

Albizu University Security Policies and Statistics

Preparation and Dissemination of Crime Statistics

The Office of the Chancellor prepares an annual security report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, better known as the Clery Act. The full text of this report is posted on the University website (www.albizu.edu). This report is prepared in collaboration with local law enforcement agencies and the campus security authorities.

Crimes, offenses, and arrests on the premises and corresponding statistics are reported to various law enforcement agencies and to the campus security authorities, who include the Chancellor, Dean of Student Affairs, Security Officer, and Director of Human Resources and Operations in Miami and San Juan and the Auxiliary Director of Administration, Associate Dean of Academic Affairs, Academic Counselor, Security Officer, and Director of the Albizu Clinic in Mayagüez. These statistics include crime occurring in the geographical area, as defined by the Clery Act, of the University campuses.

Each year, an email is sent to enrolled students notifying them of the web address at which they can access the crime report. Faculty and staff receive similar notification. Copies of the report can also be obtained from the Dean of Student Affairs and the Director of Human Resources and Operations. Future employees may obtain a copy at the Human Resources Department and prospective students at the Office of Student Affairs.

Timely Notification

The Office of Human Resources and the Office of Student Affairs provides timely notification to the institutional community about Clery Act crimes, emergencies, or other serious incidents that occur and may pose a serious threat to the institutional community. The campus distributes these alerts using a variety of methods, including email, flyers, notifications via public address systems, and notices posted on the Albizu University website (www.albizu.edu).

Notifications are issued after assessing an individual situation and determining that it is a "serious and imminent threat" to the institutional community. Before issuing a warning, the University considers all the facts surrounding the incident, such as the nature of the crime, the continued danger to the institutional community, and the potential risk of jeopardizing law enforcement efforts.

Incidents that may result in the issuance of timely notification include the following:

- Murder
- Stalking
- Involuntary manslaughter
- Homicide
- Forced sexual offenses
- Non-forced sexual offenses
- Robbery
- Aggravated assault
- Scolding resulting in verbal or physical aggression
- Theft of motor vehicle

- Arson
- Burglary
- Dating violence
- Weapon possession

Reporting Crime

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety-related incidents to a campus security authority in a timely manner. To report a crime or an emergency on an Albizu University campus, call one of the security authorities listed below for that campus:

Miami Campus Phone Numbers/Extensions

305-593-1223

Chancellor: Ext. 3138

Dean of Student Affairs: Ext. 3102

Reception: Ext. 3101

Director of Human Resources and Operations: Ext. 3183

San Juan Campus Phone Numbers/Extensions

787-725-6500

Chancellor: Ext. 1599

Dean of Students: Ext. 1560

Director of Administration: Ext. 1549

Security Officer: Ext. 1000

Director of Human Resources: Ext. 2308

Mayagüez University Center Phone Numbers/Extensions

787-838-7272

Auxiliary Director of Administration: Ext. 7131

Academic Counselor: Ext. 7135

Security Officer: Ext. 7130

Director of the Albizu Clinic: Ext. 7134

Incident reports are sent to the Director of Human Resources and Operations for statistical review and disclosure in the Miami Campus. If assistance is required from the local police department, a member of the campus security authority will contact the appropriate unit. Crime should be reported to the campus security authority to ensure the inclusion of the incident in annual crime statistics and to assist in providing timely notice to the University community if necessary.

Evacuation or Emergency Response

All members of the Albizu University community are urged to notify the University campus security authorities of any significant emergency or dangerous situation on campus that may present an immediate or ongoing threat to the health and safety of students and/or employees. The security authorities have the responsibility of summoning the necessary resources to investigate, mitigate, and document any incident that may constitute a significant emergency or dangerous situation. Furthermore, the security authorities are responsible for responding to any such incident and

determining if the situation does in fact pose a threat to the campus community. If that is the case, federal law requires that the institution immediately notify the campus community.

In the event of a serious incident posing an immediate threat to members of the Albizu University community, the University has several systems in place for communicating information quickly to affected individuals. Some or all of these methods of communication may be activated. These include network emails, texts, fire alarms, and postings on the Albizu University website. The Director of Human Resources and Operations in Miami, the Director of Administration in San Juan, and the Auxiliary Director of Administration in Mayagüez are authorized to transmit emergency messages and are the primary individuals on their respective campuses responsible for ensuring that the initial emergency message is transmitted. The Office of the Chancellor will provide additional warnings and/or follow-up information regarding a significant emergency or dangerous situation.

