



**Tampa Bay Campus  
Annual Security Report  
Annual Fire Safety Report  
2020-2021**

## Introduction

At Schiller International University, our concern for the safety and well-being of our students, faculty and staff is always our top priority. The primary responsibility for campus safety and security is achieved through a team effort involving the Office of the President, the Campus Directors, and the various student services and administrative offices. Please keep in mind that a truly safe campus can only be achieved through the efforts and cooperation of all students, faculty and staff who accept responsibility for their own safety and security as well as the safety and security of others.

This report has been prepared in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act 20 U.S.C. § 1092(f), with implementing regulations in the U.S. Code of Federal Regulations at 34 C.F.R. 668.46. This report also is in compliance with Higher Education Opportunity Act (P.L. 110-315). Copies of this report are distributed to students, employees, prospective students and prospective employees, according to the U.S Code of Federal Regulations and University Policy and Procedures. An electronic copy is provided on the University's website. Printed copies are available from the Campus Director's offices and from the Financial Aid offices at each campus upon request.

Any questions or comments regarding its content should be addressed to:

*Campus Director*

Phone- (727) 738-5082

**In An Emergency**

**Call 911**

**or**

**9-911 (from any  
Campus Phone)**

**TO REPORT AN  
INCIDENT: CALL**

**(727)736-5082 or  
(727)738-3812**

**Or Call Extension  
3812**

**From Any Campus  
Phone**

## Definition of Property:

### ON-CAMPUS PROPERTY:

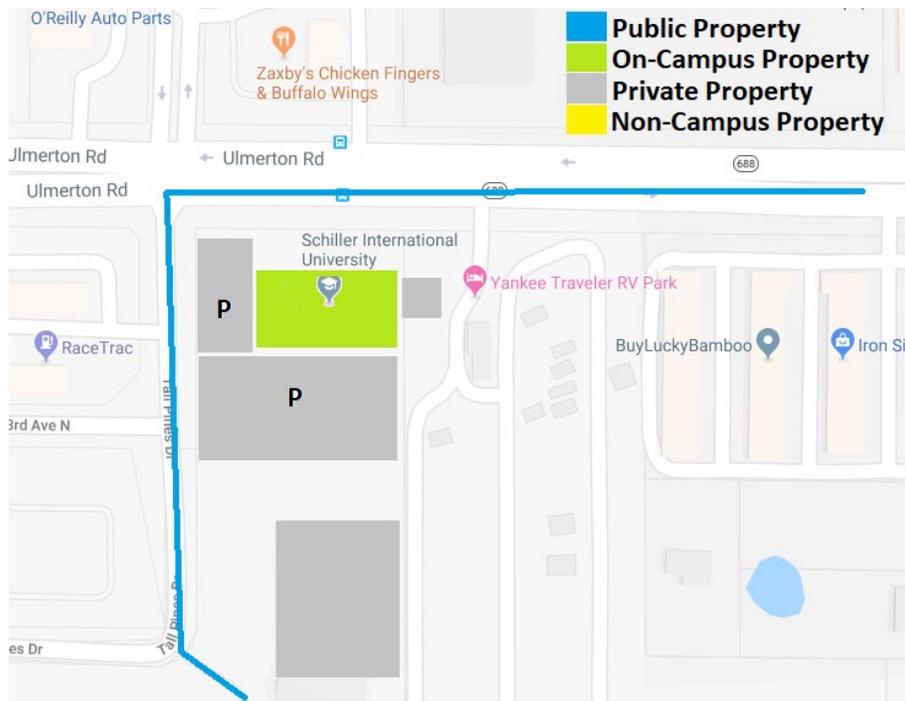
- Any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
- Property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institutional purposes (such as a food or other retail vendor).

Schiller International University operates a campus at the following location:

- Tampa Bay, Florida –8560 Ulmerton Road Largo, Florida 33771  
US Toll Free in US: 1-855-787-2262, Outside US: 1-727-736-5082 Fax: 1-727-738-8405

Schiller International University has provided a map that describes what is considered on-campus property which is noted in light green color on map.

### Tampa Bay, FL Campus



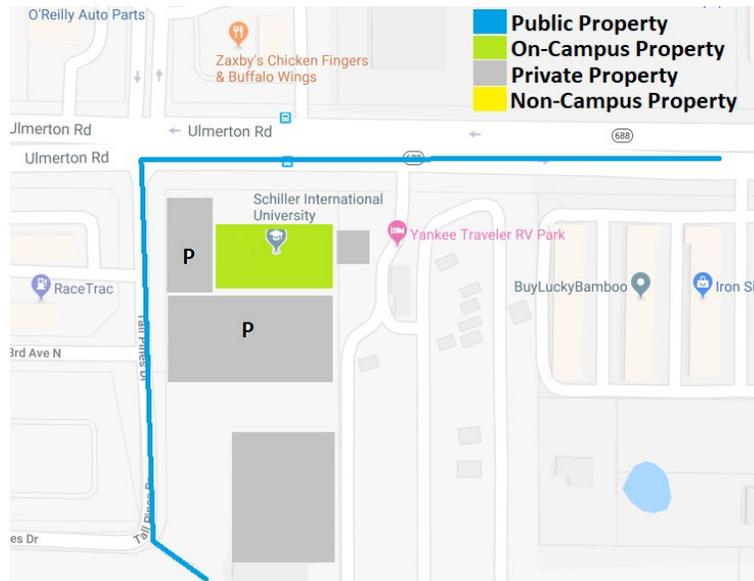
## NON-CAMPUS BUILDING OR PROPERTY:

- Any building or property owned or controlled by a student organization recognized by the institution; and
- Any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

Schiller International University-Tampa Bay Campus does not have any non-campus property.

## PUBLIC PROPERTY

All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.



## Campus Security Officials

The Campus Director is the Campus Safety Officer (CSO). The CSO is responsible for maintaining the physical security and safety of the University and its students, faculty, staff, visitors, and facilities; for enforcing University policies and regulations; for investigating and reporting incidents; for conducting safety inspections and drills; for collaborating with law enforcement agencies to enforce local, State, and Federal laws; and for completing other tasks of campus security as needed. Campus Safety Officer does not have the authority to make arrests. The University does not have written agreements with local law enforcement agencies regarding the investigation of alleged criminal offenses, but the University cooperates with the City of Largo Police Department, the Pinellas County Sheriff's Office, the Florida State Police, and other law enforcement agencies to ensure local, State, and Federal laws are enforced and the campus is secure and safe. It is the University's policy that all alleged crimes be reported to the appropriate

law enforcement agencies accurately and promptly. On an annual basis, the Campus Safety Officer will send a letter to local law enforcement agencies requesting crime statistics for Clery Act reportable crimes.

Contact Information for local law enforcement:

**Largo Police Department:**

Emergencies: Dial 9-1-1

Administrative Line: 727-587-6730

201 Highland Ave N, Largo, FL 33770

[www.largo.com/largo\\_police/index.php](http://www.largo.com/largo_police/index.php)

**Pinellas County Sheriff's Office:**

Emergency: 9-1-1

Administrative Line: 727-582-6200

P.O. Drawer 2500 Largo, FL 33779-2500

[www.pcsoweb.com](http://www.pcsoweb.com)

### **Reporting Crimes and Incidents**

Whether it happens to you or you're a witness, you have the responsibility to report crime. If a crime occurs on or around campus, report it immediately to the Campus Safety Officer or local police.

Crimes in progress and crimes that have just occurred should be reported by calling 911. Whenever possible, the actual victim or witness of the crime should call directly. Firsthand information is always more accurate and complete. If someone merely gives you the information and leaves, please include the name and contact information of the source.

Campus Safety Officer may be contacted at

- Tampa Bay, Florida – (727) 736-5082 or (727) 738-3812

The City of Largo **911** emergency communications center is staffed 24 hours a day by trained public safety dispatchers. The dispatchers receive calls from the 911 and business lines. They assign the appropriate police officers, firefighters or paramedics to handle the call. When calling to report a crime or incident, please be ready to give information such as: a brief description of what occurred, where the incident occurred, when the incident occurred. Did the suspect have a weapon? Where and when was the suspect last seen? What did the suspect look like (e.g., gender, race, age, height, weight, hair color/length, clothing, facial hair, tattoos, or scars)? Timely and accurate reporting of crimes assists investigations and helps develop timely warnings for the campus.

While students and employees are encouraged to report crimes to the Campus Safety Officer or Police, the Dean, Director of Financial Aid, Provost, Business Officer, or any other administrators on campus will provide assistance in reporting incidents.

Schiller International University policy requires that when a crime or student code of conduct violation occurs on campus it is to be reported as soon as possible, so that an accurate incident report can be filed promptly. Crimes may be reported to the following administrators and will ensure that the information will be used for processing timely warnings and preparing the annual statistical disclosure:

- Campus Safety Officer – Campus Director

- Any Administrator on Duty

The University does not provide pastoral care or counseling. If a victim or witness wishes to report a crime on a voluntary, confidential basis, the victim or witness may do so by contacting the Campus Director or the Title IX coordinator, (see below for a listing of Title IX coordinators). All efforts will be made to protect privacy and confidentiality. Crimes reported on a voluntary, confidential basis will be included in the annual crime statistics. Sexual assaults may be reported to anyone confidentially, allowing for posting of timely warnings and statistical data.

### **Title IX Coordinators**

- Tampa Bay, Florida – Jane Parker: Jane.Parker@schiller.edu (727) 736-5082

### **Crime Log**

The Campus Director maintains daily crime logs containing a chronological report of all valid complaints and reports of alleged crime, and includes the following information:

- Nature, date, time, and general location of each crime; and
- The disposition of the complaint, if known.

The public may review the crime log for the most recent 60-day period in the office of the Campus Director located at each Campus. Entries to the Crime Log older than 60 days can be viewed within two business days of receiving a request.

### **Clery Act Crime Definitions**

The Clery Act is a US Federal Law that requires colleges and universities whose students receive Federal Financial Aid to report statistics regarding alleged criminal activity on campus and in the neighboring area, as well as safety information, to the campus community. The definitions used for purposes of these reports are specific to the Clery Act and may not be entirely consistent with other crime definitions used by different entities that collect crime information otherwise.

### **CRIMINAL OFFENSES**

- ***Negligent Manslaughter:*** The killing of another person through gross negligence.
- ***Murder/Non-Negligent Manslaughter:*** The willful (non-negligent) killing of one human being by another.
- ***Robbery:*** The taking or attempt to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- ***Aggravated Assault:*** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
- ***Burglary:*** The unlawful entry of a structure to commit a felony or theft.
- ***Motor Vehicle Theft:*** The theft or attempted theft of a motor vehicle.

- **Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or personal property of another.

#### CRIMINAL OFFENSES- FORCIBLE SEX OFFENSES

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against a person's will where the victim is incapable of giving consent.

- **Forcible Rape:** The carnal knowledge of a person, forcibly and/or against that person's will; or not forcible or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity or because of his/her youth.
- **Forcible Sodomy:** Oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Sexual Assault with an Object:** The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

#### CRIMINAL OFFENSES- NON-FORCIBLE SEX OFFENSES

Unlawful, non-forcible sexual intercourse

- **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.

#### ARRESTS AND REFERRALS FOR DISCIPLINARY ACTION

- **Weapon Law Violations:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

- **Drug Law Violations:** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include opium or cocaine and their derivatives (morphine, heroin, and codeine), marijuana, synthetic narcotics (Demerol, methadone) and dangerous nonnarcotic drugs (barbiturates, Bensedrine).
- **Liquor Law Violations:** The violation of laws and ordinances prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkness and driving under the influence are not included in this definition)

### **VIOLENCE AGAINST WOMEN ACT OFFENSES (VAWA)**

- **Dating Violence:** Violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.
- **Domestic Violence:** Asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, and person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.
- **Stalking:** A course of conduct directed at a specific that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.

