



Florida School of Massage Institutional Security Policies and Crime Statistics

Purpose.

Safety is essential for personal growth and learning and is a foundation of the Florida School of Massage (FSM) community. The safety of our campus is instrumental to providing a community where our students, staff, faculty, and guests are able to learn, work, visit and grow. FSM will provide students, faculty and visitors with information on safety, security procedures, policies and resources available and ask that they cooperate in crime prevention within our community. This policy is provided to students with each cohort start (January, May and September) and employees will receive a copy annually.

(a) Definitions.

Business Day. Monday through Friday, excluding any day when the school is closed.

Campus.

(i) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

- a. FSM property and buildings are located at 6421 SW 13th Street, Gainesville, FL 32608, and consist of the Main Building, the Bookkeeping Building, the Library building, the Little House and the 13 acres.

(ii) Any building or property that is within or reasonably contiguous to the area identified in paragraph (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

- a. All property and buildings listed in (i)a. above are owned and controlled by FSM.

Campus Security authority.

(i) A campus police department or a campus security department of an institution.

- a. FSM does not have a campus police department or a campus security department.

(ii) Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (i) of this definition, such as an individual who is responsible for monitoring entrance into institutional property.



Florida School of Massage Institutional Security Policies and Crime Statistics

- a. FSM does not have individuals whose sole responsibility is campus security, however it is the mandate of all faculty and staff to remain vigilant and report suspicious activity or people.

- (iii) Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
 - a. Any student, employee and/or visitor may contact 911 in an emergency.
 - b. In a non-emergency situation, students, employees and visitors may report criminal offenses to any faculty or staff member. The primary points of contact are identified in paragraph (b)(2)(iii).

- (iv) An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor.
 - a. Gerald Padgett, Director; located in the Director's Office in the lobby of the Main Building or by calling (352) 378-7891 or (352) 672-8168

Clery geography.

(i) For the purposes of collecting statistics on the crimes listed in paragraph (c) of this section for submission to the Department and inclusion in an institution's annual security report, Clery geography includes—

- (A) Buildings and property that are part of the institution's campus;
 - a. All FSM buildings and property are defined in **section (a)i.a.** of this policy.

- (B) The institution's noncampus buildings and property; and
 - a. FSM does not have any noncampus buildings or property.

- (C) Public property within or immediately adjacent to and accessible from the campus.



Florida School of Massage Institutional Security Policies and Crime Statistics

a. FSM's property faces HWY 441. All properties immediately adjacent and accessible to FSM's property are privately owned. When collecting local crime data, potential crimes reported at those privately owned properties are still reported.

(ii) For the purposes of maintaining the crime log required in paragraph (f) of this section, Clery geography includes, in addition to the locations in paragraph (i) of this definition, areas within the patrol jurisdiction of the campus police or the campus security department.

a. FSM does not have a campus police department or a campus security department, therefore there isn't a patrol jurisdiction nor crime log.

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.

(i) 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.

(ii) For the purposes of this definition—

(A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(B) Dating violence does not include acts covered under the definition of domestic violence.

(iii) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Domestic violence.

(i) A felony or misdemeanor crime of violence committed—

(A) By a current or former spouse or intimate partner of the victim;

(B) By a person with whom the victim shares a child in common;

(C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;



Florida School of Massage Institutional Security Policies and Crime Statistics

(D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or

(E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

(ii) For the purposes of complying with the requirements of this section and § 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Federal Bureau of Investigation's (FBI) Uniform Crime Reporting (UCR) program. A nationwide, cooperative statistical effort in which city, university and college, county, State, Tribal, and federal law enforcement agencies voluntarily report data on crimes brought to their attention. The UCR program also serves as the basis for the definitions of crimes in Appendix A to this subpart and the requirements for classifying crimes in this subpart.

Hate crime. A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

Hierarchy Rule. A requirement in the FBI's UCR program that, for purposes of reporting crimes in that system, when more than one criminal offense was committed during a single incident, only the most serious offense be counted.

Noncampus building or property.

(i) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or

a. FSM does not have any student organizations, noncampus buildings or properties.

b. Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

a. FSM does not have any noncampus buildings or property. All FSM buildings and property are defined in **section (a)i.a.** of this policy.