Upon receiving information regarding an emergency or dangerous situation that poses an immediate or ongoing threat to the health and safety of students and/or employees on campus, the aforementioned facilities or administrative director or coordinator will immediately notify the Chancellor. If an emergency or dangerous situation is confirmed, the Chancellor will determine the content of the message and use some or all of the communication systems mentioned above to communicate the threat to the University community. The Chancellor, without delay and considering the safety of the community, will initiate the notification system, unless issuing a notification will, in the judgment of the first responders, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The University publicizes response and evacuation procedures on an annual basis through e-mails and postings on the Albizu University website. The response and evacuation procedures are tested annually. Fire alarms are tested regularly, and drills are conducted periodically.

Voluntary Confidential Reports

Victims of a crime who do not wish to take action through the campus security authorities or local law enforcement agencies may consider filing a confidential report. With the individual's consent, the Dean of Student Affairs or the Director of Human Resources and Operations may submit a report on the details of the incident without revealing the identity of the victim. The purpose of a confidential report is to comply with an individual's wish to keep the matter confidential while taking steps to ensure the future safety of that individual as well as others. With such information, the University can maintain an accurate record of the number of student-related incidents, determine whether and where a pattern of crime exists, identify a specific aggressor's methods of victimization, and alert the community to potential danger. The information provided in a confidential report is reported in the annual crime statistics for the institution, but the identity of the individual is never disclosed.

Anonymous Tip

Bystanders or witnesses to a crime may submit an anonymous tip to Security, the Department of Human Resources, or the Office of Student Services.

Security and Access

During regular operating hours, the campus is open to students, parents, employees, contractors, visitors, and guests. During nonbusiness hours and when the campus is officially closed, all

departments remain closed. Only those employees and faculty with the proper authorization from an officially designated person will have access to the Institution.

Miami Campus operating hours are as follows:

Monday-Thursday, 7am-11pm

Friday, 7am-9pm

Saturday, 7am-3pm

Sunday, Closed

The Director Human Resources and Operations in Miami, the Director of Administration in San Juan, and the Auxiliary Director of Administration in Mayagüez routinely inspect physical facilities at their individual locations to ensure that lighting is maintained, debris is removed, and any related items are attended to that may affect the safety of the campus.

Security Authorities on Premises

Albizu University security authorities have the right to ask people to identify themselves and determine if individuals have valid reasons to be on the premises of the Institution. The security authorities do not have the power to make arrests. Criminal incidents are referred to the local law enforcement with jurisdiction over the specific campus.

Security personnel are available in Miami, 7am – 11pm Monday – Friday and 7am – 3pm on Saturday, and 24 hours a day 7 days a week in San Juan and Mayagüez campuses.

Students, faculty, staff must display a campus ID at all times. All guests must show their ID when signing the visitors log.

Collaboration with Local Law Enforcement

The security authorities of the Albizu University campuses maintain close working relationships with the San Juan and Mayagüez Police Departments in Puerto Rico and the City of Doral Police Department in Miami. When necessary, meetings are held between University and police agency leaders on both a formal and informal basis. The police department communicates regularly with University officials on incidents that occur in and around the campus. University officials work closely with the investigative staff of law enforcement agencies when incidents arise that require joint investigative efforts, resources, crime-related reports, and exchanges of information, as deemed necessary. There is no written memorandum of understanding between Albizu University authorities and local law enforcement agencies.

Safety Awareness Program

During Student Orientation, students are provided with information about policies related to their protection and security on campus and surrounding areas. Similar information is presented to new employees.

Periodically during the academic year, the Department of Human Resources and the Dean of Student Affairs, in cooperation with other organizations and University departments, present awareness-raising sessions on crime prevention with regard to sexual assaults, drug abuse, and violence, as well as educational sessions on personal safety.

Sex Offender Registration

The Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act, and the Family Educational Rights and Privacy Act of 1974, requires that higher education institutions issue a statement advising the campus community where information can be obtained regarding sex offenders domiciled in the state. It also requires that sexual offenders registered in the state notify the higher education institutions in which they study or work.