### **HATE CRIMES**

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

Although there are many possible categories of bias, under the Clery Act, only the following eight categories are reported: **Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin, and Disability.**

For Clery Act purposes, Hate Crimes include any of the following offenses that are motivated by bias.

- |   |  |
|---|--|
| • Murder and Non-negligent Manslaughter | • Arson                                    |
| • Sexual Assault                        | • Larceny-Theft                            |
| • Robbery                               | • Simple Assault                           |
| • Aggravated Assault                    | • Intimidation                             |
| • Burglary                              | • Destruction/Damage/Vandalism of Property |
| • Motor Vehicle Theft                   |  |

## Crime Statistics

The University presents crime statistics for each calendar year by October 1 of the following year, as required by Federal regulations. For example, this schedule calls for the January 1, 2019 through December 31, 2019 statistics to be reported by October 1, 2020.

These statistics are reported in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Uniform Crime Reporting procedures. A table is provided below that summarizes offenses that were reported to Campus Security or to other University offices during the prior calendar year. The table also lists data provided by the respective Police Department. Schiller International University does not have non-campus property or non-campus student organizations.

N.B. These statistics represent alleged criminal offenses reported to campus security, local police, or others. These statistics may involve individuals not associated with the institution. The data collected do not necessarily reflect prosecutions or convictions for crimes. Because some statistics may be provided by non-police authorities, these data may not be directly comparable to data from the FBI's Uniform Crime Reporting System, which collects data only from police.

<b>Crime Statistics for 2017, 2018, 2019</b>					
	<b>ON-CAMPUS PROPERTY</b>	<b>STUDENT HOUSING FACILITIES</b>	<b>PUBLIC PROPERTY</b>	<b>NON-CAMPUS PROPERTY</b>	<b>TOTAL</b>
<b>CRIMINAL HOMICIDES</b>					
<b>MURDER/NON-NEGLIGENT MANSLAUGHTER</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0
<b>NEGLIGENT MANSLAUGHTER</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0
<b>SEXUAL OFFENSES</b>					
<b>RAPE- FORCIBLE</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0
<b>FONDLING- FORCIBLE</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0
<b>INCEST- NON FORCIBLE</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0
<b>STATUTORY RAPE- NON FORCIBLE</b>					
2017	0	N/A	0	0	0

<b>Crime Statistics for 2017, 2018, 2019</b>					
	<b>ON-CAMPUS PROPERTY</b>	<b>STUDENT HOUSING FACILITIES</b>	<b>PUBLIC PROPERTY</b>	<b>NON-CAMPUS PROPERTY</b>	<b>TOTAL</b>
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0
<b>GENERAL OFFENSES</b>					
<b>ROBBERY</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0
<b>AGGRAVATED ASSAULT</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0
<b>BURGLARY</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0
<b>MOTOR VEHICLE THEFT</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0
<b>ARSON</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0
<b>VIOLENCE AGAINST WOMEN ACT (VAWA) VIOLATIONS</b>					
<b>DATING VIOLENCE</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0
<b>DOMESTIC VIOLENCE</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0
<b>STALKING</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0
<b>ARRESTS and DISCIPLINARY REFERRALS</b>					
<b>WEAPONS LAW VIOLATION ARRESTS</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0

<b>Crime Statistics for 2017, 2018, 2019</b>					
	<b>ON-CAMPUS PROPERTY</b>	<b>STUDENT HOUSING FACILITIES</b>	<b>PUBLIC PROPERTY</b>	<b>NON-CAMPUS PROPERTY</b>	<b>TOTAL</b>
<b>WEAPONS LAW VIOLATION DISCIPLINARY REFERRALS</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0
<b>LIQUOR LAW VIOLATION ARRESTS</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0
<b>LIQUOR LAW VIOLATION DISCIPLINARY REFERRALS</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0
<b>DRUG LAW VIOLATION ARRESTS</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0
<b>DRUG LAW VIOLATION DISCIPLINARY REFERRALS</b>					
2017	0	N/A	0	0	0
2018	0	N/A	0	0	0
2019	0	N/A	0	0	0

**There were no hate crimes reported in 2017, 2018, or 2019.**

Schiller International University does not have authority to “unfound” criminal complaints therefore all reported crimes are counted regardless of disposition.

## **Emergency Response and Evacuation Procedures**

### **SAFETY PLAN**

The purpose of the Schiller International University Safety Plan is to establish policies, procedures, and an organizational structure for response to significant emergency or dangerous situations. Nothing in this plan shall be construed in a manner that limits the use of good judgment and common sense in matters not foreseen or covered by the elements of the plan. The safety plan and organization shall be subordinate to State and Federal plans during a disaster declared by those authorities.

### **EMERGENCY RESPONSE TEAM (ERT)**

In the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus, the Emergency Response Team (ERT) is responsible for assessment and implementation of emergency procedures, including but not limited to, evacuations, lockdowns, crowd control, access controls, and coordination with responding emergency services. The ERT will assemble to direct the handling of the crisis.

The SIU Emergency Response Team (ERT) is an action task force of SIU volunteers trained and prepared to perform the following functions:

1. Define action plans based on emergency level.
2. Coordinate communications with staff, students and faculty.
3. Coordinate efforts with Emergency Authorities.
4. Respond to SIU related crises or issues caused by a severe weather event.

The University has identified an Emergency Response Team (ERT), consisting of:

#### *Campus Director (CD)*

Will gather information from advisors and coordinate with the University President on all critical decisions related to a severe weather event. The CD will verify that university policies and procedures for such an event are maintained and followed. The CD will also serve as spokesman for any interaction with local authorities and media, as well as interacting with other institutions, businesses or government agencies

#### *Student Services (SS)*

Will coordinate student safety efforts either on campus or at the designated emergency shelter, including:

- Gathering data on individuals affected and how.
- Procuring transportation in case an emergency evacuation and relocation is required.
- Procuring assistance to individuals requiring medical attention.
- Reporting incident and status updates to CD.

### *Campus Director (CD)*

Will oversee communication efforts with students, faculty and staff via email as related to the following:

- Notification on whether the campus will be open or closed on given days.
- Notification of evacuation, lockdown or lockout, and procedures when required.
- Communications of critical information when standard means of communicating are unavailable.
- Provision of hand-held radios, megaphones, cellular devices, etc.

### **ORGANIZATIONAL STATEMENT, ROLES, AND RESPONSIBILITIES**

This Safety Plan provides guidelines for the ERT during a major emergency or dangerous situation. Campus Director is considered the team leader.

The Team Leader or designee would be responsible for the following actions:

- Identifying the nature of the emergency;
- Ensuring that timely notification is made to emergency responders (*e.g.*, police and fire departments, emergency medical services, etc.);
- Coordinating with responding emergency services personnel;
- Ensuring that timely notification is made to the full ERT;
- Initiating the mass alert system if necessary;
- Ensuring that the primary command center is operational with all necessary communication and emergency equipment, as appropriate; and
- Determining if a lock down or evacuation of any building is necessary and initiating that process, if warranted.

### **REPORTING AN EMERGENCY**

Reporting an emergency in an accurate and timely manner is crucial in minimizing the effect of a significant emergency or dangerous situation on the community. All alleged offenses and/or emergencies should be reported to Campus Director. If a criminal act and/or emergency are reported to someone other than Campus Director, that person is instructed to contact Campus Director immediately. The Campus Director or designee, upon receiving the initial report, and will act according to training and instructions given.

Contact numbers for emergency service units (Fire, Police, and Emergency Medical Services) along with government agencies (*e.g.*, Office of Emergency Management; Board of Health; Poison Control Center; and the National Response Center for Chemical, Oil and Chemical/Biological Terrorism) are maintained at the Campus Director's Office. Also listed are medical facilities, utility companies and on-call contractors are maintained along with emergency contact numbers for all current staff, faculty, and students. If you encounter an emergency or dangerous situation on campus, report it immediately to the Campus Director or, by calling 911.

## **NOTIFICATION PROCEDURES**

Upon receiving the initial report, the Campus Director will make an immediate assessment identifying the nature of the emergency or dangerous situation and notify emergency services to discuss what actions should be taken next. A member of the ERT will then be notified, who will brief the other members. If a mass notification or limited notification is deemed necessary by local emergency services, the ERT will, without delay, and taking into account the safety of the community, determine the content of the notification, and decide the appropriate segment or segments of the campus community to receive the notification. The ERT will assist the Campus Director in initiating 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. Members of the ERT will notify their respective departments via phone, text messaging, or e-mail to ensure that all faculty and staff are aware of the situation.

## **MASS NOTIFICATION**

Emergency Notifications are required upon the confirmation of a significant emergency. It is sent by the President or designee, to all Students, Faculty and Staff via email, the PA system, and fire alarm system if applicable. Phone calls are made if needed.

All emergency notifications may be communicated through one or more of the following systems:

- Schiller website ([www.schiller.edu](http://www.schiller.edu))
- Email alert sent to Students, Faculty and Staff
- On campus PA system
- On Campus fire alarms

## **COMMUNICATION WITH THE CAMPUS COMMUNITY AND GENERAL PUBLIC**

The ERT will determine the need to give notice to individuals and organizations outside the campus, including the police or other local authorities as well as the campus community. The ERT will collaborate with local authorities in determining the need for and content of the notice. The notice will be provided to local emergency services as a first priority. Updated information will be provided if necessary.

In the event of an emergency or dangerous situation, the University's security phone number will be the main line for contacting security and providing information regarding individuals confirmed to be on campus.

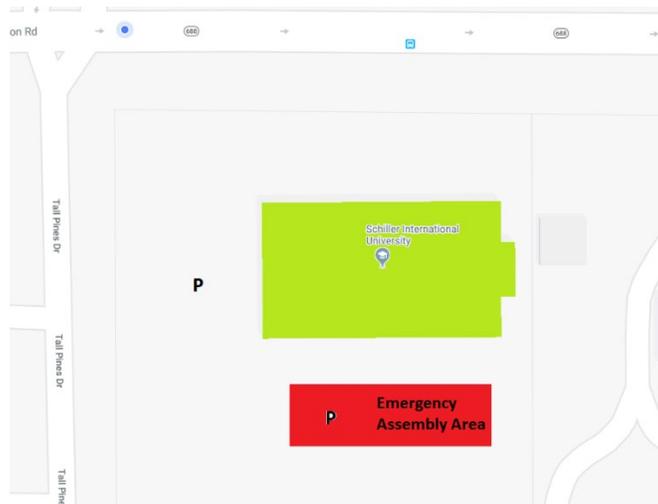
- Tampa Bay, Florida – Jeanette Espinal: (727) 736-5082 or (727) 738-3812

## **ROLE OF COMMUNITY**

The community is encouraged to notify the Campus Director of a significant emergency or dangerous situation as soon as possible. All matters involving potential violence or circumstances that could harm students, faculty, or staff should be reported immediately to **911**.

## ROLE OF STUDENTS

Students should familiarize themselves with the emergency procedures and evacuation routes in buildings where they reside or use frequently. They should evacuate buildings in an orderly manner when an alarm sounds or when directed to do so by emergency personnel. They should evacuate to pre-designated Emergency Assembly Area (see below).



## ROLE OF FACULTY AND STAFF

Every member of the faculty and staff should familiarize themselves with the emergency procedures and evacuation routes. Faculty members who are teaching a class during an emergency situation are expected to assist the students in taking appropriate actions. University security will provide communications and coordination with responders, under the direction of the ERT, as needed.

### Evacuation Guidelines

Notification to evacuate a building will be made by any feasible means, including email, fire alarms, public address systems, hand-held public address horns, telephones, and word of mouth as determined by the ERT.