Florida School of Massage Institutional Security Policies and Crime Statistics

Pastoral counselor. A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

- a. FSM does not have a pastoral counselor on staff.

Professional counselor. A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of the counselor's license or certification.

- a. FSM does not have professional counselor on staff, as defined above.

Programs to prevent dating violence, domestic violence, sexual assault, and stalking.

(i) Comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault, and stalking that—

(A) Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research or assessed for value, effectiveness, or outcome; and

(B) Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community, and societal levels.

(ii) Programs to prevent dating violence, domestic violence, sexual assault, and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees, as defined in paragraph (j)(2) of this section.

Public property. All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

- a. FSM's property faces HWY 441. All properties immediately adjacent and accessible to FSM's property are privately owned.

Referred for campus disciplinary action. The referral of any person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

Sexual assault. An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's UCR program and included in Appendix A of this subpart.



Florida School of Massage Institutional Security Policies and Crime Statistics

Stalking.

(i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(A) Fear for the person's safety or the safety of others; or

(B) Suffer substantial emotional distress.

(ii) For the purposes of this definition—

(A) **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.

(B) **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.

(C) **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

(iii) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Test. Regularly scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities.

(b) Annual security report.

(1) Current crime statistics are published in section **(c) Crime Statistics**.

(2) This section sets forth the policy regarding the procedures for students and others to report criminal actions or other emergencies occurring on campus. This includes FSM's policy to respond to these reports and the policy for making timely warning reports to members of the campus community. This policy will also include guidelines for preparing an annual disclosure of crime statistics report, a list of name a title of each person to whom students and employees should report criminal offenses for the purpose of making timely warning reports and the annual statistical disclosure reporting, as well as procedures for victims and witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of criminal statistics.



Florida School of Massage Institutional Security Policies and Crime Statistics

- a. Students and visitors should report criminal actions or other emergencies, by dialing 911, or notifying the front desk, administrative office personnel, faculty or the director.
- b. Any staff or faculty member that witnesses criminal actions or other emergencies, or to whom a criminal action or other emergency has been reported, will immediately:
1. Assess the situation
 2. Report the activity to the appropriate law enforcement agency
 3. Notify the Campus Security Administrator for inclusion in the annual disclosure of criminal statistics.
- (i) The Campus Security Administrator, as identified in paragraph (a) *Campus Security Authority* (iii) b., shall report to members of the campus community, as required by paragraph (e), regarding the occurrence of crimes described in paragraph (c)(1).
- (ii) As criminal activities are reported to the Campus Security Administrator, they will be recorded in the Annual Disclosure of Criminal Statistics. Additionally, the Campus Security Administrator will check www.cityprotect.com (as directed by the Alachua County Sheriff's Office) on a monthly basis for crimes reported on *Clery Geography*, as defined by paragraph (a). Any reported criminal activity regarding crimes described in paragraph (c)(1), shall be included in the Annual Disclosure of Criminal Statistics.
- (iii) Any members or visitors of the campus community shall report criminal offenses, as described in paragraph (c)(1), to the following individuals:
- Gerald Padgett - Director, Campus Security Administrator; located in the Director's Office in the lobby of the Main Building or by calling (352) 378-7891 or (352) 672-8168
 - Billie Jo Owens - Student Services, Assistant Campus Security Administrator; located in the Administration Office in the Main building or by calling (352) 378-7891
 - Gordy Tanner - Maintenance, Assistant Campus Security Administrator; located in the Administration Office in the Main building or by calling (352) 378-7891



Florida School of Massage Institutional Security Policies and Crime Statistics

(iv) Victims or witnesses of reportable crimes are entitled to reporting on a voluntary and confidential basis for the purpose for inclusion in the Annual Disclosure of Criminal Statistics.

a. Victims or witnesses should report directly to the individuals identified in (b)(2)(iii) listed above.

(3) The following are policies and procedures pertaining to the security and access to campus facilities and security considerations regarding campus maintenance. The campus does not have campus residences. Only faculty and staff are issued keys to access campus facilities. The building is equipped with an alarm system with 24-hour monitoring.

a. Security –

i. The main building is equipped with an alarm system, with 24-hour monitoring.

ii. The system is scheduled to disarm automatically before the campus opens and arm in the evenings.

iii. Access codes are issued on an individual, as-needed basis.

iv. Emergency contacts with the alarm monitoring service will be the Director, the Campus Security Administration, and other personnel as deemed necessary.

b. Access –

i. Keys to campus facilities will be issued to employees during their onboarding process.

ii. It is each employee's responsibility to ensure that the entire main building is locked, if they are the last person to depart campus.

c. Campus Maintenance –

i. When contract maintenance is necessary, a member of Campus Maintenance will be present to ensure that no access is granted to unnecessary or unauthorized areas of the campus.