In accordance with the aforementioned Act, Albizu University provides the following information on websites where searches can be conducted for specific University campuses in Florida or for cities in Puerto Rico:

Miami Florida Police Department: Florida Predators and Offenders

<https://offender.fdle.state.fl.us/offender/univSearchNav.do?link=standard>

San Juan Registry of Sexual Offenders: Criminal Justice Information Center of P.R.

<http://sor.cjis.pr.gov/>

Drug and Alcohol Abuse Policy

The purpose of this program is to raise awareness in the University community about the harmful effects of illicit drug use and alcohol abuse; establish preventive measures that help maintain an environment free of drugs and alcohol; and adopt norms and rules that allow the institution to effectively address cases of illicit drug use and alcohol abuse. Albizu University has a vital interest in maintaining safe, sanitary, and efficient work and study conditions for its employees and students. Individuals under the influence of drugs, alcohol, or other controlled substances may constitute a serious danger to the safety and health not only of themselves but of those who interact with them.

Albizu University recognizes that the success of its mission depends on the physical and psychological health of its employees and students. It is therefore the right, obligation, intention of the University to take reasonable steps to ensure that alcohol, illegally used legal drugs, and controlled substances do not jeopardize the success of our institution or affect our employees or students. With these basic objectives in mind, the Institution has established the Albizu University Drug, Alcohol, and Tobacco Institutional Policy and associated procedures regarding alcohol, drugs and controlled substances. This policy applies to all employees of Albizu University and its clinics as well as to all students. All employees and students have access to the website address at which they can access this policy.

Policy Statement on Alcoholic Beverages

The possession, sale, or furnishing of alcohol on campus is governed by the Albizu University Drug, Alcohol, and Tobacco Institutional Policy. Laws regarding the possession, sale, consumption, or furnishing of alcohol are controlled by the Puerto Rico Commonwealth for the San Juan Campus and Mayagüez University Center and by Florida State Law for the Miami Campus. However, the enforcement of alcohol laws on campus is the primary responsibility of the Albizu University campus security authorities. Only under certain circumstances is the consumption of alcohol permitted.

It is unlawful to sell, furnish, or provide alcohol to a person under the age of 18 in San Juan and Mayagüez or a person under age 21 in Miami. The possession of alcohol in a public place or a place open to the public is illegal for anyone under the age of 18 in San Juan and Mayagüez and under age 21 in Miami. It is also a violation of the Albizu University Drug, Alcohol, and Tobacco Institutional Policy for anyone to consume or possess alcohol in any public or private area of campus without prior University approval. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the University.

Policy Statement on Illegal Drug Possession

Albizu University campuses have been designated “drug free.” The possession, sale, manufacture, or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Albizu University Drug, Alcohol, and Tobacco Institutional Policy. Violators are subject to University disciplinary action, criminal prosecution, fine, and imprisonment.

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

Policy

Albizu University prohibits any sexual assault or physical abuse, including, but not limited to, rape, domestic violence, dating violence, sexual assault, or harassment as defined by federal rules and regulations. This is regardless of whether it is committed by an employee, student, or member of the public and whether it occurs on or off the premises of the Institution.

The following information is provided in compliance with the Violence Against Women Act (VAWA) amendments to the Clery Act.

Definitions

1. *Sexual assault*: An offense that meets the definition of rape, fondling, incest, or statutory rape according to the FBI's Uniform Crime Reporting (UCR) program.

2. *Sexual offenses*: Any sexual act against another person without the consent of the victim, including instances in which the victim is unable to consent.

- Rape: The penetration, no matter how superficial, of the vagina or anus with any body part or object or oral penetration by a sexual organ of another person without the consent of the victim.
- Fondling: Touching the private parts of another person for the purpose of obtaining sexual gratification without the consent of the victim, including instances in which the victim is unable to consent due to his or her age or permanent or temporary mental incapacity.
- Incest: Sexual intercourse between two persons who are related to the extent to which their marriage is prohibited by law.
- Statutory rape: Sexual intercourse with a person who is under the legal age of consent.

Consent is defined by the state of Florida within the legal structure related to sexual assault (Fla. Stat. §794,011) as follows: "Consent" means intelligent, knowing, and voluntary consent and does not include coerced submission. "Consent" should not be considered or interpreted to mean the failure of the alleged victim to offer physical resistance to the offender.

- Lack of protest is not the same as consent.
- Lack of resistance is not the same as consent.
- Silence is not the same as consent.

