

SAINT LEO UNIVERSITY

Gwinnett Campus



Annual Security Report
Department of Security and Safety
2017-2018

Crime and Fire Statistics



Important Phone Numbers

UNIVERSITY CAMPUS 352-588-8200

Campus Security and Safety Emergency Line	352-588-8333
Campus Security and Safety Non-emergency Line	352-588-8432
Counseling Center	352-588-8354
Residence Life	352-588-8268
Health & Wellness Center	Ext. 352-588-8347
Student Affairs	352-588-8992
Title IX Coordinator	352-588-8406

Gwinnett Police Department

Rape Crisis Hotline	(770) 476-4151
Substance Abuse Hotline	1-888-956-RAPE (7273)
	(800) 662-4357

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Introduction

A university's campus is an important part of the local community that it serves. As in any neighborhood, it is important that the students, faculty, and staff realize they should take every possible precaution to prevent assault and crime against themselves or others.

The Campus Security and Safety staff of Saint Leo University recognizes that the university campus is part of the community and experiences the risks and threats of society as a whole. Saint Leo University has established programs and systems involving personnel, procedural methods, and physical means to provide as safe and secure an environment on campus as is reasonably possible.

The Department of Campus Security & Safety provides information and assistance on self-protection to students and residents. However, each person also must take action to protect him or herself.

Lack of vulnerability is the key to protection. A criminal looks for and exploits perceived weaknesses. The less vulnerable the person, residence, or vehicle appears, the less likely assault, loss, theft, or robbery is to occur. The information provided in this booklet is designed to inform, advise, and alert individuals about Saint Leo University policies and procedures on crime awareness and reporting. Also, crime methodology and crime prevention techniques are provided to assist in self-protection.

Annual Reporting Policies

The annual security report is prepared by the Director of Campus Security and Safety who collects the required information from the various departments as needed.

Crimes are logged on a Daily Crime Log and sent to the Director of Campus Security and Safety upon request. Additional geographic information is gathered from local law enforcement for each center as needed.

Geographic Locations:

Gwinnett Location

The Gwinnett Education Center is located:

3555 Koger Blvd
Clarkston Building, Suite 105
Duluth, GA 30096
(678) 380-4005

And is described for Clery purposes as the following:

Gwinnett Center

- Entire building
- Sidewalk on all sides of building
- Parking lots
- Street (1/4 mile) in front of building

Reporting Offenses

The Saint Leo University Campus Security and Safety Department is open 24 hours a day, seven days a week to provide service to the students, faculty, staff, and visitors. This department also is an information center for visitors. Campus Security and Safety officers patrol the campus by foot and also in marked vehicles. Campus Security and Safety has an emergency telephone extension 8333 for all individuals living and working on campus. This is a 24-hour telephone service always staffed for immediate response.

PLEASE NOTE: In a life-threatening or emergency medical situation, always dial 911 first and then call 352-588- 8333. This will avoid any delay in alerting law enforcement or emergency medical professionals.

Students living off campus should always use the 911 service for law enforcement, rescue, ambulance, and fire.

The Department of Campus Security and Safety should be contacted as soon as possible in all instances of criminal occurrences such as loss of property, threats, assaults, injury, or attempted crimes. Remember though, in a life-threatening or emergency medical situation, always dial 911 first and then call 8333. Campus Security and Safety, in turn, will work to assist local law enforcement and emergency personnel.

Quick response and good communication with Campus Security and Safety help eliminate threats and hazards. Therefore all Saint Leo University students, employees, faculty, and staff members should contact Campus Security and Safety with any and all concerns for safety and security at:

On University Campus:
Ext. 8333 (Emergency)
Ext. 8432 (Non-emergency)
From Mobile Phone:
(352) 588-8333 (Emergency)
(352) 588-8432 (Non-emergency)
(352) 588-7777 (Tip line)

Voluntary Confidential Reporting

The university will make reasonable efforts to preserve an individual's privacy and protect the confidentiality of information. The degree to which confidentiality can be protected, however, depends upon the professional role of the person being consulted. The professional being consulted should make these limits clear before any disclosure of facts.

Members of the Saint Leo community are encouraged to be alert for suspicious or criminal activity and to accurately and promptly report criminal action and other emergencies which occur on the Saint Leo University campus. Emergency phones are located throughout the Saint Leo University campus for the safety and convenience of students, faculty, staff, and visitors. Additionally, anyone can provide a confidential tip by calling extension 7777 (or 352-588-7777) and leaving a message regarding information about suspicious activities of concern.

Students are under a continuing duty to report any arrests, pending criminal charge(s) (excluding minor traffic citations), notice to appear citation(s), or criminal conviction(s), even if the adjudication or sentence has been withheld.*This reporting obligation includes specifying the charge(s), when and where it occurred, and the case number (if any). This information must be provided in writing (email or letter) to the Director of Residence Life within ten (10) business days following the reportable event as listed above. Failing to report is an independent conduct violation and/or falsification of the admissions application is grounds for admission revocation when discovered.

Access to Facilities

When the appropriate university officials plan to seek access to a student room in a residence hall for improvement or repair, attempts will be made to notify occupants in advance, although there may be entry without notice where life, limb or property are jeopardized, or there is reasonable suspicion that University policy or law is being or has

been violated. All visible violations of State, Local, and Federal Laws or University policy will be documented. Building maintenance has access to all locations and to all rooms at all times.

Enforcement and Jurisdiction

Campus Security and Safety officers are not sworn law enforcement personnel; therefore, they do not have any arrest powers beyond the citizen's arrest. Officers have the authority to ask persons for identification and to determine whether individuals have lawful business at the University. They enforce (or refer for enforcement) the University's policies. They have the authority to issue parking citations and otherwise manage campus traffic. Criminal incidents are referred to the local law enforcement who have jurisdiction on the campuses.