In the event of a fire, employees, students, faculty, staff, and visitors are required to evacuate the building immediately. In non-fire emergencies, a decision to evacuate will be based on the facts and circumstances. Evacuation is likely necessary when the University receives a specific threat (e.g., bomb threat or hazardous material incident) and the recommendation of public safety officials who may be responders.

## EVACUATION OF CAMPUS BUILDINGS

When the order is given to evacuate a building for any reason, occupants are instructed to follow life safety survival skills, to not to use elevators, and to evacuate by way of the nearest safe exit.

## LOCK DOWN AND SHELTER-IN-PLACE PROCEDURES

The safety of our students, staff and faculty is a high priority and an important concern for the University. There is a fire alarm system in place for the immediate evacuation of the campus during an emergency. The University also has a communication system and a LOCKDOWN safety procedure, which can be used if and when there is an immediate threat and an evacuation would not be practical.

The University implemented this system because there are many types of threats and situations that can be dynamic and confusing due to unknown factors. We must therefore be flexible in how we communicate and react to keep everyone safe and out of harm's way.

For contacting fire, police, or medical emergency services **from a campus phone, callers must dial: 9-911**, and provide the address, building, and room location information displayed on the placard or phone.

If there is an immediate threat to human life, you must react decisively, get out of harm's way, notify the authorities by dialing **9-911**, and if necessary, implement and use the fire alarm switch or the new LOCKDOWN procedure. Once a campus official determines a lockdown, an announcement will be made using the intercom system (or assigned form of communication) to inform individuals on campus that **"Schiller International University is now in a LOCKDOWN condition."**

In the event of a Lockdown, the following procedures are to be followed:

- The doors to the building should be locked, and no one should be allowed to enter or leave until officially instructed.
- All students in the building should report to the nearest classroom.
- All professors should direct students in the hall to the nearest classroom, lock the doors and windows, turn off the lights, cover the windows, and move students out of the line of sight.
- Professors should take attendance of students in the room and await further instructions.
- Professors may contact the Front Desk at extension 3082 but should understand that immediate response may not be possible.
- All activity should cease. Students are expected to be quiet and to limit movement.
- Students/Staff outside the building must evacuate to an off campus location.

Once the lockdown is over there will be an announcement over the Bullhorn stating that the **"LOCK DOWN is OVER"** or, you will receive instructions from a University administrator, police, or a fire official. No one is allowed to leave the building until instructed. The staff is committed to improving and encouraging good relations in a diverse cultural environment in the University. Our combined efforts can preserve a safe environment.

## **Bomb Threat or Hazardous Material Threat**

Threats are always taken seriously. Most often a bomb threat is made by telephone, but threats may be conveyed by mail, email, or in person. Bomb threats must be reported immediately. Contact the Campus Director immediately. The Campus Director will contact the appropriate authorities. However, if the threat seems imminent, **call 911**. Security and designated personnel will coordinate with police and fire departments. A decision to evacuate or to lockdown a building will be made with due consideration given the advice offered by first responders.

If searches are necessary, professionals from the police and fire departments will conduct them. University personnel will not conduct searches for explosives or hazardous materials.

If Schiller or any of its employees were to receive a bomb threat by telephone:

- Remain calm. Do not hang up, even if the caller hangs up: The call may still be traceable.
- Ask the caller to repeat what he/she said.
- Ask for more information:
  - What is your name?
  - Where is it?
  - What does it look like?
  - What will it do?
  - Why are you doing this?
  - How can we contact you?
  - Do you want to talk with someone?
- Take notes
  - What was the exact time of the call?
  - Was the caller male or female?
  - Did the person sound old or young?
  - Did the person have an accent or pronounce words in a strange way?
  - What was the caller's tone of voice? Was he/she calm or excited?
  - Was there identifiable background noise?

## **Serious Injury or Illness**

Serious injury or illness can occur at any time. In the event of a serious injury or severe illness:

- Do not move the ill or injured person.
- Call 911
- Call Campus Director.
- Security personnel will notify appropriate members of ERT.
- Trained personnel will give care until first responders arrive.
- Campus Director will file a report of the incident. University Administrative staff will follow up with the ill or injured person.

## **Drills and Testing**

The Campus Director is responsible for testing the University's emergency response and evacuation procedures at least once per year, including those related to fire safety, at a time when most of the students, faculty, and staff are expected to be present on campus. The tests may be announced or unannounced. The Campus Director is responsible for overseeing all tests and maintaining documentation for each test that includes a description of the exercise, the date, the time and place of the exercise, and whether the drill was announced or unannounced. The Emergency Response and Evacuation Procedures will be distributed to the campus community in conjunction with drills and testing as required by Federal Law.

Students will use the following procedures during fire drills, when the alarm sounds:

- Open the window blind/shades (if applicable)
- Leave the wall or overhead light(s) on
- Close the room door, but **DO NOT LOCK IT**
- Walk quickly and quietly outside by using the stairwells. Do not use elevators.
- Remain outside until the signal is given to return to the building

## **ALL STAFF, FACULTY AND STUDENTS MUST ASSEMBLE IN THE FRONT PARKING LOT**

Anytime the fire alarm goes off, everyone must evacuate the building immediately through the nearest fire exit. NEVER assume it is "just a fire drill or false alarm." The assembly point for the Campus building is the front parking lot on the main entrance. The entrance, stairs, and driveway must be kept clear for the fire truck when it arrives. The pavements and walkways outside the buildings also must be kept clear. Do not use elevators.

## **TAMPERING WITH FIRE AND SAFETY EQUIPMENT**

State/country law strictly prohibits tampering with fire and safety equipment in any campus building. This means that pulling false fire alarms, discharging fire extinguishers, removing exit signs, or activating fire hoses will not be tolerated and is subject to disciplinary action.

## **Hurricane Emergency Response Plan**

### **HURRICANE AND SEVERE STORMS**

When the Tampa Bay area is threatened with severe weather, forecasters can sometimes predict its arrival in sufficient time to implement precautionary measures. If the forecast indicates that threatening weather will affect Schiller, all students and staff should take the necessary actions to minimize the possibility of harm.

Schiller has been established as being in the "Level D Zone" should an extreme weather situation develop, our emergency shelter is: **Largo High School, 410 Missouri Ave., Largo, FL 33770**

**Directions:** *From Schiller International University Largo Campus head West on Ulmerton Road, turn right at Seminole/Missouri Ave., Largo, arrive at 410 Missouri Ave., N. Largo, FL 33770. (10 minutes).*

Attached please also find all of the related shelter information in case of an evacuation. Visit the following link for additional emergency services and information provided by Pinellas County.

<http://www.pinellascounty.org/emergency/allhazardguide.htm>

## **PROCEDURES**

### **STUDENTS, FACULTY & STAFF**

In the event of a predicted hurricane, University officials will instruct ground students, faculty and staff of campus closures via email no later than 6 hours before classes begin on a given date. We will typically follow the local school district closure procedures; however, please be attentive to your Schiller email for school notifications and further information.

#### **STUDENTS**

If during a severe weather event, evacuation procedures are enforced, all students are encouraged to proceed to their designated shelter locations.

It is very important that we know your whereabouts, please do not leave without telling your instructors, classmates or student services representative where you are going and how to contact you.

#### **FACULTY AND STAFF**

In the event of a hurricane related campus closure, University officials will instruct ground faculty and staff on evacuation procedures. In such a situation, it is important that we know your whereabouts. Please do not leave without informing administration where you are going and how to contact you.

For more information on action plans, fire and evacuation, refer to [www.largo.com](http://www.largo.com) or to view a list of shelters, visit the Pinellas County Emergency Management website: <http://www.pinellascounty.org/emergency/>

## **EVACUATIONS**

If the need to evacuate should occur, listed below are important things to remember:

- Bring your medication (Prescription Drugs)
- Pack four changes of clothing, toiletries and bedding
- Pack a flashlight and small radio or cell phone
- Take important papers, such as passports, visas, etc., and identification showing your local address in water proof zip lock bags
- Listen for weather updates
- Have your car ready and filled with gas
- Pets are not allowed in shelters

In the event of a predicted hurricane, University officials will instruct students about evacuation procedures. In such a situation, it is important that we know your whereabouts. Please do not leave

without telling your colleagues/roommates/student services where you will be going, or leave a note with the address and phone number where you can be reached.

## **Campus Security Measures and Safety Information**

### **ACCESS TO CAMPUS BUILDINGS AND GROUNDS**

The University is not considered a large campus. It is centrally located. The nature of the services provided at Schiller requires that our building be open and accessible during extended periods each day. Since the campus is open, some individuals may engage in criminal activity. Therefore, regardless of the time of day or night, no matter where you are on campus, you should be alert and aware of your surroundings and exercise common sense safety precautions.

In an emergency: **Call 911.**

### **SECURITY CONSIDERATIONS USED IN THE MAINTENANCE OF CAMPUS FACILITIES**

All university faculty and staff are responsible for reporting maintenance and other safety issues to the Campus Director as soon as possible. The Campus Director will then report the issue to facility management. This will help ensure that all lighting, doors, sidewalks, parking lots, and other areas are kept in good working order.

### **NON-RESIDENTIAL BUILDINGS**

Our campus has one main building which also includes valuable equipment. The building is unlocked during business hours, 8 a.m. to 5 p.m. Monday through Friday. It is essential that staff, faculty, and students cooperate to keep all facilities secure. Never prop open exterior doors. Never open a door for an individual you do not know. Always keep your assigned keys safe and report any loss immediately. Always keep your University identification card with you. If you notice an unauthorized entry or other suspicious activity, call the reception desk immediately at (727)736-5082. In an emergency: **Call 911.**

### **SUSPICIOUS ACTIVITIES YOU SHOULD REPORT**

Unusual sounds such as screams or shouts should be investigated cautiously and reported to the Campus Director. If these noises seem to be coming from outside the building, you should look outside to see if you can spot anything specific. Do not go outside to investigate. Stay inside and report what you observe. If your instinct tells you it could be a life threatening event **call 911.**

If you notice anyone checking doors to see if they are open or looking into windows or parked cars, call the Campus Director. If you see anyone being forced into a vehicle, **call 911.**

If you see property being taken from the building on campus by unknown persons, call the Campus Director. It could be a burglary in progress. Write down a description of the persons and their vehicle, including license plate number, to give to Campus Director.

An unregistered vehicle parked on campus or a slowly moving vehicle roaming the campus should be reported. Always give a description of the vehicle, including license plate, and of driver if possible.

## **TIMELY WARNING AND CAMPUS CRIME ALERTS**

The Clery Act and associated regulations require that each campus provide a timely warning to the campus community concerning the occurrence of a Clery crime that the institution believes represents a continuing threat to the campus community. The determination that there is a continuing threat will be made by the Emergency Response Team on the basis of information presented by the Campus Director or local authorities. The Emergency Response Team will decide on the content of the notice and how it will be disseminated. The Campus Director will ensure any notice is released promptly. Campus crime alerts are posted in public areas around campus, and may be accompanied by emails, text messages, or notices delivered to students directly, as appropriate.

## **SAFETY INFORMATION**

Schiller International University is dedicated to promoting and maintaining safety awareness and a security wise environment. Presentations and special workshops on personal safety and related safety topics are provided for all campus members and at student orientation. Informational news articles, flyers, and safety-related brochures are developed and distributed to students and employees describing incidents affecting campus security, as needed. The University encourages students and employees to take responsibility for their own safety by taking proactive steps to reduce the likelihood of crimes on campus or to themselves. Campus security procedures and practices are explained to students during orientation and continued throughout the year. Crime prevention literature is available from the Campus Director.