Affirmative consent must be ongoing throughout sexual activity. Affirmative consent can be revoked (taken back) at any time, including during a sexual encounter. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

Affirmative consent does not exist if a person engages in sexual contact when the other person is:

- Asleep or unconscious;
- Incapacitated due to the influence of drugs, alcohol, or medication, so that the other person could not understand the fact, nature, or extent of the sexual activity; and/or
- Unable to communicate due to a mental or physical condition.

3. *Domestic Violence*: A felony or misdemeanor crime of violence committed by:

- A current or former spouse or intimate partner of the victim;
- A person with whom the victim shares a child in common;
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- A person similarly situated to a spouse of the victim under the domestic or family violence laws where the violence occurred; and/or
- Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

4. *Dating Violence*: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- For 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.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

5. *Stalking and/or Harassment*: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for his or her safety or the safety of others; and/or
- Suffer substantial emotional distress.

For the purposes of this definition:

- *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
- *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Any incident meeting the aforementioned definitions is considered a crime for the purposes of Clery Act reporting.

Albizu University recognizes the often-sensitive natures of sexual assault, domestic violence, dating violence, and stalking incidents. We are committed to protecting the privacy of any individual who makes a report.

Campus Contacts for Sexual-Based Violations, Interpersonal Violence, and Discrimination Grievances

Office of the Dean of Student Affairs

The Dean of Student Affairs or a designee clarifies policies and procedures for students.

San Juan Campus: 787-725-6500, ext. 1560

Miami Campus: 305-593-1223, ext. 3102

Mayagüez University Center: 787-838-7272, ext.7131

Human Resources Department

The Human Resources Director clarifies policies and procedures for employees and applicants.

San Juan Campus: 787-725-6500, ext. 2308

Miami Campus: 305-593-1223, ext. 3183

Mayagüez University Center: 787-838-7272, ext.7131

Title IX Coordinator

The Title IX Coordinator provides or facilitates ongoing training, consultation, and technical assistance on Title IX for all students, faculty, and staff. The Title IX Coordinator also clarifies policies and procedures for Albizu University students, employees, contractors, and guests.

All locations: 787-725-6500, ext. 1590

Immediate Responses for Victims

The University recommends the following immediate course of action for incidents pertaining to sexual and gender-based discrimination, sexual harassment, sexual assault, sexual violence, interpersonal (relationship) violence, and stalking:

Students

1. In the case of an emergency, call 911. For non-emergencies, contact local law enforcement or contact the Office of the Dean of Student Affairs.
2. If you experience sexual violence, seek medical attention.
3. Report the incident to the Office of the Dean of Student Affairs or the Title IX Coordinator.
4. Seek confidential emotional support at the Office of the Dean of Student Affairs or obtain referrals for psychological services off-campus.

Employees

1. In the case of an emergency, call 911. For non-emergencies, contact local law enforcement or contact the Human Resources Department.
2. If you experience sexual violence, seek medical attention.
3. Report the incident to the Human Resources Department or your supervisor.
4. Seek confidential emotional support at the Human Resources Department or obtain referrals for psychological services off-campus.

Victim Rights

The aggrieved party reserves the right to:

- Request a protection order against the accused
- Seek medical attention
- Decide whether or not to disclose a crime or violation
- Confidentially or anonymously disclose a crime or violation
- Be treated with dignity and discretion by University officials
- Receive referrals for local medical and psychological services
- Be oriented on the investigative and disciplinary processes as outlined in the *Policies and Procedures for Sexual Harassment and Discrimination Grievances*
- Decide whether or not to file a formal complaint and participate in a judicial or an equitable University conduct process
- Request, consider, and refuse interlocutory measures
- Be informed that the defendant will be notified of the allegations against him or her and will be able to state his or her position and defense
- Voluntarily withdraw the complaint during the investigation
- Understand that the University reserves the right to continue with due process of the investigation if deemed necessary
- Be free of retaliation pending, during, and after the conclusion of University proceedings

Interlocutory Measures

Albizu University will take immediate action to protect the physical well-being and mental health of any student or employee who has been a victim of crimes defined in the Sexual Assault, Domestic Violence, Dating Violence, and Stalking Policy section of this report. These measures include but are not limited to:

- University-issued and University-enforced no contact orders
- Alterations to course schedules
- Arrangements for a campus escort
- Reserved parking

These measures will be handled confidentially and with full regard for ongoing personal safety.