Relationship with local law enforcement

The university does not have any written agreements or memoranda of understanding with local law enforcement agencies for the investigation of alleged criminal offenses on campus. Rather crime reports and investigations are handled in accordance with the responding agency's own policies and procedures.

The Gwinnett Education Center falls under the jurisdictional responsibility of the Gwinnett Police Department.

Confidential Reporting

This policy is intended to make students aware of the various reporting and confidential disclosure options available to them – so they may make informed choices about where to turn should they become a victim of a crime. Saint Leo University encourages victims to talk with someone identified in one or more of these groups. For more information pertaining to sexual misconduct, please visit our Lion's Care website at:

<http://www.saintleolionscare.com> or www.saintleo.edu/sexualmisconduct.

Saint Leo University encourages victims of crime or sexual violence to talk to somebody about what happened – so victims can receive the support they need, and so the university may respond appropriately. Individual employees on campus have different abilities to maintain a victim's confidentiality.

Disclosing to Confidential Resources

Complete Confidential Resources. Some employees are required to maintain near complete confidentiality; talking to them is sometimes called a "privileged communication" and include the professional and Pastoral Counselors, Therapists and Counselors, Health and Wellness nurses, who are professional and licensed. Counselors who provide mental-

health counseling to members of the school community (and including those who act in that role under the supervision of a licensed counselor) and those listed above are not required to report any information about an incident to the Title IX Coordinator without a victim's permission.

A victim who speaks with a professional counselor, pastor, or advocate must understand that, if the victim wants to maintain confidentiality, the University will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator.

Even so, these counselors and advocates will still assist the victim in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health/wellness or mental health services, and changes to living, working or course schedules. A victim who at first requests confidentiality may later decide to file a complaint with the school or report the incident to local law enforcement, and thus have the incident fully investigated. These counselors and advocates will provide the victim with assistance if the victim wishes to do so.

Note: While these professional and non-professional counselors and advocates may maintain a victim's confidentiality vis-à-vis Saint Leo University, they may have reporting or other obligations under state law.

Also Note: If the college determines that alleged perpetrator(s) pose a serious and immediate threat to the college community, certain professional staff may be called upon to issue a timely warning to the community. Any such warning should not include any information that identifies the victim.

Criminal Activity by Off-Campus Student Organizations

The University does not have any officially recognized off-campus student organizations. Therefore, local police are not used for police monitoring of such entities. Off-campus criminal activity by individual students is reportable to Student Affairs, while employees should report any arrest to the Human Resources Department.

Timely Warnings and Emergency Notifications (Regroup System)

Timely Warnings are warnings issued by the university (typically by the head of the Campus Security and Safety Department or Office of University Communications) for, at a minimum, any Clery Act crime that occurs in our campus geography that is reported to local police or campus law enforcement; and is considered by the institution to represent a serious and continuing threat.

Timely warnings are ones that are intended to caution the campus community about immediate threats, thereby enabling community members to take precautions to protect themselves. Therefore, a public warning may not be issued if the university determines in the exercise of professional judgment that it will compromise efforts to assist the victim, respond to or otherwise contain the emergency.

Emergency Notification Policy

Emergency notifications are used to immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.

In the case of any threat or emergency that requires notification of students, faculty and staff; Saint Leo University will use Regroup. This service provides the university a timely notification process through one or more of the following options: Voice messages, email, and/or text messaging.

Drills, Testing and Evacuation Procedures

The Emergency Management Plan is updated annually and is found on the Saint Leo University Intranet.

Information provided in the following table describes the current Fire Safety Systems in place within the Saint Leo University campus Residence Hall facilities and the number of Fire Drills conducted during the previous calendar year.

Sexual Misconduct Policies and Programs

Programs to Prevent Sexual Misconduct

The Title IX Office, Student Affairs, Counseling Center and the First Year Experience office offers sexual assault information to students upon request. Literature on date rape education and risk reduction are available for the entire campus through the Office of Student Affairs.

Saint Leo University provides education through several different venues to ensure that each community group receives and understands their role in reporting and reacting to potential violations in the areas of Title IX and Title VII particularly in the areas of dating violence, domestic violence, sexual assault and stalking.

A Sexual Misconduct brochure has been created and distributed to various departments on campus and is updated as needed. It is also housed at: www.saintleo.edu/sexual-misconduct and in the appendix.

Education efforts are tracked by the Title IX coordinator and include:

- Faculty and staff training are completed through the Professional Development Center each summer for completion by the first day of classes.
- Student training is completed during orientation at the beginning of each term.
- Brochure will be distributed on campus and made available on the Saint Leo University website.
- Poster series are developed for classrooms and break-rooms – both centers and on-campus – and available each year.
- The student population that access Saint Leo University through the College of Online Learning receive information at the time of registration through the portal.
- Third party vendors or areas that have limited computer access such Dining Services, Follett and Sodexo receive training at the beginning of each year in person.
- Confidential source training provided at the beginning of each term for new employees of those areas.
- Board of Trustee training is completed through the President's office each year.

The Code of Conduct explicitly states that the University considers sexual misconduct a violation and is prohibited by Saint Leo University, whether or not it constitutes a violation of law. Sexual misconduct is defined as including dating violence, domestic violence, sexual assault and stalking. For a complete list of definitions, see the definitions section below.

Sexual misconduct includes:

“Dating Violence” Violence committed by a person who has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be determined by factors such as length, type, and frequency of interaction.

“Domestic Violence” Violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, a person similarly situated under domestic or family violence law, or anyone else protected under domestic or family

violence law.

“Sexual Assault” An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s UCR program.

“Stalking” A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or other’s safety, or to suffer substantial emotional distress.

Definitions

Awareness Program: Community-wide and audience specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

Bystander Intervention: Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. This includes recognizing situations of potential harm and understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking actions to intervene.