## **NON-DISCRIMINATION AND HARRASSMENT POLICY**

Schiller University strives to provide an environment that is free from discrimination and harassment. State and federal laws protect students, staff, and faculty from discrimination and harassment based on certain characteristics, such as race, age, gender identity religion, disability, ethnicity and national origin. Schiller University prohibits any form of discrimination and/or harassment. Any student or employee of the university who has a complaint of harassment or discrimination can follow the procedure below.

### **DEFINITION**

Illegal harassment consists of comments or behaviors that are directed towards a person's race, gender, age, disability, religion, national origin or veteran status.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education status;
- Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive environment. This includes any form of sexual violence or misconduct.

Unlawful Discrimination is defined as treating an individual differently than another based on the individual's race, gender, age, color, disability, religious beliefs, and veteran's status.

## **COMPLAINT PROCEDURE**

Anyone who feels that he/she has been subjected to discrimination and/or harassment by fellow employees, vendors, visitors, students and/or guests should report the incident in writing to his or her immediate supervisor or the Chair of the Grievance Review Committee who also serves as the Title IX Coordinator.

Complaints will be promptly and thoroughly investigated by the Title IX Coordinator and appropriate person or persons. Investigations will be designed to protect the reasonable privacy interests of all parties concerned. All parties must cooperate with and provide information relative to these investigations. Disciplinary and corrective action, up to and including discharge, will be taken dependent upon the circumstances and as appropriate.

Schiller University has designated Jane Parker as the Title IX Coordinator. She can be contacted using the following methods:

- Phone: - (727) 736-5082
- Email: [Jane.Parker@schiller.edu](mailto:Jane.Parker@schiller.edu)

## **Sexual Assault, Domestic Violence, Dating Violence, and Stalking Policy**

### **DEFINITIONS**

#### **Sexual Assault- Florida Rape (Sexual Battery) Law at a Glance Florida Statutes Title XLVI. § 794.005, et seq.**

##### *Statutory Definition of Sexual Battery (Rape)*

Oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object, without the other party's consent or capacity to provide consent; however, sexual battery does not include an act done for a bona fide medical purpose.

##### *Statutory Definition of Consent*

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

Persons defined as incapable of consent to sexual activity include those whose judgment has been impaired due to the ingestion of drugs or alcohol, the mentally incapacitated, or someone who is unconscious.

##### *Sexual Battery: Classifications, Sentences, and Penalties*

- Committed on a victim under the age of 12 by an adult (over 18): Capital felony (death penalty or life in prison without parole)

- Committed on a victim under the age of 12 by someone under 18: Life felony (30 yrs. to life in prison)
- Committed on a victim over the age of 12: 2nd degree felony (up to 15 years in prison)
- Committed on a victim over the age of 12, including threats, coercive acts, or victim's physical incapacity: 1st degree felony (up to 30 years in prison)
- Defendant used a deadly weapon or physical force likely to cause a serious bodily injury to a victim over the age of 12: Life felony (30 yrs. to life in prison)

### *Florida Sex Offender Registry*

Those convicted of sexual battery must register as sex offenders with the Sex Offender / Predator Registry <https://offender.fdle.state.fl.us/offender/sops/search.jsf>

### *Defenses*

Voluntary consent given by the victim

Note: Florida state laws prevent the use of certain defenses in a case for sexual battery. Specifically, the defendant cannot use the victim's "unchastity" or discuss the victim's prior sexual conduct. In cases where the victim's age affects the criminal charges, mistake or lack of knowledge regarding the victim's age cannot serve as a rape defense.

### **SEXUAL HARRASEMENT GRIEVANCE POLICY AND PROCESS**

Schiller International University will investigate and adjudicate formal complaints of harassment and sexual harassment using a grievance process that incorporates due process principles, treats all parties fairly, and reaches reliable responsibility determinations.

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- (i) A school employee conditioning education benefits on participation in unwelcome sexual conduct (i.e., quid pro quo); or
- (ii) Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
- (iii) Sexual assault (as defined in the Cleary Act), rape, dating violence, domestic violence, or stalking.

### **SIU grievance process:**

- SIU will give both parties written notice of the allegations, an equal opportunity to select an advisor of the party's choice, and an equal opportunity to submit and review evidence throughout the investigation.
- SIU's Title IX personnel will objectively evaluate all relevant evidence without prejudgment of the facts at issue and free from conflicts of interest or bias for or against either party.
- SIU will protect parties' privacy by requiring a party's written consent before using the party's medical, psychological, or similar treatment records during a grievance process as well as requiring written non-disclosure by all participants of any part of the process to protect the complainants, respondents and witnesses from being exposed to third parties;
- SIU will obtain the parties' voluntary, written consent before using any kind of "informal resolution" process, such as mediation or restorative justice, and not use an informal process where an employee allegedly sexually harassed a student.

- SIU will apply a presumption that the respondent is not responsible during the grievance process, so that the school bears the burden of proof and the standard of evidence is applied correctly.
- SIU will use either the preponderance of the evidence standard or the clear and convincing evidence standard for formal complaints against students as for formal complaints against employees.
- SIU will ensure the decision-maker is not the same person as the investigator or the Title IX Coordinator.
- SIU may hold a live hearing and allow cross-examination by party advisors (never by the parties personally) this may be done through virtual means if necessary, making use of university technology.
- SIU will protect all complainants from inappropriately being asked about prior sexual history.
- SIU will send both parties a written determination regarding responsibility explaining how and why the decision-maker reached conclusions.
- SIU will effectively implement remedies for a complainant if a respondent is found responsible for sexual harassment.
- SIU will offer both parties an equal opportunity to appeal.
- SIU will provide a reporting process of such incidents that protects the anonymity of the complainant or any witness who wishes to report such an incident.
- SIU will protect any individual, including complainants, respondents, and witnesses, from retaliation for reporting sexual harassment or participating (or refusing to participate) in any Title IX grievance process.
- SIU will make all materials used to train Title IX personnel publicly available on the school's website.
- SIU will document and keep records of all sexual harassment reports and investigations.

**Domestic Violence- Florida Law at a Glance Statute Florida Statutes Sections 741.28-741.31, Florida Statutes Section 784.046**

*Domestic Violence Defined*

Florida's crime laws define domestic violence as specified types of violence committed against a family or household member. In particular, an individual can commit domestic violence against a spouse, ex-spouse, the co-parent of the individual's child, or a relative related to the individual by blood or marriage. Florida laws also protect against domestic violence occurring between individuals who currently cohabit or who formerly cohabited together in the same household.

The types of crimes qualifying as domestic violence under Florida law include assault and aggravated assault, battery and aggravated battery, sexual assault and sexual battery, stalking and aggravated stalking, kidnapping, and others. The criminal offense charged for a domestic violence incident depends on the specific circumstances and events. For example, a threat of physical harm might become an assault charge, while physical contact or injury might become a battery charge. If a prosecutor can establish one of the aggravating factors set by Florida state laws, the state may

pursue a charge such as aggravated assault or aggravated battery, which results in prosecution of the offense as a felony and entails a more severe punishment.

In addition, Florida recognizes the issue of violence committed between two persons in a current or former dating relationship. To meet the state's definition of a dating relationship, the two people must have participated in a romantic, intimate, or sexual relationship. The state issues injunctions to individuals who can prove an immediate danger or injury within a dating relationship. The state may prosecute a defendant who violates an injunction.

### **Violence Against Women Act (VAWA)**

The Violence Against Women Act of 1994 is a US Federal Law under Title IV § 40001-40703 of the Violent Crime Control and Law Enforcement Act, HR 3355, signed by President Clinton on September 13, 1994.

#### *Defenses to Domestic Violence Charges*

Self-defense

#### *Penalties and Sentences*

Florida domestic violence laws specifically include a minimum punishment of five days served in county jail. The court can also sentence a convicted offender to a period of imprisonment in Florida state prison. Alternatively, state laws permit the court to decide on a sentence of probation or community service.

Additionally, a state prosecutor can charge a perpetrator of domestic violence with other criminal offenses established by Florida law. For example, a domestic violence incident may result in charges of assault and battery. Domestic violence may be charged as an assault, which is a second degree misdemeanor, or aggravated assault, which is a third degree felony. Battery may be charged as a first degree misdemeanor or as a third degree felony. Misdemeanor sentences range from a maximum of sixty days to one year, while a third degree felony conviction may result in a sentence of imprisonment for a term lasting up to five years. A domestic violence incident charged as a second degree felony can lead to a sentence of imprisonment for up to fifteen years.

If a victim of domestic violence had an injunction or restraining order in place against the defendant, the state may prosecute a violation of the order as a first degree misdemeanor. A conviction for a first degree misdemeanor may result in a sentence of imprisonment for up to one year.

For the purposes of complying with the requirements of this section, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **Stalking- Florida Law at a Glance Statute Florida Statutes Sections 784.048**

#### *Definitions*

Stalking: Willful, malicious, and repeated following or harassing.

Aggravated Stalking: Willful, malicious and repeated following or harassing another with credible threats with the intent to place person in reasonable fear of death or bodily injury; or willfully, maliciously, repeatedly follows or harasses minor under 16; or after injunction for protection or any court-imposed prohibition of conduct, knowingly, willfully, maliciously and repeatedly follows or harasses another person.

#### *Punishment/Classification*

Stalking: Misdemeanor of the 1st degree

Aggravated Stalking: Felony of the 3rd degree

Sentencing/Fines: Apply 775.082, 083,084

#### *Penalty for Repeat Offense*

Violating Injunction/Protective Order:

- Judge must impose a minimum sentence of twenty-one (21) months imprisonment and can impose any additional penalties of:
- Up to five (5) years in prison.
- Up to five (5) years of probation.
- Up to \$5,000 in fines.

#### *Arrest or Restraining Order Specifically Authorized by Statute?*

Arrest without warrant if probable cause to believe statute is violated.

#### *Possible Defenses*

First Amendment Activities including picketing and organized protests

Legitimate Purpose

For the purposes of complying with the requirements of this section, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **DATING VIOLENCE**

The term “dating violence” means violence committed by a person

- Who is or has been in a social relationship of a romantic or intimate nature with the victim and
- The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition

- Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence. For the purposes of complying with the requirements of this section, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

There is not a separate statute in Florida for “dating violence”. Any crimes committed as part of a dating relationship would be prosecuted under the general criminal code based upon the specific allegations presented.

### **Bystander Intervention**

A bystander is a person who is present but not involved: an onlooker or spectator. Bystander Interventions are in-the-moment interventions where those around an individual or group who are engaging in risky or dangerous behavior, intervene in an attempt to prevent harm. Steps to intervening include:

- Notice the event or issue
- Determine whether the issue is an emergency or problem
- Take responsibility
- Know what to do
- Take action by directly assisting the victim, detouring the action, or reporting the activity to appropriate authorities

An incident may qualify as rape or sexual assault regardless of whether the victim knows the assailant; the degree of physical or verbal resistance offered by the victim; the presence or absence of physical injuries to the victim; or the presence or absence of the victim's previous voluntary association, sexual or otherwise, with the assailant.

Sexual assault includes any form of nonconsensual sexual intercourse committed by physical force, coercion, threat or intimidation, actual or attempted and includes (but is not limited to) any or all of the following behaviors: oral, vaginal, or anal intercourse; sexual touching, exhibitionism, sexual contact with someone who is incapable of consent; and sexual contact with someone who has resisted verbally or physically.

### **POLICY STATEMENT ON SEXUAL ASSAULT**

Schiller International University prohibits rape, sexual assault, or other forms of nonconsensual sexual activity. Sexual assault violates federal, state, and local laws (specifically Florida Statutes Title XLVI, § 794.005, et seq.). Victims of rape or sexual assault are encouraged to file a complaint as soon as possible after the incident. It is important to preserve any evidence of a sexual assault for proof of a criminal offense. All claims of sexual assault will be promptly and thoroughly investigated and corrective action taken if warranted by the results of the investigation. Such action may lead to a campus judicial hearing or to civil or criminal proceedings against the assailant. A student may be found guilty of sexual assault by a campus disciplinary body regardless of whether he or she is found guilty in civil or criminal proceedings.