(4) FSM does not employ campus law enforcement. All emergency responses and reporting of criminal activity should follow the guidelines of this policy.

(5) FSM is committed to ensuring the safety and security of all students and employees. To achieve this goal, FSM uses the following programs and initiatives:



Florida School of Massage Institutional Security Policies and Crime Statistics

a. **Orientation:** All new students and employees receive comprehensive orientation sessions that include information about campus security procedures and practices. This includes information about emergency response protocols, reporting procedures for incidents, and general safety tips.

b. **Awareness Campaigns:** The school maintains awareness campaigns throughout the year to remind students and employees about the importance of personal security and vigilance.

c. **Student and Employee Responsibility:** All students and employees are encouraged to take responsibility for their own security and the security of others. This includes being aware of their surroundings, reporting suspicious behavior, and following campus security protocols.

d. **Feedback Mechanism:** Students and employees are encouraged to offer feedback on campus security procedures and practices. FSM wants to help ensure that the programs are effective and meet the needs of the community.

e. **Regular Reviews and Updates:** The effectiveness of the programs is regularly reviewed and updated based on feedback and changing security needs.

(6) FSM encourages all students and employees to follow these best practices to help prevent crimes on campus:

a. **Be Aware of Your Surroundings:** Pay attention to your surroundings and trust your instincts. If you feel unsafe or notice something suspicious, report it to a staff or faculty member, or local law enforcement.

b. **Secure Your Belongings:** Keep your belongings secure at all times. Lock your car, bike, and do not leave valuables unattended.

c. **Be Cautious with Personal Information:** Be cautious about sharing personal information online or with strangers. This information can be used by criminals for identity theft or other crimes.

d. **Report Suspicious Activity:** If you see something, say something. Report any suspicious activity to staff or faculty member, or local law enforcement.

e. **Stay Informed:** Stay informed about campus security procedures and practices. Familiarize yourself with emergency protocols and know how to respond in different situations.



Florida School of Massage Institutional Security Policies and Crime Statistics

- (7) FSM does not have any student noncampus locations or housing and therefore does not jurisdictional or security monitoring off campus. Students and employees are encouraged to maintain personal security awareness off campus.
- (8) FSM is committed to maintaining a safe and healthy campus environment. The possession, use, and sale of alcoholic beverages on campus are strictly regulated in accordance with state laws and school policies. The following guidelines are in place:
- a. Possession and Use: Practicing or receiving massage under the influence of any intoxicants is unsafe and contraindicated. Any student or employee found under the influence on campus during school or business hours will be subject to disciplinary actions. Students and employees under the legal drinking age (21 years old) are prohibited from possessing or consuming alcoholic beverages on campus. Alcohol may only be served at school-sponsored events with prior approval from the administration. Responsible drinking practices must be observed at all times.
 - b. Sale: The sale of alcoholic beverages is prohibited on campus, except as permitted by law and with prior approval from the administration.
 - c. Enforcement of State Underage Drinking Laws: The Florida School of Massage will actively enforce state underage drinking laws. Students or employees found in violation of these laws may be subject to disciplinary action.
 - d. Education and Prevention: The school will provide referral information for education and prevention programs to inform students and employees about the dangers of underage drinking and alcohol abuse, as well as referral resources for counseling and support for those struggling with alcohol-related issues.
 - e. Community Expectations: All members of the campus community are expected to comply with state laws and school policies regarding alcohol. Failure to do so may result in disciplinary action.
- (9) The possession, use, or sale of illegal drugs on campus is strictly prohibited in accordance with federal and state laws. The following guidelines are in place:
- a. Possession and Use: Practicing or receiving massage under the influence of illegal, intoxicating, or dissociative drugs or substances is unsafe and strictly prohibited. Any student or employee found under the influence on campus will be subject to disciplinary actions. Additionally, the possession, use, or distribution of illegal, intoxicating, or dissociative drugs or substances on campus is strictly prohibited.