Complainant: A person who reports he or she has been subjected to discrimination, harassment, or related retaliation.

Consent: Consent is a voluntary agreement to engage in sexual activity. Someone who is incapacitated cannot consent. Past consent does not imply future consent. Silence or an absence of resistance does not imply consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Coercion, force, or threat of either invalidates consent.

Dating Violence: Violence committed by a person who has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be determined by factors such as length, type, and frequency of interaction.

Domestic Violence: Violent misdemeanor and felony offenses committed by the victim’s current or former spouse, current or former cohabitant, a person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

Harassment: Verbal, emotional, or physical conduct related to a person’s protected class that unreasonably interferes with an individual’s work or academic performance or creates an intimidating or hostile work or educational environment.

Hostile Environment: Unwelcome conduct by an individual or individuals against another individual based upon her/ his protected class that is sufficiently severe or pervasive that it alters the conditions of education or employment and creates an environment that a reasonable person would find intimidating, hostile, or offensive.

Impaired: Temporary incapacity to evaluate or control conduct, because the person is unconscious, asleep, intoxicated or under the influence of drugs or for any other reason is physically unable to communicate or grant consent.

Impartial Proceeding: A proceeding that is completed within reasonably prompt timeframes designated by an institution's policy, including a process that allows for the extension of timeframes for good cause and with written notice to the accuser and the accused of the delay and the reason for the delay. Must be conducted in a manner that:

- Is consistent with the institution's policies and transparent to both parties;
- Includes timely notice of meetings at which the complainant and the respondent or both, may be present
- Provides timely and equal access to the complainant, the respondent and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings
- Conducted by officials who do not have a conflict of interest or bias for or against the complainant or the respondent.

Incapacitation/Impairment: Incapacity to evaluate or control conduct, because an individual is unconscious, asleep, intoxicated, or under the influence of other drugs or, for any other reason, physically, mentally or legally unable to communicate or grant consent.

Intimidation: Unlawfully placing another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Non-Responsible Employees: Contracted or third-party employees who are not mandated reporters and do not have to report any disclosures of sexual misconduct to the Title IX coordinator.

Ongoing Prevention and Awareness Campaigns: Programming, initiatives and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the university.

Primary Prevention Program: Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe direction.

Proceeding: All activities related to a non-criminal resolution of an institutional disciplinary complaint, including but not limited to, fact finding investigations, formal or informal meetings, and hearings.

Professional and Pastoral Counselors: Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the university community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX coordinator without a victim's permission.

Protected Class (as defined in the official Saint Leo University Non-discrimination EEO Statement): Saint Leo University has a strong commitment to principles of equal employment opportunity and equal access to education. Saint Leo University does not discriminate on the basis of age, color, disability, ethnic origin, genetic information, gender, nationality, race, religion, or veteran status, or any other category protected by federal, state, or local law in its educational programs, admissions policies, financial aid, employment, or other university administered programs.

The policy is enforced by Saint Leo University and by applicable laws such as Title IX of the Education Amendments of 1972, Title VI and Title IX of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and the Florida Civil Rights Act of 1992.

Public Indecency: Exposing portions of one's body in such a manner that it may be seen by someone who reasonably could be offended.

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without consent of the victim.

Respondent: A person who is charged with committing acts of discrimination, harassment, or retaliation.

Responsible Employee: A university employee who has the authority to redress sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty. A responsible employee must report to the Title IX Coordinator all relevant details about the alleged sexual violence shared by the victim and that the university will need to determine what happened – including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

Result: Any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution and should include any sanctions imposed by the university.

Retaliation: An individual's adverse action against another person because that person has

filed a complaint or participated in an investigation. Retaliation is prohibited by Saint Leo University policy.

Risk Reduction: Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program.

Sex Discrimination: An umbrella term encompassing multiple types of actions involving the unfavorable treatment of an individual or a group of identifiable individuals based on gender.

Sexual Exploitation: Occurs when a person or group of people takes advantage of another person by doing something sexual in a nonconsensual, abusive, or unjust manner. Examples include nonconsensual video or audio taping of a sexual activity, nonconsensual photography of a sexual nature, voyeurism, knowingly transmitting a sexually transmitted infection (STI) or HIV, or prostituting another person.

Sexual Harassment: One type of sex discrimination under Title IX. The U.S. Department of Education's Office for Civil Rights (www2.ed.gov/ocr) states that sexual harassment is "unwelcomed conduct of a sexual nature." That is, "any unwelcome conduct of a sexual nature."

Sexual Imposition: Sexual touching or requests for sex when the offender knows, or should reasonably understand, that such behavior is offensive to the victim or when the victim's judgment is impaired.

Sexual Misconduct: Sexual misconduct of a student can deny or limit, on the basis of sex, the student's ability to participate in or to receive benefits, services, or opportunities from the institution's programs. Therefore, it is a form of gender-based discrimination prohibited by Title IX.

Sexual Violence: A severe form of hostile environment sexual harassment that represents conduct involving physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's incapacity. An individual's incapacity may arise from use of drugs or alcohol or individual conditions including intellectual or other disability.

Stalking: A course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or other's safety, or to suffer substantial emotional distress.

Voyeurism: Trespassing, spying, or eavesdropping.