### **POLICY STATEMENT ON DOMESTIC VIOLENCE, DATING VIOLENCE, STALKING**

Schiller International University prohibits domestic violence, dating violence, and/or stalking. Victims of domestic violence, dating violence, and stalking are encouraged to file a complaint as soon as possible after the incident. It is important to preserve any evidence of an assault for proof of a criminal offense. All claims will be promptly and thoroughly investigated and corrective

action taken if warranted by the results of the investigation. Such action may lead to a campus judicial hearing or to civil or criminal proceedings against the assailant. A student may be found accountable by a campus disciplinary body regardless of whether he or she is found guilty in civil or criminal proceedings.

### **PREVENTION AND AWARENESS PROGRAMMING**

Programming designed to prevent and promote awareness of sexual assault, domestic violence, dating violence, and stalking is offered on campus throughout the year. A variety of prevention and awareness materials, such as brochures, videos, and posters, are available in the Student Services office, which are designed to promote positive and healthy behavior. The University is committed to reducing the risk to its students, by providing opportunities for discussion and education on this issue.

### **RETALIATION**

Retaliation against any individual exercising a legal right, such as filing a complaint in good faith or providing information during an investigation, is also expressly prohibited, will not be tolerated and will result in disciplinary action, regardless of the disposition of the underlying complaint.

### **REPORTING PROCEDURES**

A student who has been sexually assaulted has several options for reporting the incident and receiving information and support:

#### **Report the Assault on Campus.**

If you have been assaulted by a member of the University community or on campus by a non-community member, you may file a complaint by contacting one of the following people directly:

- Campus Safety Officer may be contacted at any time by calling extension 3812
- Title IX coordinator- (727)736-5082
- Off-campus emergency services can be reached calling **911**.

These resource personnel can inform you of your options and provide assistance in pursuing them. You may contact them in person or by telephone. You should be aware that University personnel may likely be required to inform the police of any sexual assaults of which they become aware. Remember, it is important to preserve evidence that may be needed as evidence to prove a sexual assault.

### ***CONFIDENTIALITY***

Confidentiality will be kept as much as possible although it may hinder the investigation process. Confidentiality may be withdrawn to prevent future incidents and/or to eliminate a threat to the community. The university is required to report sexual assaults, domestic/dating violence, and stalking allegations in the Annual Security Report and to the Department of Education. All personally identifying information is not included on in any public record keeping.

Personally identifying information is defined in Section 40002(a) of the Violence Against Women Act of 1994 as individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault or stalking, regardless of whether the information is encoded, encrypted, hashed or

otherwise protected, including: a first and last name; a home or other physical address; contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number); a social security number, driver's license number, passport number or student identification number; and any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

#### ***REPORT THE ASSAULT TO THE POLICE.***

A complaint can be filed with the Largo Police Department or other law enforcement agency. Schiller International University personnel may be required to report the incident to law enforcement to assist in the investigation process. Reporting an assault is not the same thing as prosecuting the alleged offender. You can decide later if you want to prosecute. The Campus Safety Officer can assist you with this process if you choose.

#### ***PRESERVATION OF EVIDENCE***

The preservation of evidence will help in proving that a criminal offense did occur and may assist in obtaining a protective order. Reporting the incident immediately is a good way to help with this process. Campus Security Officials can assist you.

Depending on what occurred during the incident, the DNA of your offender might be obtained from a variety of sources, from body hair, saliva, bite marks, semen or vaginal discharge, debris under your fingernails, etc.

To preserve evidence, it is best to go to the hospital in the clothing you were wearing at the time of the assault and refrain from bathing, brushing your teeth, washing your hands, and urinating/defecating. Educational resources are available to learn what steps you can take to preserve evidence.

#### ***GO TO A HOSPITAL***

Seek assistance at the hospital of your choice, where you may receive treatment for injuries as well as tests that can provide evidence that may be crucial, should you decide to prosecute. You should call 911 and have them take you to the hospital. Campus Safety Officer cannot provide transportation. Being treated at the hospital does not mean you have to press charges.

#### ***SEEK COUNSELING.***

A trained counselor can assist you during this time of need, advise you of your options and provide you with support in pursuing them. For referral to a counselor, contact Campus Safety Officer or Title IX coordinator. Suncoast Center Inc. is a community organization that runs a 24-hour hotline staffed by volunteers who are trained to assist people who have been sexually assaulted. Their numbers are: Sexual Assault Service Helpline: 727.530.7273 Abuse Hotline: 800.962.2873. You can also contact Crisis Center of Tampa Bay if you are experiencing thoughts of suicide; verbal, physical or psychological abuse; or have any reason to be afraid, please call **2-1-1** for support and services.

Schiller International University, Tampa Bay Campus, provides counseling for Financial Aid, Academics and Career Services on campus. Assistance is provided through the Admissions team to assist student in obtaining student visas and also assistance with travel plans and temporary housing arrangements. Information is made available for assistance with Mental Health counselling. The Tampa campus also provides immediate assistance to students who may be a

victim of a crime. Victim Advocates provide crisis intervention, criminal justice information and court accompaniment, assistance with filing crimes compensation, social service referrals and personal safety planning including assistance filing for injunctions for protections to victims and witnesses of crime. For more information about Victim Services, contact any staff member or the Largo Victim Advocate at (727) 587-6730 or [domesticviolence@largo.com](mailto:domesticviolence@largo.com) or [victimadvocate@largo.com](mailto:victimadvocate@largo.com)

### **Reporting an Assault to the Largo Police Department**

Regardless of where you have been assaulted or by whom, you may call the City of Largo Police Department at **911** or (727)587-6730. Or call Sexual Assault Service Helpline: 727.530.7273 Abuse Hotline: 800.962.2873. You can also contact Crisis Center of Tampa Bay if you are experiencing thoughts of suicide; verbal, physical or psychological abuse; or have any reason to be afraid, please call **2-1-1** for support and services. Filing a report is not the same as pressing charges and does not obligate you to press charges. However, if sufficient evidence exists, the Prosecutor's Office could decide to press charges and may require you to testify. The following provides information regarding your options within the criminal justice system:

#### ***FILE A REPORT.***

A uniformed, on-duty police officer will take your report. He or she probably will ask a number of questions regarding the incident to be certain that he or she has all the information needed.

#### ***PRESS CHARGES.***

There is no requirement that you press charges. If sufficient evidence exists, the Prosecutor's Office may decide to press charges and may require you to testify. If you press charges, you likely will be interviewed by the police again, perhaps by a detective.

After the authorities have gathered statements and evidence, they will turn them over to the Prosecuting Attorney of the corresponding County. Based on a review of these materials, the Prosecutor will decide if the evidence is sufficient to warrant a preliminary hearing.

Choosing not to press charges immediately following an assault does not mean that you may not press charges later. However, you should be aware that your decision to delay making a report or pressing charges could make it harder for the prosecution.

### **PROTECTIVE ORDERS AND OTHER INTERIM MEASURES**

The university does not have the authority to issue or enforce legally mandated protective orders but will assist the victim of sexual assault, domestic violence, dating violence, and/or stalking in applying for and obtaining such an order from the local court system. Campus Director and staff will remain vigilant and assist in reporting violations of protective orders.

The university is obligated to offer reasonable interim measures that are used to protect the safety and well-being of alleged victims of a crime. Campus Director, will ensure students receive written notification of all their rights and options, regardless of whether a student chooses to report the incident Campus Security or to Law Enforcement Officers. This written notification will describe options for, available assistance in and how to request changes to academic, living, transportation and working situations or other protective measures. The university will make such accommodations or provide such protective measures if the

complainant requests them and if they are reasonably available, regardless of whether the complainant chooses to report the incident to Campus Director or local law enforcement.

A victim may also request that the alleged respondent's campus privileges be temporarily suspended (temporary suspension) until the investigation and judicial process is complete. This request can be filed with the Campus Director and if reasonable, action will be taken promptly.

Protective measures and accommodations will remain confidential to the fullest extent possible.

The Campus Director is responsible for overseeing these measures and that they are applied appropriately to ensure the safety and well-being of the victim.

## **VICTIM'S RIGHTS**

### ***RIGHTS OF THE COMPLAINANT***

In our efforts to encourage reporting and ensure fairness in the campus judicial process, Schiller International University will take all reasonable measures to ensure that any person making a report of sexual assault will be given the following considerations:

- Immediate and comprehensive information on all procedural aspects of the process.
- Be accompanied by a person or persons of his or her choice throughout the reporting and campus discipline processes.
- Prompt, fair, and impartial investigation of complaints.
- Privacy and confidentiality wherever possible.
- Freedom from pressure to report or not to report an assault to the police.
- Requests for information will be answered in a way that protects privacy interests to the extent possible under the law.
- To the extent possible, be shielded from the presence or actions of the alleged assailant while on campus.
- The right to participate in campus judicial proceedings in accordance with university's policies and procedures.
- Have their past sexual or relationship history excluded from the campus discipline process to the extent possible under the law.
- The opportunity to describe the impact of the event and recommend an appropriate penalty if the accused is found responsible. (The complainant may do this by means of a taped statement, to be presented to the disciplinary body)
- Learn the outcome of campus discipline proceedings in a timely fashion by simultaneous written notification sent to complainant and accused.
- The opportunity to appeal any decision made in campus discipline hearings as provided by the applicable policies and procedures.
- The option to change academic and living situations after an alleged sexual assault incident, if so requested, and if such changes are reasonably necessary.

### ***RIGHTS OF THE ACCUSED***

If you have been accused of sexual assault, contact the Campus Safety Officer (727)736-5082 or call extension 3812. In the pursuit of fairness to all parties involved in a complaint of sexual

assault, the University will take all reasonable measures to ensure that any person so accused will be given the following considerations:

- Prompt notification that a complaint has been filed against him or her.
- The right to be accompanied by a person or persons of his or her choice throughout the campus judicial process.
- Prompt and thorough investigation of complaints.
- Privacy and confidentiality wherever possible.
- Requests for information will be answered in a way that protects privacy interests to the extent possible under the law.
- Learn the outcome of campus discipline proceedings in a timely fashion by simultaneous written notification sent to complainant and accused.
- The right to appeal any decision made in campus disciplinary hearings. All University procedures will be followed.

### **DISCIPLINARY PROCEEDINGS AND POSSIBLE SANCTIONS**

Reports of sexual assaults, domestic violence, dating violence, and stalking are taken seriously by the university. Investigations and judicial proceedings are conducted in a prompt, fair, and impartial manner. Any student who is charged with rape, acquaintance rape, or other sex offense, forcible or non-forcible, may be subject to disciplinary action by the University in accordance with campus disciplinary procedures. Violations of this nature are considered especially heinous and are handled by the university's Rules Committee.

The Rules Committee comprises the Campus Director, who acts as Chair and votes only to break ties, two professional or faculty members appointed by the Campus Director, and a designated Student Government Representative.

The University's campus disciplinary procedures are separate and apart from criminal proceedings. Each process may impose sanctions independently. A student may be subject to suspension during the pendency of the investigation and disciplinary proceedings as deemed necessary and appropriate by the University.

The alleged perpetrator will be given 24-hours' notice to appear, unless there is an emergency or other extenuating circumstance. The hearing may be held *in absentia* if the alleged perpetrator(s) fail to appear.