Florida School of Massage Institutional Security Policies and Crime Statistics

b. Sale: The sale of illegal, intoxicating, or dissociative drugs or substances on campus is strictly prohibited. Any individual found selling illegal drugs will be reported to the appropriate authorities and subject to disciplinary action.

c. Enforcement of Federal and State Drug Laws: The Florida School of Massage will actively enforce federal and state drug laws. Students or employees found in violation of these laws may be subject to disciplinary action, including but not limited to suspension or expulsion.

d. Education and Prevention: The school will provide referral education and prevention programs to inform students and employees about the dangers of drug and substance abuse. Referral resources for counseling and support will be made available to those struggling with drug-related or substance issues.

e. Community Expectations: All members of the campus community are expected to comply with federal and state drug laws and school policies regarding illegal, intoxicating, or dissociative drugs or substances. Failure to do so may result in disciplinary action.

(10) The Florida School of Massage (FSM) is committed to providing an environment free of the abuse of alcohol and the illegal use of alcohol and other drugs or substances. FSM has adopted and implemented programs that seek to prevent the illicit use of drugs substances and the abuse of alcohol by FSM community members, in accordance with section 120(a) through (d) of the HEA, otherwise known as the Drug-Free Schools and Communities Act of 1989

Health Risks Associated with the Use of Illicit Drugs and the Abuse of Alcohol: Alcohol consumption causes a number of marked changes in behavior. Even low doses of alcohol significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. The use of small amounts of alcohol by a pregnant woman can damage the fetus. Low to moderate doses of alcohol also increases the incidence of a variety of aggressive acts. Moderate to high doses of alcohol cause marked impairment in higher mental functions, severely altering a person's ability to learn and remember information. Heavy use may result in chronic depression and suicide and also may be associated with the abuse of other drugs. Very high doses can cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects described. Even occasional heavy drinking may be associated with the harmful effects described above. Binge drinking, which occurs over an extended period of time, involves repeated use of alcohol to the point of intoxication. A person may give up usual activities and responsibilities during this time in order to use alcohol, and serious impairment in all areas of functioning may occur.



Florida School of Massage Institutional Security Policies and Crime Statistics

Long-term heavy alcohol use can cause digestive disorders, cirrhosis of the liver, circulatory system disorders, and impairment of the central nervous system—all of which may lead to early death. Repeated use of alcohol can lead to dependence, and at least 15 to 20 percent of heavy users eventually will become problem drinkers or alcoholics if they continue drinking. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions, which can be life threatening.

The use of illegal drugs and the misuse of prescription and other drugs also pose a serious threat to health. The use of marijuana (cannabis) may cause impairment of short-term memory, comprehension, and ability to perform tasks requiring concentration. Marijuana use also may cause lung damage, paranoia, and possible psychosis. The use of narcotics, depressants, stimulants, and hallucinogens may cause nervous system disorders and possible death as the result of an overdose. Illicit inhalants can cause liver damage.

Help for all members of the FSM community is available through Alcoholics Anonymous at 352-372-8091 and Narcotics Anonymous at 352-376-8008. Additional places where one can get treatment are listed in the Gainesville telephone directory under “Alcoholism Information and Treatment Centers” and “Drug Abuse and Addiction—Information and Treatment.”

(11) FSM maintains that all forms of sexual assault are unacceptable. FSM endorses a reporting policy that strongly encourages victims to report all crimes to local law enforcement at once. Reporting of a crime ensures that appropriate action can be taken. Any member of the Florida School of Massage community who believes they have been a victim of dating violence, domestic violence, sexual assault, or stalking, or who has witnessed or received a report of such incidents, should immediately report the incident to local law enforcement by going in person or by calling 911.

(i) Paragraph (j) of this policy describes the FSM's educational programs and campaigns to promote the awareness of dating violence, domestic violence, sexual assault, and stalking.