Sexual Misconduct Response Process

When a report is filed via Campus Security and Safety, Residence Life, Student Affairs or any other department or responsible employee, the following is enacted:

1. The immediate needs for the complainant are assessed and the following is offered by the staff:
 - All options, such as contacting the police or reporting to a professional counselor or health services, for example, are discussed with the student. The student is given the **Sexual Misconduct Information Guide** which provides additional resources and information about reporting sexual misconduct at the university.
 - All remedial actions are addressed including but not limited to contacting law enforcement or calling EMS and issuing a **No-Contact Order**, if needed.
2. The employee completes an **Incident Report** and sends it to the Title IX coordinator
3. The Title IX coordinator completes a preliminary investigation to determine if further investigation is required.
 - a. If no, then the incident is logged and closed. **Final Outcome Notification** is sent to both parties.
 - b. If yes, then the complainant and the respondent are assigned a process advisor by the Title IX coordinator. Advocacy resource information is given to both parties.
4. A **Notice of Investigation** is sent to both the complainant and the respondent by the Title IX coordinator.
5. The Title IX coordinator appoints an investigator(s), and the investigator(s) follows the **Investigation Checklist** including:
 - Statements from complainant, witnesses, and respondent are gathered; video and text messages are reviewed, etc.
 - The investigator(s) meets as needed with the complainant and the respondent. The investigator(s) will have a final meeting with the complainant and the respondent to have them review and sign off on the summaries of their statements.
6. At the completion of the investigation, the investigator(s) generates a **Findings Report** and provides to the Title IX coordinator.
 - a. If no violation is found, the Title IX coordinator informs both parties, providing redacted copies to both and closes the case.
 - b. If a violation is found, the Title IX coordinator forwards redacted copies to the complainant and the respondent and informs each that there will be a conduct meeting held to determine sanctions. The Title IX coordinator forwards an un-redacted copy of the **Findings Report** to the conduct officer.
7. The conduct officer sends a **Charge Letter** to the respondent with available dates to have a conduct meeting. During the meeting, the conduct officer gives the respondent a chance to speak on his/her behalf and share any information.
 - a. If no additional information is shared, the conduct process continues.

- b. If additional new information is shared, the conduct officer communicates with the Title IX coordinator who will have to determine if the investigation needs to be re-opened.
- 8. The conduct officer determines sanctions based on the nature of the misconduct and the conduct history of the student.
- 9. The conduct officer generates the **Notification of Outcome Letter** and sends it to the Title IX coordinator, the complainant and the respondent along with information about the appeal process.
- 10. The appeal process is available to both the complainant and the respondent. If either party decides to appeal, the appeal is assigned to one of the Title IX deputies in Student Affairs who is not familiar with the case.
 - a. Once the appeal is submitted, it must be reviewed to determine if it meets the basis for appeal by meeting one of the following conditions:
 - i. Error in disciplinary procedures
 - ii. New evidence
 - iii. Disproportional sanctions
 - b. If the appeal meets one of the conditions, then the appellant officer meets with the party.
 - c. If the appeal does not meet any of the conditions, the sanctions are upheld.
- 11. The appellant officer meets with the appealing party to determine whether to uphold the sanctions or amend the sanctions. The appellant officer communicates the appeal outcome to the Title IX coordinator.
- 12. The Title IX coordinator sends **Final Outcome Decisions Report** to the conduct officer, the complainant and the respondent indicating the closure of the case.
- 13. The case is logged and closed.
- 14. In order to make sure that students are recovering and joining back into the community, the remedies that were any part of a sanction are followed up 60 days after the case is closed for both the complainant and the respondent.

Sexual Misconduct Information Guide

The guide is distributed to all students, faculty and staff and is located in the Appendix.

Prevention and Awareness

Risk Reduction Tips

Listed below are some reminders of how to promote better security:

- Keep your residence hall/vehicle doors locked at all times.
- Do not prop doors open.
- Walk, jog, or travel with a friend.
- Notice and be aware of suspicious persons and conditions.
- Stay in well-lit areas (on and off campus).
- Call Campus Security and Safety (Ext. 8333) to report any suspicious incident/crime. Note: If off campus, call local law enforcement (911).
- Anonymous calls are always accepted. You are not required to provide your name (352-588-7777).
- Avoid giving out personal information about yourself or making appointments with strangers over the phone.
- To help deter theft of personal property, engrave or mark all valuable property.
- Your property should be with you or locked in your room at all times. Do not leave your property (keys, laptop, iPod, etc.) unattended.
- Do not offer rides to strangers.
- When using your vehicle, keep doors locked at all times. Before you enter your vehicle, always look under the vehicle and in the back seat.

Prevention and Awareness Campaigns

Take Back the Night and other public awareness events

Public awareness events such as “Take Back the Night,” the Clothesline Project, candlelight vigils, protests, “survivor speak outs” or other forums in which students disclose incidents of sexual violence, are not considered notice to the University of sexual violence for purposes of triggering its obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and the University will provide information about students’ Title IX rights at these events.

Clery Reporting

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, a detailed report of various safety policies and crime statistics may be found on-line. A complete copy of the law is available in the Student Affairs office located in the Student Activities Building, first floor and the Campus Security and Safety Office.

Each year, Saint Leo University produces an Annual Security Report that contains the following information:

- Three calendar years of select crime statistics, security policies and procedures and information on the basic rights guaranteed to victims of sexual assault
- Procedures on timely warnings
- Procedures for missing students
- Annual fire report handling
- Emergency response, notification and testing policy

Anonymous Reporting

Any individual may report an alleged violation of the Student Code of Conduct, and the appropriate office will conduct a follow-up investigation. Community members are encouraged to use the Community Report Form which is located at <http://www.saintleo.edu/consumer-disclosures/sexual-misconduct-information/how-to-file-or-report-a-title-ix-complaint.aspx>.

Please Note: Anonymous reporting of incidents is allowed but discouraged, because it limits the ability of the appropriate office to gather further information and adequately address the issue. Every effort, however, will be made to protect confidentiality, where possible and allowed by law, particularly where a safety concern exists.

Amnesty

The Medical Amnesty Policy also applies to Saint Leo University students who are a victim of sexual assault and have also engaged in underage alcohol consumption and/or drug use.