The complainant will be advised of the date, time, and location of the hearing. The complainant may attend the hearing to make his or her statement in person and may bring a support person with them if they so choose. The complainant may also submit a written statement. All efforts will be made to protect confidentiality and the safety and well-being of the victim.

The Rules Committee will decide "Responsible" or "Not Responsible" and may assign sanctions. The University uses a burden of proof called 'preponderance of evidence'. Preponderance of evidence means that evidence of an incident shows that the perpetrator 'more than likely' committed the offense. An individual found responsible for sexual assault may be subject to

disciplinary sanctions including, but not limited to, probation, suspension, expulsion, or dismissal. If the Board finds the alleged perpetrator is “Not Responsible,” the incident will be dismissed. The decision will be placed in the Rules Committee files.

The Chairperson of the Judicial Board, the Title IX coordinator, and the Director of Campus Safety and Security will receive training on an annual basis on how to officiate including investigation techniques and how to remain fair and impartial during the hearing. An organization or individual found to have aided or abetted a sexual assault may face the same sanctions. Non-students may be banned from campus. A person found responsible for bringing a false accusation of sexual assault against another member of the campus community may be subject to disciplinary action including, but not limited to, probation, suspension, expulsion, or dismissal.

### **DISCLOSURE OF RESULTS OF DISCIPLINARY PROCEEDINGS**

Consistent with the Student Code of Conduct and related documents regarding the handling of violations of same, the decisions reached by the committees related to an alleged crime will be conveyed in writing to the alleged perpetrator and to the victim or next of kin if the victim is deceased. If it appears that a violation of law may have occurred, the victim will be advised that the University’s procedure for processing violations of the Student Code of Conduct does not limit, encumber, or reduce the legal remedies that may be available to the victim under the law. The results of any disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking require simultaneous notification, in writing, to both the accuser and the accused.

### **Student Code of Conduct**

The University Standard of Conduct is detailed on page 26 of the Catalog. Students are advised to study and to abide by this code of conduct.

Violations are handled by an internal disciplinary process that is separate and apart from any criminal proceedings that may arise. The University’s disciplinary process and criminal proceedings may impose sanctions independently and without collaboration or consultation. A student may be subject to suspension during the pendency of the investigation and disciplinary proceedings as deemed necessary and appropriate by the University. An individual found responsible for a violation of the student code of conduct may be subject to disciplinary sanctions including, but not limited to, fines, loss of residence hall privileges, probation, suspension, expulsion, or dismissal. An organization or individual, whether a student or not, that is found to have aided or abetted a violation may face the same sanctions as well as being banned from campus. A student found responsible for bringing a false accusation against a member of the campus community may be subject to the same disciplinary sanctions.

### **Registered Sex Offender Information**

The State of Florida requires sex offenders to register with the State Police. The State makes this information available to law enforcement agencies. This information is available to the public at the following websites: <https://offender.fdle.state.fl.us/offender/sops/offenderSearch.jsf> or <https://offender.fdle.state.fl.us/offender/sops/faq.jsf>

## **Drug, Alcohol, and Substance Abuse**

In keeping with the mission of Schiller International University and the requirements of state and federal laws, the university has adopted the following policy to ensure a drug-free campus and workplace, to prevent the use of controlled substances, and to prevent the abuse of alcohol. The use of illegal drugs and the abuse of alcohol on the SIU campus or in facilities controlled by SIU are prohibited.

### ***CAMPUS DRUG POLICY***

The university complies with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989.

- The possession, use, manufacture, or distribution of any illegal drug is prohibited on property owned or controlled by the university.
- Reporting for work, attendance by a student at any class, or attendance by either a student or employee at any activity of the university under the influence of any controlled substance is prohibited.

## **DRUG ABUSE PREVENTION AND CONTROL**

### **893.13 Prohibited acts; penalties.—**

(1)(a) Except as authorized by this chapter and chapter 499, a person may not sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance. A person who violates this provision with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
2. A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
3. A controlled substance named or described in s. 893.03(5) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Except as provided in this chapter, a person may not sell or deliver in excess of 10 grams of any substance named or described in s. 893.03(1)(a) or (b), or any combination thereof, or any mixture containing any such substance. A person who violates this paragraph commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) Except as authorized by this chapter, a person may not sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance in, on, or within 1,000 feet of the real property comprising a child care facility as defined in s. 402.302 or a public or private elementary, middle, or secondary school between the hours of 6 a.m. and 12 midnight, or at any time in, on, or within 1,000 feet of real property comprising a state, county, or municipal park, a community center, or a publicly owned recreational facility. As used in this paragraph, the term “community center” means a facility operated by a nonprofit community-based organization for the provision of recreational, social, or educational services to the public. A person who violates this paragraph with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. The defendant must be sentenced to a minimum term of imprisonment of 3 calendar years unless the offense was committed within 1,000 feet of the real property comprising a child care facility as defined in s. 402.302.

2. A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. Any other controlled substance, except as lawfully sold, manufactured, or delivered, must be sentenced to pay a \$500 fine and to serve 100 hours of public service in addition to any other penalty prescribed by law.

This paragraph does not apply to a child care facility unless the owner or operator of the facility posts a sign that is not less than 2 square feet in size with a word legend identifying the facility as a licensed child care facility and that is posted on the property of the child care facility in a conspicuous place where the sign is reasonably visible to the public.

(d) Except as authorized by this chapter, a person may not sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance in, on, or within 1,000 feet of the real property comprising a public or private college, university, or other postsecondary educational institution. A person who violates this paragraph with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. Any other controlled substance, except as lawfully sold, manufactured, or delivered, must be sentenced to pay a \$500 fine and to serve 100 hours of public service in addition to any other penalty prescribed by law.

(e) Except as authorized by this chapter, a person may not sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance not authorized by law in, on, or within 1,000 feet of a physical place for worship at which a church or religious organization regularly conducts religious services or within 1,000 feet of a convenience business as defined in s. 812.171. A person who violates this paragraph with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. Any other controlled substance, except as lawfully sold, manufactured, or delivered, must be sentenced to pay a \$500 fine and to serve 100 hours of public service in addition to any other penalty prescribed by law.

(f) Except as authorized by this chapter, a person may not sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance in, on, or within 1,000 feet of the real property comprising a public housing facility at any time. As used in this section, the term “real property comprising a public housing facility” means real property, as defined in s. 421.03(12), of a public corporation created as a housing authority pursuant to part I of chapter 421. A person who violates this paragraph with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. Any other controlled substance, except as lawfully sold, manufactured, or delivered, must be sentenced to pay a \$500 fine and to serve 100 hours of public service in addition to any other penalty prescribed by law.

(g) Except as authorized by this chapter, a person may not manufacture methamphetamine or phencyclidine, or possess any listed chemical as defined in s. 893.033 in violation of s. 893.149 and with intent to manufacture methamphetamine or phencyclidine. If a person violates this paragraph and:

1. The commission or attempted commission of the crime occurs in a structure or conveyance where any child younger than 16 years of age is present, the person commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. In addition, the defendant must be sentenced to a minimum term of imprisonment of 5 calendar years.

2. The commission of the crime causes any child younger than 16 years of age to suffer great bodily harm, the person commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. In addition, the defendant must be sentenced to a minimum term of imprisonment of 10 calendar years.

(h) Except as authorized by this chapter, a person may not sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance in, on, or within 1,000 feet of the real property comprising an assisted living facility, as that term is used in chapter 429. A person who violates this paragraph with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. Any other controlled substance, except as lawfully sold, manufactured, or delivered, must be sentenced to pay a \$500 fine and to serve 100 hours of public service in addition to any other penalty prescribed by law.

(2)(a) Except as authorized by this chapter and chapter 499, a person may not purchase, or possess with intent to purchase, a controlled substance. A person who violates this provision with respect to:

1. A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

2. A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

3. A controlled substance named or described in s. 893.03(5) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Except as provided in this chapter, a person may not purchase more than 10 grams of any substance named or described in s. 893.03(1)(a) or (1)(b), or any combination thereof, or any mixture containing any such substance. A person who violates this paragraph commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) A person who delivers, without consideration, 20 grams or less of cannabis, as defined in this chapter, commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. As used in this subsection, the term “cannabis” does not include the resin extracted from the plants of the genus *Cannabis* or any compound manufacture, salt, derivative, mixture, or preparation of such resin.

(4) Except as authorized by this chapter, a person 18 years of age or older may not deliver any controlled substance to a person younger than 18 years of age, use or hire a person younger than 18 years of age as an agent or employee in the sale or delivery of such a substance, or use such person to assist in avoiding detection or apprehension for a violation of this chapter. A person who violates this subsection with respect to:

(a) A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) Any other controlled substance, except as lawfully sold, manufactured, or delivered, commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Imposition of sentence may not be suspended or deferred, and the person so convicted may not be placed on probation.

(5) A person may not bring into this state any controlled substance unless the possession of such controlled substance is authorized by this chapter or unless such person is licensed to do so by the appropriate federal agency. A person who violates this provision with respect to:

(a) A controlled substance named or described in s. 893.03(1)(a), (1)(b), (1)(d), (2)(a), (2)(b), or (2)(c)5. commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A controlled substance named or described in s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (2)(c)10., (3), or (4) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(c) A controlled substance named or described in s. 893.03(5) commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(6)(a) A person may not be in actual or constructive possession of a controlled substance unless such controlled substance was lawfully obtained from a practitioner or pursuant to a valid prescription or order of a practitioner while acting in the course of his or her professional practice or to be in actual or constructive possession of a controlled substance except as otherwise authorized by this chapter. A person who violates this provision commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) If the offense is the possession of 20 grams or less of cannabis, as defined in this chapter, the person commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. As used in this subsection, the term “cannabis” does not include the resin extracted from the plants of the genus *Cannabis*, or any compound manufacture, salt, derivative, mixture, or preparation of such resin.

(c) Except as provided in this chapter, a person may not possess more than 10 grams of any substance named or described in s. 893.03(1)(a), (1)(b), or (2)(b), or any combination thereof, or any mixture containing any such substance. A person who violates this paragraph commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) If the offense is possession of a controlled substance named or described in s. 893.03(5), the person commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(e) Notwithstanding any provision to the contrary of the laws of this state relating to arrest, a law enforcement officer may arrest without warrant any person who the officer has probable cause to believe is violating the provisions of this chapter relating to possession of cannabis.

(7)(a) A person may not:

1. Distribute or dispense a controlled substance in violation of this chapter.
2. Refuse or fail to make, keep, or furnish any record, notification, order form, statement, invoice, or information required under this chapter.
3. Refuse entry into any premises for any inspection or refuse to allow any inspection authorized by this chapter.
4. Distribute a controlled substance named or described in s. 893.03(1) or (2) except pursuant to an order form as required by s. 893.06.
5. Keep or maintain any store, shop, warehouse, dwelling, building, vehicle, boat, aircraft, or other structure or place which is resorted to by persons using controlled substances in violation of this chapter for the purpose of using these substances, or which is used for keeping or selling them in violation of this chapter.
6. Use to his or her own personal advantage, or reveal, any information obtained in enforcement of this chapter except in a prosecution or administrative hearing for a violation of this chapter.
7. Possess a prescription form unless it has been signed by the practitioner whose name appears printed thereon and completed. This subparagraph does not apply if the person in possession of the form is the practitioner whose name appears printed thereon, an agent or employee of that practitioner, a pharmacist, or a supplier of prescription forms who is authorized by that practitioner to possess those forms.
8. Withhold information from a practitioner from whom the person seeks to obtain a controlled substance or a prescription for a controlled substance that the person making the request has received a controlled substance or a prescription for a controlled substance of like therapeutic use from another practitioner within the previous 30 days.
9. Acquire or obtain, or attempt to acquire or obtain, possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge.
10. Affix any false or forged label to a package or receptacle containing a controlled substance.