Handling of the Protection Order

Any victim of a crime under the Violence Against Women Act has the right to request a protection order. The Office of the Dean of Student Affairs will obtain a copy of the order and a photograph of the offender. The Director of Human Resources and Operations will then be informed, who will in turn inform Security in order to prevent the offender's access to the campus. This measure will be

used in conjunction with the interlocutory phases.

Law Enforcement Involvement On and Off Campus

Albizu University recognizes the sensitive nature of sexual assault, domestic violence, dating violence, and harassment incidents. We are committed to protecting the privacy of any individual who makes a report. Similarly, employees will accompany the victim during the process of notifying the authorities. If the victim freely and voluntarily withdraws the complaint or does not wish to continue with the investigation, Albizu University reserves the right to continue with due process, taking into account the victim's decision and any available evidence.

Disciplinary Process

The disciplinary proceedings adopted by Albizu University are contained in the following documents: *Policies and Procedures for Sexual Harassment and Discrimination Grievances* and *General Policies and Disciplinary Procedures Manual*. These documents are available at www.albizu.edu in the Policies, Procedures, and Consumer Information section.

Disclosure Policy

Albizu University may, through a written request, disclose to the alleged victim of a violent crime or an unintended sexual offense the results of any disciplinary hearing conducted by the University against the student who is the alleged perpetrator of the crime or offense. If the alleged victim has died as a result of the crime or fault, Albizu University will provide the results of the disciplinary hearing to the victim of the relatives, if they so request.

Confidentiality

The outcome of the investigation and any resolution by the University are maintained with the privacy of the reporting and responding parties in mind. Information is shared on a need-to-know basis. Where information must be shared to conduct a thorough investigation, the reporting party will be informed. Investigation records are maintained in accordance with the Family Educational Rights and Privacy Act of 1971 (FERPA) as well as any other applicable laws or regulations. Any public release of information, including that required to adhere to the timely warning provision of the Clery Act, will not include the names of any victims or information that could easily lead to a victim's identification.

The University will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

Once a proceeding is complete, the parties will be informed, in writing, of the outcome, including the finding and sanctions, in accordance with FERPA and any applicable state laws. Both parties will be informed of the outcome as near to simultaneously as possible, without unnecessarily bringing those in conflict into close proximity with each other.

Awareness and Ongoing Prevention Program

Albizu University is committed to providing a safe environment for learning and work. In compliance with federal law, we have adopted policies and procedures to prevent and respond to incidents of sexual assault, domestic violence, dating violence, and harassment involving members of our University community. The Human Resources Department facilitates annual employee

training on sexual harassment and on diversity. The Office of the Dean provides students with on-campus access to community-based organizations addressing sexual offenses, dating violence, and gender-based discrimination as defined in the Violence Against Women Act. Instructional guides pertaining to personal safety, bystander intervention, and healthy interpersonal relationships are accessible to students at all times. Additional safety workshops are facilitated by both the Office of the Dean of Student Services and the Administration.

The *Policies and Procedures for Sexual Harassment and Discrimination Grievances* document is accessible to the institutional community and the general public in the Policies, Procedures, and Consumer Information section of the Albizu University website. These guidelines apply to students, faculty, employees, contractors, and visitors.

ALBIZU UNIVERSITY CRIME STATISTICS FOR 2017, 2018, AND 2019				
OFFENSE	YEAR	ON-CAMPUS PROPERTY	NON-CAMPUS PROPERTY	PUBLIC PROPERTY
AGGRAVATED ASSAULT	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ARSON	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
BURGLARY	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
MOTOR VEHICLE THEFT	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
FONDLING	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
INCEST	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
MURDER / NON-NEGLIGENT MANSLAUGHTER	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
NEGLIGENT MANSLAUGHTER	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ROBBERY	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
RAPE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

STATUTORY RAPE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DATING VIOLENCE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DOMESTIC VIOLENCE	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
STALKING	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
SEXUAL ASSAULT	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
UNFOUNDED CRIMES	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2019	0	0	0
	2018	0	0	0
	2017	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2019	0	0	0
	2018	0	0	0
	2017	0	0	0

There were no reported hate crimes for the years 2017, 2018, or 2019. The statistics were requested by Law Enforcement but were not available in a usable format for Clery reporting.