Confidentiality of Reporting

The university will make reasonable efforts to preserve an individual's privacy and protect the confidentiality of information. The degree to which confidentiality can be protected, however, depends upon the professional role of the person being consulted. The professional being consulted should make these limits clear before any disclosure of facts.

An individual can speak confidentially with certain individuals in legally protected roles. They include sexual assault counselors such as those under the Employee Assistance Program for employees and university Counseling Center for students, medical clinicians accessed through the Health and Wellness Center, and clergy. Exceptions to maintaining confidentiality are generally set by law; for example, physicians and nurses who treat a physical injury sustained during sexual assault are often required to report it to law enforcement. Also, physicians, nurses, psychologists, psychiatrists, and social workers typically must report a sexual assault committed against a minor.

Information shared with other individuals is not legally protected from being disclosed. For example, the Director of Residence Life, or other faculty or staff members may need to inform other individuals to protect the safety or rights of those individuals, in fairness to the persons involved, or in response to legal or institutional requirements. In addition, under the Clery Act, the university is required by law to report specified factual details about numbers and types of incidents occurring on campus. These reports are for statistical purposes and do not include individual identities.

In addition, if law enforcement initiates an investigation and the State Attorney files a criminal charge, confidentiality may not be maintained. If a complaint is filed or referred under the Code of Student Conduct, the Student Grievance Procedure for Discrimination Complaints or other internal university process, then the accused student may need to be provided with the name of the complainant and victim.

As required by law, all disclosures to any university employee of an on-campus sexual assault must, at a minimum, be reported for statistical purposes only (without personal identifiers) to the Department of Campus Security and Safety, which has the responsibility for tabulating and annually publishing sexual assault and other crime statistics. To promote public safety, the Department also alerts the campus community to immediate threats to campus safety by issuing timely warnings or emergency notifications as applicable.

When a sexual assault victim contacts the Public Safety Department, the appropriate law enforcement agency may also be notified if requested by the victim. The university will assist the individual in any reports to law enforcement if requested. For students, a representative from the Office of Student Affairs will also be notified. The victim of a sexual assault may choose for the investigation to be pursued through the criminal justice system and/or available university processes. A university representative from the Campus Security and Safety Department or the Office of Student Affairs will offer support to the victim regarding the available options and, to the extent reasonable, support the victim in

his or her decision. Counseling is available for students through the campus Counseling Center. Counseling and support is available for employees through the Employee Assistance Program.

Disciplinary Procedures

Employee disciplinary procedures and penalties are detailed in various applicable policies in the University Policy Manual. University disciplinary proceedings for students are detailed in the Code Conduct. Both the accused and the victim have the same opportunities to have others present during a campus disciplinary proceeding where permitted. Under applicable federal regulations, the university is permitted to release the results of a disciplinary proceeding regarding a crime of violence or a non-forcible sex offense if the perpetrator has violated the university's policies and is found to be an alleged perpetrator of a crime of violence or a non-forcible sex offense. The university is required (under the Campus Sexual Assault Victim Bill of Rights) to release the results of a disciplinary proceeding to a victim and the accused when the proceeding involves a sex offense. In addition, the following a student found in violation of the Code of Conduct could be criminally prosecuted and may be subject to any of the listed sanctions under the Code of Conduct.

Change in Academic or Living Conditions

Student victims have the option to change their academic and/or on-campus living situations after an alleged sexual assault, if such changes are reasonably available. Such requests should be coordinated through the Office of Residence Life.

Preserving Evidence

An individual who has been sexually assaulted, whether by rape or another unwanted sexual contact, is urged to make an official report to Campus Security and Safety Department. Whether or not a victim of sexual assault chooses to make an official report, he or she is urged to seek appropriate help. There are numerous resources for faculty, staff, students, and visitors to campus.

Specific resources, either on or off campus, for medical treatment, legal evidence collection, and obtaining information, support and counseling are listed below. Each resource can assist a person to access the full range of services available.

- **Medical Treatment** — An individual who has been sexually assaulted is urged to seek appropriate medical evaluation as promptly as possible. For life-threatening conditions, call 911 or go to the Emergency Room of the nearest hospital. For treatment of less serious injuries or for evaluation and prevention of sexually transmitted diseases and pregnancy, as well as consultation for other health issues, individuals and/or their spouses/domestic partners should seek medical treatment using ordinary channels such as local clinics or personal physicians.

- Medical-Legal Evidence Collection — An individual who has been sexually assaulted (particularly by rape, forcible oral copulation, or sodomy) is encouraged to request collection of medical-legal evidence. Prompt collection of physical evidence is essential should a person later decide to pursue criminal prosecution and/or a civil action. To obtain a free medical-legal exam, the individual may need to contact the police and file a police report.
- Obtaining Information, Support, and Counseling — Whether or not one chooses to make an official report, an individual who has been sexually assaulted is encouraged to obtain information, support and counseling. The degree to which confidentiality can be protected depends upon the professional role of the person being consulted and should be addressed with that person before specific facts are disclosed. Options are listed below

Counseling Center (students).....	Ext. 8354
MHNet (Employee Assistance Program).....	877.398.5816
Student Affairs.....	Ext. 8992
Health and Wellness Center.....	Ext. 8347
University Ministry.....	Ext. 8331 or 8991
Campus Security and Safety.....	Ext. 8432
Residence Life.....	Ext. 8268
Rape Crisis Hotline See also, Florida Council Against Sexual Violence (http://www.fcasv.org/) for additional resources	1-888-956-RAPE (7273)
Sunrise Domestic Violence and Sexual Assault Center: 24-hour hotline.....	(352) 521-3120

Grievance Policy for Students

A discrimination grievance is a complaint or report of an injury, injustice or wrong in which the grounds for complaint are based on race, color, ethnicity, religion, sex, sexual orientation, national origin, age, disability, or military status, or other reasons provided for by law.

