates in the Title IV federal financial aid program, the University is required to disclose specific information to students, prospective students, current employees, and/or the general public. Anyone may request a full copy of the reports listed below. These disclosure requirements include the following (*list edited for relevance to Clery Act*):

- Annual Security Report combined with the Annual Fire Safety Report, which contains institutional security policies, crime statistics, fire statistics, student housing facility fire safety systems, fire drills, emergency response plan, and evacuation procedures (annually by October 1) – Refer to the current *Student Handbook* or contact the Student Life Office on the Florida campus at 407-569-1163. The combined annual reports are available online on the Johnson University website at <https://johnsonu.edu/public-disclosures/clery-act-and-campus-safety/florida/>. Once there, click on the link imbedded in the first sentence, “Click here ....”
  - Drug-Free Schools and Campuses Act Biennial Report, which contains information on the university’s alcohol and drug abuse awareness program (report prepared every two years) – Contact the Student Life Office on the Florida campus at 407-569-1163.
  - Summary of the university’s policy concerning alcohol and drugs, standards of conduct, possible sanctions, and health risks (annually by October 1) – Provided in its entirety in the current *Academic Catalog* and *Student Handbook* or contact the Student Life Office on the Florida campus at 407-569-1163.
  - The Florida Department of Law Enforcement (FDLE) maintains a sexual predator and sexual offender registry website and toll-free telephone number. The following web address may be accessed to obtain local law enforcement agency information about registered sex offenders who may be present in the immediate area, <https://offender.fdle.state.fl.us/offender/sops/home.jsf;jsessionid=h8CXj3wu0ghbZbrp77V1XwE88wpPaYooC4WzEn55.MEGAETHSECONDARY>. Information may also be obtained by calling the FDLE toll-free at 1-888-357-7332 or 1-877-414-7234 for TTY accessibility.
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