11. Furnish false or fraudulent material information in, or omit any material information from, any report or other document required to be kept or filed under this chapter or any record required to be kept by this chapter.

12. Store anhydrous ammonia in a container that is not approved by the United States Department of Transportation to hold anhydrous ammonia or is not constructed in accordance with sound engineering, agricultural, or commercial practices.

13. With the intent to obtain a controlled substance or combination of controlled substances that are not medically necessary for the person or an amount of a controlled substance or substances that is not medically necessary for the person, obtain or attempt to obtain from a practitioner a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact. For purposes of this subparagraph, a material fact includes whether the person has an existing prescription for a controlled substance issued for the same period of time by another practitioner or as described in subparagraph 8.

(b) A health care practitioner, with the intent to provide a controlled substance or combination of controlled substances that are not medically necessary to his or her patient or an amount of controlled substances that is not medically necessary for his or her patient, may not provide a controlled substance or a prescription for a controlled substance by misrepresentation, fraud, forgery, deception, subterfuge, or concealment of a material fact. For purposes of this paragraph, a material fact includes whether the patient has an existing prescription for a controlled substance issued for the same period of time by another practitioner or as described in subparagraph (a)8.

(c) A person who violates subparagraphs (a)1.-6. commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083, except that, upon a second or subsequent violation, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) A person who violates subparagraphs (a)7.-12. commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(e) A person or health care practitioner who violates the provisions of subparagraph (a)13. or paragraph (b) commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084, if any controlled substance that is the subject of the offense is listed in Schedule II, Schedule III, or Schedule IV.

(8)(a) Notwithstanding subsection (9), a prescribing practitioner may not:

1. Knowingly assist a patient, other person, or the owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practice of the prescribing practitioner's professional practice;

2. Employ a trick or scheme in the practice of the prescribing practitioner's professional practice to assist a patient, other person, or the owner of an animal in obtaining a controlled substance;

3. Knowingly write a prescription for a controlled substance for a fictitious person; or

4. Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing such prescription is to provide a monetary benefit to, or obtain a monetary benefit for, the prescribing practitioner.

(b) If the prescribing practitioner wrote a prescription or multiple prescriptions for a controlled substance for the patient, other person, or animal for which there was no medical necessity, or which was in excess of what was medically necessary to treat the patient, other person, or animal, that fact does not give rise to any presumption that the prescribing practitioner violated subparagraph (a)1., but may be considered with other competent evidence in determining whether the prescribing practitioner knowingly assisted a patient, other person, or the owner of an animal to obtain a controlled substance in violation of subparagraph (a)1.

(c) A person who violates paragraph (a) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) Notwithstanding paragraph (c), if a prescribing practitioner has violated paragraph (a) and received \$1,000 or more in payment for writing one or more prescriptions or, in the case of a prescription written for a controlled substance described in s. 893.135, has written one or more prescriptions for a quantity of a controlled substance which, individually or in the aggregate, meets the threshold for the offense of trafficking in a controlled substance under s. 893.135, the violation is reclassified as a felony of the second degree and ranked in level 4 of the Criminal Punishment Code.

(9) The provisions of subsections (1)-(8) are not applicable to the delivery to, or actual or constructive possession for medical or scientific use or purpose only of controlled substances by, persons included in any of the following classes, or the agents or employees of such persons, for use in the usual course of their business or profession or in the performance of their official duties:

(a) Pharmacists.

(b) Practitioners.

(c) Persons who procure controlled substances in good faith and in the course of professional practice only, by or under the supervision of pharmacists or practitioners employed by them, or for the purpose of lawful research, teaching, or testing, and not for resale.

(d) Hospitals that procure controlled substances for lawful administration by practitioners, but only for use by or in the particular hospital.

(e) Officers or employees of state, federal, or local governments acting in their official capacity only, or informers acting under their jurisdiction.

(f) Common carriers.

(g) Manufacturers, wholesalers, and distributors.

(h) Law enforcement officers for bona fide law enforcement purposes in the course of an active criminal investigation.

(10) If a person violates any provision of this chapter and the violation results in a serious injury to a state or local law enforcement officer as defined in s. 943.10, firefighter as defined in s. 633.102, emergency medical technician as defined in s. 401.23, paramedic as defined in s. 401.23, employee of a public utility or an electric utility as defined in s. 366.02, animal control officer as defined in s. 828.27, volunteer firefighter engaged by state or local government, law enforcement officer employed by the Federal Government, or any other local, state, or Federal Government employee injured during the course and scope of his or her employment, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. If the injury sustained results in death or great bodily harm, the person commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Violation of any of the prohibitions may result in immediate dismissal and/or criminal charges according to state and federal law.

### ***ENFORCING THE CAMPUS DRUG POLICY***

The Campus Security Officials are not a police force and has no arrest authority. Campus Security Officials are authorized to contact local law enforcement to report violations of law. Campus Security Officials can also refer violations of Federal and State Law and university policy to the appropriate administrators for potential disciplinary action.

## *ALCOHOL POLICY*

Schiller encourages safe, responsible behavior toward alcohol. All students are personally responsible for their behavior, and all students should, consider themselves responsible for the safety of themselves and all fellow students.

The following policies are in place to support healthy decisions and encourage responsible behavior:

- The possession, use, consumption, manufacture, sale, or distribution of alcohol by anyone under the age of 21 is strictly prohibited and could result in both criminal charges in accordance to local law and university judicial proceedings in accordance with the student code of conduct.

## *ENFORCING THE ALCOHOL POLICY*

The Campus Security Officials are not a police force and has no arrest authority. Campus Security Officials are authorized to contact local law enforcement to report violations of law. Campus Security Officials can also refer violations of Federal and State Law and university policy to the appropriate administrators for potential disciplinary action.

## **CHAPTER 562**

### **FLORIDA ALCOHOL and BEVERAGE LAW: ENFORCEMENT**

**562.01 Possession of untaxed beverages.**—It is unlawful for any person to own, possess, purchase, sell, serve, distribute, or store any alcoholic beverages unless said person has fully complied with the pertinent provisions of the beverage law relating to the payment of excise taxes.

**562.02 Possession of beverage not permitted to be sold under license.**—It is unlawful for a licensee under the Beverage Law or his or her agent to have in his or her possession, or permit anyone else to have in his or her possession, at or in the place of business of such licensee, alcoholic beverages not authorized by law to be sold by such licensee.

**562.025 Possession of beverages as food ingredients.**—This chapter shall not be construed to prohibit the owner or employee of a public food service establishment from possessing or using alcoholic beverages manufactured pursuant to law as ingredients to enhance the flavor of food prepared in connection with the operation of such establishment, provided that such public food service establishment meets the following criteria:

(1) Such public food service establishment shall hold a license which allows consumption of alcoholic beverages on the premises, issued by the Division of Alcoholic Beverages and Tobacco; and

(2) Such public food service establishment shall hold a license issued by the Division of Hotels and Restaurants.

Every such establishment shall maintain a menu on the premises which menu shall clearly designate the food containing alcoholic beverages. Daily specials need not be so posted. Alcoholic beverages may be used by the above licensees only as ingredients to enhance the flavor of food prepared and served on the licensed premises. It is the intention of this section to allow the use of such alcoholic beverages by the aforementioned licensees in the actual cooking of food and in the enhancement of the flavor of certain foods and desserts. This section shall not be construed so as to permit any other use of alcoholic beverages by such licensees or the purchase of spirituous beverages except from a licensed vendor.

**562.03 Storage on licensed premises.**—It is unlawful for any vendor to store or keep any alcoholic beverages except for the personal consumption of the vendor, the vendor’s family and guest in any building or room other than the building or room shown in the diagram accompanying his or her license application or in another building or room approved by the division.

**562.06 Sale only on licensed premises.** —Each license application shall describe the location of the place of business where such beverage may be sold. It is unlawful to sell, or permit the sale of such beverage except on the premises covered by the license as described in the application therefor.

**562.061 Misrepresentation of beverages sold on licensed premises.**—It is unlawful for any licensee, his or her agent or employee knowingly to sell or serve any beverage represented or purporting to be an alcoholic beverage which in fact is not such beverage. It is further unlawful for any licensee knowingly to keep or store on the licensed premises any bottles which are filled or contain liquid other than that stated on the label of such bottle.

**562.07 Illegal transportation of beverages.** —It is unlawful for alcoholic beverages to be transported in quantities of more than 12 bottles except as follows:

(1) By common carriers.

(2) In the owned or leased vehicles of licensed vendors or any persons authorized in s. 561.57(3) transporting alcoholic beverage purchases from the distributor’s place of business to the vendor’s licensed place of business or off-premises storage for alcoholic beverages purchased and transported as provided for in the alcoholic beverage law;

(3) By individuals who possess such beverages not for resale within the state.

(4) By licensed manufacturers, distributors, or vendors transporting alcoholic beverages pursuant to s. 561.57; and

(5) By a vendor, distributor, pool buying agent, or salesperson of wine and spirits as outlined in s. 561.57(4).

**<sup>1</sup>562.11 Selling, giving, or serving alcoholic beverages to person under age 21; providing a proper name; misrepresenting or misstating age or age of another to induce licensee to serve alcoholic beverages to person under 21; penalties.—**

(1)(a) A person may not sell, give, serve, or permit to be served alcoholic beverages to a person under 21 years of age or permit a person under 21 years of age to consume such beverages on the licensed premises. A person who violates this paragraph commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. A person who violates this paragraph a second or subsequent time within 1 year after a prior conviction commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) A licensee, or his or her or its agents, officers, servants, or employees, may not provide alcoholic beverages to a person younger than 21 years of age who is employed by the licensee except as authorized pursuant to s. 562.111 or s. 562.13, and may not permit a person younger than 21 years of age who is employed by the licensee to consume alcoholic beverages on the licensed premises or elsewhere while in the scope of employment. A licensee, or his or her or its agents, officers, servants, or employees, who violates this paragraph commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. This paragraph may be cited as “the Christopher Fugate Act.”

(c) A licensee who violates paragraph (a) shall have a complete defense to any civil action therefor, except for any administrative action by the division under the Beverage Law, if, at the time the alcoholic beverage was sold, given, served, or permitted to be served, the person falsely evidenced that he or she was of legal age to purchase or consume the alcoholic beverage and the appearance of the person was such that an ordinarily prudent person would believe him or her to be of legal age to purchase or consume the alcoholic beverage and if the licensee carefully checked one of the following forms of identification with respect to the person: a driver license, an identification card issued under the provisions of s. 322.051 or, if the person is physically handicapped as defined in <sup>2</sup>s. 553.45(1), a comparable identification card issued by another state which indicates the person’s age, a passport, or a United States Uniformed Services identification card, and acted in good faith and in reliance upon the representation and appearance of the person in the belief that he or she was of legal age to purchase or consume the

alcoholic beverage. Nothing herein shall negate any cause of action which arose prior to June 2, 1978.

(d) Any person charged with a violation of paragraph (a) has a complete defense if, at the time the alcoholic beverage was sold, given, served, or permitted to be served:

1. The buyer or recipient falsely evidenced that he or she was 21 years of age or older.
2. The appearance of the buyer or recipient was such that a prudent person would believe the buyer or recipient to be 21 years of age or older; and
3. Such person carefully checked a driver license or an identification card issued by this state or another state of the United States, a passport, or a United States Uniformed Services identification card presented by the buyer or recipient and acted in good faith and in reliance upon the representation and appearance of the buyer or recipient in the belief that the buyer or recipient was 21 years of age or older.

(2) 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 under 21 years of age, or for any person under 21 years of age to purchase or attempt to purchase alcoholic beverages.