Saint Leo University is committed to creating and maintaining a community in which students, faculty, and administrative and academic staff can work together in an atmosphere free of all forms of harassment, exploitation, or intimidation. Specifically, every member of the University community should be aware that Saint Leo is strongly opposed to discrimination, harassment and inappropriate behavior of any kind, and that such behavior is prohibited by University policy. It is the intention of the University to take whatever action may be necessary to prevent, correct, and, if necessary, discipline for behavior that violates this policy.

Eligibility and Time for Filing

All students may use this procedure for discrimination-related grievances, except those involving grade appeals. Faculty and staff must use the procedures outlined in the appropriate handbook or University policy applicable to them. Grievances should be reported immediately upon occurrence of the events leading to the complaint, injury or wrong, and in any event must be reported within 30 calendar days of such event unless the University determines that good cause for an extension has been established.

Overview

Many complaints can be resolved through open discussion between the parties involved. Individuals are encouraged to engage in direct consultation with each other so the problem can be solved through communication, if possible. An individual is not required to directly approach an offender, and may initiate the grievance procedure by reporting to the Associate Vice President for Student Affairs. The Equity Officer and Director of Human Resources (or its designee) or others within the University community may act as resources for the Associate Vice President for Student Affairs, may answer questions or provide information, and may take part in the investigation of the complaint when appropriate. When a student believes the Associate Vice President for Student Affairs is involved in the alleged discrimination, the student must report the actions to the Vice President for Continuing Education and Student Affairs. In the event a grievance is filed with the Vice President for Continuing Education and Student Affairs, then the Vice President for Continuing Education and Student Affairs or designee assume the role of the Associate Vice President for Student Affairs described herein.

If a student seeks the advice of the Associate Vice President for Student Affairs on a matter of sexual harassment, sexually inappropriate behavior or any kind of discriminatory behavior, the Associate Vice President for Student Affairs must report this behavior to the

Vice President for Continuing Education and Student Affairs. Every effort will be made to ensure the confidentiality of the complainant insofar as is reasonably possible under the circumstances. No student shall be disciplined for filing a good faith grievance or report of discrimination or inappropriate behavior.

Any student who believes that (s)he is the victim of discrimination or inappropriate discriminatory behavior may elect to follow the procedures detailed below. If a student files a complaint under a procedure other than the Discrimination Grievance Procedure, (s)he cannot elect to have the same complaint heard under the Discrimination Grievance Procedure. However, if a student believes (s)he has been discriminated against in violation of University policy during the processing of a complaint other than under the Discrimination Grievance Procedure, (s)he may file a complaint under the Discrimination Grievance Procedure.

The formal grievance may be a simple written statement, but should include the following minimum information:

1. A full description of the problem and any relevant facts, including but not limited to the specific acts considered to be discriminatory, including when, by whom, and what was specifically done or not done, and its impact or consequence to the complainant.
2. A summary of the steps, if any, the student has already taken in attempt to resolve the problem, including the names of persons involved;
3. A statement of the requested resolution and the student's rationale for the requested resolution for each perceived violation;
4. Any supporting documentation; and
5. The name, contact information and signature of the person initiating the complaint.

To facilitate a clear and prompt resolution, once initiated, a grievance may not be expanded beyond the issues presented in the student's initial complaint. This does not preclude a student from submitting a new grievance if additional concerns have arisen. The University reserves the right to redirect a grievance to the proper grievance procedure or to any other appropriate review procedure where appropriate.

If a student exercises his/her rights to file a complaint with a government agency or files a court action, the University reserves the right to terminate the grievance process and allow the issues to be resolved through the external process. In the event that a student has already commenced his/her grievance procedure at the time the student files a complaint with any governmental agency or court, the student shall notify the Associate Vice President for Student Affairs of that fact. If the University chooses to end further internal processing of the grievance, the Associate Vice President for Student Affairs will notify all parties involved. Files on the grievance procedure maintained by the Associate Vice President for Student Affairs will only be released to others with the written permission of

the Vice President for Continuing Education and Student Affairs.

Burden of Proof

In all cases, the burden of proof rests with the complaining party. The Associate Vice President for Student Affairs is responsible for fact finding but in no way is responsible for proving the complainant's charge. The burden is that of a preponderance, that is, showing that more likely than not considering all of the facts and circumstances, the conduct complained of did occur and was determined to be a violation of University policy.

Mediation

Students may elect to utilize the Mediation Program. This program is designed to help resolve disputes in a more informal way than through the grievance process. It facilitates solutions without having to file a formal grievance. A mediation does not impose any solution but helps parties reach a mutually agreed-upon solution.

Mediation is a non-adversarial process that does not guarantee a resolution but is a good way to discuss disputes. Participation in a mediation process does not mean that an individual gives up any rights to file a grievance or any other formal procedure. Further, both parties must agree to mediate a dispute. No one can be forced into mediation.

Mediation is not a process that imposes punishment, determines facts or decides who is right or wrong. Mediation is a process whereby miscommunication can be cleared up, individuals agree on solutions and people are empowered to make changes.

If mediation between the parties is (a) not appropriate (such as in cases involving alleged sexual violence) or (b) not possible, or (c) does not lead to resolution, the Associate Vice President for Student Affairs shall proceed to investigate the report or complaint. Mediation does not preclude the University from conducting an investigation of a complaint or taking such disciplinary action or imposing such sanctions as it determines is appropriate or necessary.

Grievance Investigation

When a grievance is filed the Associate Vice President for Student Affairs will notify the person named in the complaint ("Respondent") and provide the Respondent with a copy of the complaint. The Respondent may submit to the Associate Vice President for Student Affairs a written response to the complaint within five (5) working days, and the appropriate Dean will send a copy to the complainant.

As soon as is practical, the Associate Vice President for Student Affairs, or an individual(s) appointed by the Associate Vice President for Student Affairs, will initiate an investigation of the complaint and where possible, attempt to reach conciliation between the parties. During this period, the Associate Vice President for Student Affairs will have access to all

information pertinent to the complaint, may meet with any individual with possible information related to the complaint, and will otherwise conduct such fact-finding as is appropriate and reasonable under the circumstances

Upon the conclusion of the investigation, the Associate Vice President for Student Affairs will present a report to the Vice President for Continuing Education and Student Affairs. It is expected that this stage of the process should normally be completed within thirty (30) calendar days. The Associate Vice President for Student Affairs will include in the report a recommendation for resolution to the Vice President for Continuing Education and Student Affairs. The report of findings and written recommendation sent to the Vice President for Continuing Education and Student Affairs will also be copied to the student and individual(s) against whom the grievance was brought. In those instances when the Associate Vice President for Student Affairs recommends that remedial or disciplinary action should be taken against the individual against whom the grievance was filed, those recommendations will be provided separately with a copy provided only to the individual against whom the recommendation is made.

The Vice President for Continuing Education and Student Affairs will strive to make a final determination within sixty (60) calendar days of receipt, or of appeal as provided below.

All the time limits here may be extended at the discretion of the Associate Vice President for Student Affairs.

Appeals

If the Associate Vice President for Student Affairs' determination and recommendation is not acceptable to either the Complainant or Respondent, the decision may be appealed within ten (10) working days to the Vice President for Continuing Education and Student Affairs. Any appeal should be in writing and should specifically describe the point(s) on which the appeal is based. The Vice President for Continuing Education and Student Affairs also has the independent authority to accept or reject the underlying findings and recommendations in whole or part regardless of whether an appeal is filed. The Vice President for Continuing Education and Student Affairs will make the final decision in all cases upon receipt of the report and after the time for appeals has passed.

The Vice President for Continuing Education and Student Affairs should notify all affected parties of his or her decision within a reasonable period of time—typically fifteen days after receipt of the report or any appeal is filed (whichever is later) unless school is closed or other extraordinary circumstances exist—and initiate whatever action he or she deems necessary. The Vice President for Continuing Education and Student Affairs may, in his or her discretion, appoint a designee to issue the final disposition for the University. Except when otherwise required by law, the Vice President for Continuing Education and Student Affairs will determine the amount of information to provide the parties.

When the resolution of a student complaint under this policy in turn causes potential adverse action to be taken against a faculty or staff member, such as discipline or a loss of

employment, those efforts will be coordinated with the applicable Vice President and the faculty or staff member may in turn seek review using any applicable faculty and staff grievance procedure.

Both Complainant and Respondent shall have the option of assistance by an individual of their choice from the University faculty, staff or student body during all portions of the Grievance procedure, provided that the chosen faculty, staff or student is willing to participate in the process. Third parties shall not be allowed to participate.

Sanctions

Potential victim(s) of this policy are encouraged to seek assistance from campus authorities (Campus Security and Safety Officers or Residence Life staff), or local law enforcement. Additionally, Counseling Services offers a confidential environment for potential victim(s) to seek assistance. As a precaution to protect the accuser, or accused, upon notification to campus authorities, the University will issue a No-Contact Order between the individuals/parties involved. Following the outcome of the disciplinary proceedings with the University, in accordance with FERPA guidelines, notification of the hearing's results will be sent to both the accused and accuser via their Saint Leo University email account. In cases dealing with sexual misconduct, both the accused and the accuser have the right to appeal the outcome and findings of the University conduct hearing by following the appeal process as listed in Article V. Judicial Policies, Section D. Appeals.

The minimum sanctions/protective measures associated with a sexual misconduct policy allegation will be:

SLU10 – Contact Restriction: Restriction of personal contact with another individual or group for a stated period of time.

SLU19 – Other Restrictions (specifically access to specified Residence Halls & may include Residence Hall relocation if necessary) Loss of specific privileges including, but not limited to, attendance at athletic and social events; organization participation; and access to specified Residence hall(s) for a designated period of time.

Sex Offender Information

The Florida Jimmy Ryce Act requires institutions of higher education to inform students and employees at orientation and on its website of the existence of the Department of Law Enforcement Sexual Predator and Sexual Offender Registry website and the toll-free telephone number that gives access to sexual predator and sexual offender public information.

Please visit the Florida State Department of Law Enforcement's Sexual Offenders and Predators website for more information.

(<http://offender.fdle.state.fl.us/offender/homepage.do>)

To reach the Florida State Department of Law Enforcement's Sexual Offenders and Predators unit by telephone, please call 1-888-357-7332.

With the advent of electronic education and the university having locations in other states, the university also notes that information in other states can be obtained through the U.S. Department of Justice DruSjodin National Sex Offender Public Website, located at <http://www.nsopr.gov/>.

Specific Policies and Procedures

This section attempts to educate students and others reading this booklet about some of the policies that may impact campus safety and security issues. The full text of various policies and procedures can be found in other university publications, such as the Student Code of Conduct and the University Policy Manual. This section is limited to those policy statements required under the Clery Act.

Drug and Alcohol Policies

The possession, sale, or furnishing of alcohol on the university campus is governed by the university's alcohol policy and applicable state law. In keeping with the Drug-Free Schools and Committees Act Amendments of 1989, abusive or unlawful use of alcohol or use of any controlled or unlawful substance is prohibited on the university's property at any time, or at any university-sponsored activity.

It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. Students that are 21 or older have the privilege to use alcoholic beverages responsibly in designated areas **only**. This privilege may be suspended and other actions taken if in the opinion of staff that student, either individually or as a group, are not exhibiting reasonable concern for the alcohol policy.