(a) Anyone convicted of violating the provisions of this subsection is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(b) Any person under the age of 17 years who violates such provisions shall be within the jurisdiction of the judge of the circuit court and shall be dealt with as a juvenile delinquent according to law.

(c) In addition to any other penalty imposed for a violation of this subsection, if a person uses a driver license or identification card issued by the Department of Highway Safety and Motor Vehicles in violation of this subsection, the court may order the person to participate in public service or a community work project for a period not to exceed 40 hours.

(3) Any person under the age of 21 years testifying in any criminal prosecution or in any hearing before the division involving the violation by any other person of the provisions of this section may, at the discretion of the prosecuting officer, be given full and complete immunity from prosecution for any violation of law revealed in such testimony that may be or may tend to be self-incriminating, and any such person under 21 years of age so testifying, whether under subpoena or otherwise, shall be compelled to give any such testimony in such prosecution or hearing for which immunity from prosecution therefor is given.

(4) This section does not apply to a person who gives, serves, or permits to be served an alcoholic beverage to a student who is at least 18 years of age, if the alcoholic beverage is delivered as part of the student's required curriculum at a postsecondary educational institution that is institutionally accredited by an agency recognized by the United States Department of Education and is licensed or exempt from licensure pursuant to the provisions of chapter 1005 or that is a public postsecondary education institution; if the student is enrolled in the college and is required to taste alcoholic beverages that are provided only for instructional purposes during classes conducted under the supervision of authorized instructional personnel pursuant to such a curriculum; if the alcoholic beverages are never offered for consumption or imbibed by such a student and at all times remain in the possession and control of such instructional personnel, who must be 21 years of age or older; and if each participating student executes a waiver and consent in favor of the state and indemnifies the state and holds it harmless.

**<sup>1</sup>562.111 Possession of alcoholic beverages by persons under age 21 prohibited.—**

(1) It is unlawful for any person under the age of 21 years, except a person employed under the provisions of s. 562.13 acting in the scope of her or his employment, to have in her or his possession alcoholic beverages, except that nothing contained in this subsection shall preclude the employment of any person 18 years of age or older in the sale, preparation, or service of alcoholic beverages in licensed premises in any establishment licensed by the Division of Alcoholic Beverages and Tobacco or the Division of Hotels and Restaurants. Notwithstanding the provisions of s. 562.45, any person under the age of 21 who is convicted of a violation of this subsection is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083; however, any person under the age of 21 who has been convicted of a violation of this subsection and who is thereafter convicted of a further violation of this subsection is, upon conviction of the further offense, guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(2) The prohibition in this section against the possession of alcoholic beverages does not apply to the tasting of alcoholic beverages by a student who is at least 18 years of age, who is tasting the alcoholic beverages as part of the student's required curriculum at a postsecondary educational institution that is institutionally accredited by an agency recognized by the United States Department of Education and that is licensed or exempt from licensure pursuant to the provisions of chapter 1005 or is a public postsecondary education institution; if the student is enrolled in the college and is tasting the alcoholic beverages only for instructional purposes during classes that are part of such a curriculum; if the student is allowed only to taste, but not consume or imbibe, the alcoholic beverages; and if the alcoholic beverages at all times remain in

the possession and control of authorized instructional personnel of the college who are 21 years of age or older.

**562.112 Alcohol-related or drug-related overdoses; medical assistance; immunity from arrest, charge, prosecution, and penalization.—**

(1) A person who gives alcohol to an individual under 21 years of age and who, acting in good faith, seeks medical assistance for the individual experiencing, or believed to be experiencing, an alcohol-related or a drug-related overdose may not be arrested, charged, prosecuted, or penalized for a violation of s. 562.11 or s. 562.111 if the evidence for such offense was obtained as a result of the person's seeking medical assistance. The person must remain at the scene until emergency medical services personnel arrive and must cooperate with the emergency medical services personnel and law enforcement officers at the scene.

(2) A person who experiences, or has a good faith belief that he or she is experiencing, an alcohol-related or a drug-related overdose and is in need of medical assistance may not be arrested, charged, prosecuted, or penalized for a violation of s. 562.11 or s. 562.111 if the evidence for such offense was obtained as a result of the person's seeking medical assistance.

(3) Protection under this section from arrest, charge, prosecution, or penalization for an offense listed in this section may not be grounds for suppression of evidence in other criminal prosecutions.

**562.12 Beverages sold with improper license, or without license or registration, or held with intent to sell prohibited.—**

(1) It is unlawful for any person to sell alcoholic beverages without a license, and it is unlawful for any licensee to sell alcoholic beverages except as permitted by her or his license, or to sell such beverages in any manner except that permitted by her or his license; and any licensee or other person who keeps or possesses alcoholic beverages not permitted to be sold by her or his license, or not permitted to be sold without a license, with intent to sell or dispose of same unlawfully, or who keeps and maintains a place where alcoholic beverages are sold unlawfully, is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(2) It is unlawful for any person to operate as an exporter of alcoholic beverages within the state without registering as an exporter pursuant to s. 561.17. Any person who violates this subsection is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(3) Upon the arrest of any licensee or other person charged with a violation of this section, the arresting officer shall take into her or his custody all alcoholic beverages found in the possession, custody, or control of the person arrested or, in the case of a licensee, all alcoholic beverages not within the purview of her or his license, and safely keep and preserve the same and have it forthcoming at any investigation, prosecution, or other proceeding for the violation of this section and for the destruction of the same as provided herein. Upon the conviction of the person arrested for a violation of this section, the judge of the court trying the case, after notice to the person convicted and any other person whom the judge may be of the opinion is entitled to notice, as the judge may deem reasonable, shall issue to the sheriff of the county, the division, or the authorized municipality a written order adjudging and declaring the alcoholic beverages forfeited and directing the sheriff, the division, or the authorized municipality to dispose of the alcoholic beverages as provided in s. 562.44 or s. 568.10.

(1) It is unlawful for any licensee, his or her employee, agent, servant, or any entertainer employed at the licensed premises or employed on a contractual basis to entertain, perform or work upon the licensed premises to beg or solicit any patron or customer thereof or visitor in any licensed premises to purchase any beverage, alcoholic or otherwise, for such licensee's employee, agent, servant, or entertainer.

(2) It is unlawful for any licensee, his or her employee, agent, or servant to knowingly permit any person to loiter in or about the licensed premises for the purpose of begging or soliciting any patron or customer of, or visitor in, such premises to purchase any beverage, alcoholic or otherwise.

(3) Any violation of this section is a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

**562.14 Regulating the time for sale of alcoholic and intoxicating beverages; prohibiting use of licensed premises.—**

(1) Except as otherwise provided by county or municipal ordinance, no alcoholic beverages may be sold, consumed, served, or permitted to be served or consumed in any place holding a license under the division between the hours of midnight and 7 a.m. of the following day. This section shall not apply to railroads selling only to passengers for consumption on railroad cars.

(2) Except as otherwise provided by county or municipal ordinance, no vendor issued an alcoholic beverage license to sell alcoholic beverages for consumption on the vendor's licensed premises and whose principal business is the sale of alcoholic beverages, shall allow the licensed premises, as defined in s. 561.01(11), to be rented, leased, or otherwise used during the hours in which the sale of alcoholic beverages is prohibited. However, this prohibition shall not apply to

the rental, lease, or other use of the licensed premises on Sundays after 8 a.m. Further, neither this subsection, nor any local ordinance adopted pursuant to this subsection, shall be construed to apply to a theme park complex as defined in s. 565.02(6) or an entertainment/resort complex as defined in s. 561.01(18).

(3) The division shall not be responsible for the enforcement of the hours of sale established by county or municipal ordinance.

(4) Any person violating this section shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

## **APPLICABLE FEDERAL AND STATE LAWS, AND SANCTIONS**

### ***FEDERAL LAW***

Federal penalties and sanctions for illegal possession of a controlled substance include the following:

- First Conviction: up to one (1) year in prison, \$1,000–\$100,000 fine, or both.
- Second Conviction: at least fifteen (15) days and up to two (2) years imprisonment, \$5,000–\$250,000 fine, or both.
- After two drug convictions: at least ninety (90) days and up to three (3) years in prison, \$5,000–\$250,000 fine, or both.

Special federal sentencing provisions for possession of crack cocaine include a mandatory prison term of at least five (5) years and up to twenty (20) years, \$250,000 fine, or both. Mandatory sentencing applies for a first conviction if the amount of crack exceeds five (5) grams, for a second conviction if the amount exceeds three (3) grams, and for a third or subsequent conviction if the amount exceeds one (1) gram.

**U.S. Code Title 21 Sub-Section 841a:** No person shall knowingly or intentionally use, possess, or distribute a controlled substance.

**U.S. Code Title 21 Sub-Section 845a:** distribution on, in or near schools. Any person who violates Section 401 (a) (1) by distribution or possessing with intent to distribute a controlled substance in or on, or within one thousand feet of school property, is punishable by a term of imprisonment, or fine, or both of up to twice that authorized by Section 841 for a first offense.

Additional federal sanctions may also apply including forfeiture of vehicles used to transport controlled substances, denial of federal benefits including student loans, grant, and contracts and denial or revocation of certain federal licenses and benefits.

## **Annual Fire Safety Report**

The University endeavors to provide a safe environment for students, faculty, staff, and visitors. The objective of the campus fire safety program is to identify potentially hazardous conditions and to take appropriate action before a fire emergency occurs. This goal is met by:

- Conducting periodic review and revision of fire prevention policies;
- Conducting periodic fire drills;
- Promoting fire safety awareness for students and employees;
- Inspecting, testing, and maintaining fire protection systems;
- Performing plan review, code consultation, and acceptance testing on construction, capital improvement, and renovation projects; and
- Mitigating fire hazards by utilizing the information provided by regularly scheduled fire safety inspections performed by the State or other local fire safety authorities.

Schiller International University will continue to provide a safe environment by making improvements to the Emergency Notification System to assist with quicker response and evacuation times.

### **PROCEDURES AND REGULATIONS**

In the event of a fire, students are instructed to leave the building using the stairways only: Elevators should never be used. To ensure students know what to do, staff conduct fire drills as on a regular basis. These may be announced or unannounced.

Tampering with fire alarms, fire extinguishers, fire hoses, and smoke detectors is prohibited and may be punished with fines and probation, suspension, expulsion, dismissal, or being banned from campus. Causing a false alarm is similarly punishable.

Smoking and open flames, including candles, incense burners, and incense, are prohibited. All devices rated at more than 800 watts must be connected directly to a wall outlet or into an appropriately rated surge protector or power strip with integral circuit breaker. Students may not use lightweight extension cords or multiple-outlet plugs that lack surge protection. Open heating elements and electrical appliances that may pose a fire hazard are prohibited, including hot plates and electric or contact grills. Combustion engines, acids, automotive batteries, gasoline, diesel fuel, kerosene, and other flammable liquids are prohibited.

If a fire were to occur that poses a threat, notification procedures will be activated for the building and surrounding areas, as necessary. Students and employees are instructed to remain outside the affected building until given an “All Clear” notice by an authorized first responder.

### **FIRE SAFETY EDUCATION AND TRAINING**

Faculty and Staff will receive fire safety training on an annual basis and be required to participate in all fire drills. Fire safety training will be provided by the Campus Safety Officer and/or designee.

## **FIRE STATISTICS**

### **ARSON**

There were zero incidents of arson in 2019, which is the required reporting period.

<b>Tampa Bay, FL Campus Fire Statistics</b>			
	<b>2017</b>	<b>2018</b>	<b>2019</b>
<b>Number of Fires</b>	0	0	0
<b>Fire Related Injuries</b>	0	0	0
<b>Number of Deaths</b>	0	0	0
<b>Value of Property Damage</b>	0	0	0