It is unlawful for anyone to sell, serve, give or provide alcohol to someone under the legal drinking age. The law prohibits anyone who is under 21 years of age from legally possessing or consuming alcoholic beverages. Any person who sells, gives, or permits access to alcoholic beverages to anyone under the age of 21 is in violation of campus policy and state law. Students “of age” may consume alcohol only in approved areas and only with other students also of legal age. Possession or consumption of alcohol in the presence of minors is considered a violation of university policy.

It is illegal under both state and federal laws to manufacture, distribute, dispense, possess, or use a controlled substance on university property or at any university-sponsored activity. A student's violation of the policy will subject the student to sanctions as set forth in the Code of Student Conduct. In addition, the student, staff or faculty member is subject to referral for prosecution under applicable state and federal law.

All faculty, staff and students should familiarize themselves with the detailed policies and resources applicable to their status. These have been listed below and, when available, linked to the website locations where the most current versions can be viewed.

Student Drug and Alcohol Policies and Resources

Code of Conduct generally, and Article IV, Sections B3, B4, B17, B19 and C5, available at <http://www.saintleo.edu/resources/code-of-conduct.aspx>

Impact of Drug Convictions on Financial Aid, available at Article IV, Section B17 at <http://www.saintleo.edu/resources/code-of-conduct.aspx>

For student employees, Section 2.2.1, Section 3.3.5, and Section 3.3.14.6, and Section 3.3.16 of the University Policy Manual, available through Human Resources.

Alcohol Health Risks and Prevention Resources

<http://www.saintleo.edu/resources/counseling-services/alcohol-prevention.aspx>

Employee Drug and Alcohol Policies and Resources

Section 2.2.1, Section 3.3.5, and Section 3.3.14.6, Section 3.3.16, and Section 3.6.7.1 of the University Policy Manual, available through Human Resources or on the intranet.

Information for students regarding area drug and alcohol counseling and rehabilitation programs is available through the Counseling Center. Employees may receive counseling through the university's EAP program and/or information provided by the Human Resources Department.

Annual Crime Statistics for Gwinnett Location

Annual Crime Statistics for Gwinnett Campus				
CATEGORY	VENUE	2014	2015	2016
CRIMINAL HOMICIDE:				
Murder and Non-Negligent Manslaughter	On Campus	0	0	0
	On public property	0	0	0
Negligent Manslaughter	On Campus	0	0	0
	On public property	0	0	0
SEX OFFENSES:				
Forcible	On Campus	0	0	0
	On public property	0	1	0
Non-forcible	On Campus	0	0	0
	On public property	0	0	0
ROBBERY	On Campus	0	0	0
	On public property	0	0	0
AGGRAVATED ASSAULT	On Campus	0	0	0
	On public property	0	1	2
BURGLARY	On Campus	0	0	0
	On public property	0	0	0
ARSON	On Campus	0	0	0
	On public property	0	0	0
MOTOR VEHICLE THEFT	On Campus	0	0	0
	On public property	0	4	5
VIOLENCE AGAINST WOMEN ACT OFFENSES (for crimes reported in 2013 forward)				
STALKING (Includes CYBERSTALKING)	On Campus	0	0	0
	On public property	0	0	0
DOMESTIC VIOLENCE	On Campus	0	0	0
	On public property	0	1	0
DATING VIOLENCE	On Campus	0	0	0
	On public property	0	0	0

ARRESTS				
ARRESTS: Weapons Violations	On Campus	0	0	0
	On public property	0	0	0
Weapons Violations	On Campus	0	0	0
	On public property	0	0	0
ARRESTS: Drug Abuse Violations	On Campus	0	0	0
	On public property	0	7	0
Drug Abuse Violations	On Campus	0	0	0
	On public property	0	0	0
ARRESTS: Liquor Law Violations	On Campus	0	0	0
	On public property	0	0	0
Liquor Law Violations	On Campus	0	0	0
	On public property	0	0	0

ANNUAL CRIME STATISTICS GWINNETT CAMPUS			
Hate Offenses – On-Campus			
TYPES	<u>2014</u>	<u>2015</u>	<u>2016</u>
Murder And Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses: Forcible	0	0	0
Sex Offenses: Non-Forcible	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Arson	0	0	0
Motor Vehicle Theft	0	0	0
Aggravated Assault	0	0	0
Other Crimes with Bodily Injury	0	0	0
Larceny Theft	0	0	0
Simple Assault	0	0	0
Intimidation	0	0	0
Criminal Mischief/Vandalism	0	0	0

ANNUAL CRIME STATISTICS GWINNETT CAMPUS			
Hate Offenses – Public Property			
TYPES	<u>2014</u>	<u>2015</u>	<u>2016</u>
Murder And Non-Negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Sex Offenses: Forcible	0	0	0
Sex Offenses: Non-Forcible	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Arson	0	0	0
Motor Vehicle Theft	0	0	0
Aggravated Assault	0	0	0
Other Crimes with Bodily Injury	0	0	0
Larceny Theft	0	0	0
Simple Assault	0	0	0
Intimidation	0	0	0
Criminal Mischief/Vandalism	0	0	0

APPENDIX



Saint Leo University Non-discrimination Statement

Saint Leo University has a strong commitment to principles of equal employment opportunity and equal access to education. Saint Leo University does not discriminate on the basis of age, color, disability, ethnic origin, genetic information, gender, nationality, race, religion, or veteran status, or any other category protected by federal, state, or local law in its educational programs, admissions policies, financial aid, employment, or other school administered programs.

The policy is enforced by Saint Leo University and by applicable laws such as Title IX of the Education Amendments of 1972, Title VII and Title IX of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and the Florida Civil Rights Act of 1992.

The Title IX coordinator, Stephanie Lewis, may be contacted at stephanie.lewis@saintleo.edu or titleixcoordinator@saintleo.edu.