(ii) If you are the victim of dating violence, domestic violence, sexual assault, or stalking, you should take the following actions:

- a. **Ensure Your Safety:** If you are in immediate danger, call 911. Find a safe place away from the perpetrator.
- b. **Seek Medical Attention:** If you have been physically injured, seek medical attention immediately. Even if you do not have visible injuries, it's important to get checked by a healthcare professional.
- c. **Preserve Evidence:** If you are able to do so safely, preserve any evidence of the incident. This may include keeping any clothing you were wearing, taking



Florida School of Massage Institutional Security Policies and Crime Statistics

photos of injuries, and preserving any text messages, emails, or other communications related to the incident. Preserving evidence can be critical in proving that you were assaulted and may be helpful in obtaining a protection order.

- d. **Report the Incident:** Report the incident to the appropriate authorities, by going in person or calling 911. You may also contact the Director, Student Services or any other faculty or staff member you feel safe with for assistance in calling 911. They can provide you with information about your options and support services available to you. It is also within your rights to not contact the authorities, should you choose not to.
- e. **Seek Support:** Reach out to a trusted friend, family member, or counselor for emotional support. You can also contact local or national organizations that provide support to victims of dating violence, domestic violence, sexual assault, or stalking.
- f. **Create a Safety Plan:** Develop a safety plan to protect yourself in case of future incidents. This may include changing your routine, seeking legal protection, and accessing support services.
- g. **Know Your Rights:** Familiarize yourself with your rights as a victim of dating violence, domestic violence, sexual assault, or stalking. You have the right to seek legal protection, counseling, and support services. If you choose to notify school officials, FSM will also take action to abide by orders of protection, “no-contact” orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

(iii) FSM will protect the confidentiality of victims and other necessary parties by:

- Excluding personally identifiable information about victims from publicly available recordkeeping, including Clery Act reporting and disclosures, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)); and
- Maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

(iv) FSM will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community.



Florida School of Massage Institutional Security Policies and Crime Statistics

- (a) Students will be notified during their Orientation and the information will be sent to them via email, as well as being posted on their class “team” in Microsoft Teams
- (b) Employees will be notified during their onboarding, will receive an email annually and the resources will be posted to the “faculty and staff team” in Microsoft Teams

(v) FSM will provide written notification to victims about options for, available assistance in, and how to request changes to academic or protective measures. FSM will make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement.

(vi) The procedures for FSM’s disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking are found in paragraph (k) of this policy.

(vii) In the event that a student or employee reports to FSM that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, FSM will provide the student or employee a written explanation of the student’s or employee’s rights and options, as described in paragraphs (b)(11)(ii) through (vi) of this section.

(12) Florida Department of Law Enforcement is required by section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921), to put all registered sexual predators and offenders who qualify under the Florida Public Safety Information Act (PSIA) on the Internet. Internet flyers will contain a photo, a physical description, and an address for each subject. This information can be printed from the web page.

FDLE website - <https://offender.fdle.state.fl.us/offender/sops/home.jsf>

FDLE toll-free number - 1-888-357-7332 for TTY Accessibility - 1-877-414-7234

(13) The policy regarding emergency response and evacuation procedures, as required by paragraph (g) of this policy.

(14) FSM does not have on campus housing for students and therefore does not have a policy on missing student notification procedures.

(c) **Crime Statistics –**

(1) **Crimes that must be reported and disclosed.** FSM will report to the Department and disclose in its annual security report statistics for the three most recent calendar years concerning the number of each of the following crimes that occurred on or within its Clerly geography and that are reported to local police agencies or to campus security authority:



Florida School of Massage Institutional Security Policies and Crime Statistics

(i) Primary crimes, including—

(A) Criminal homicide:

- (1) Murder and nonnegligent manslaughter; and
- (2) Negligent manslaughter.

(B) Sex offenses:

- (1) Rape;
- (2) Fondling;
- (3) Incest; and
- (4) Statutory rape.

(C) Robbery.

(D) Aggravated assault.

(E) Burglary.

(F) Motor vehicle theft.

(G) Arson.

(ii) Arrests and referrals for disciplinary actions, including—

(A) Arrests for liquor law violations, drug law violations, and illegal weapons possession.

(B) Persons not included in paragraph (c)(1)(ii)(A) of this policy who were referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession.

(iii) Hate crimes, including—

(A) The number of each type of crime in paragraph (c)(1)(i) of this policy that are determined to be hate crimes; and

(B) The number of the following crimes that are determined to be hate crimes:

- (1) Larceny-theft.
- (2) Simple assault.
- (3) Intimidation.



Florida School of Massage Institutional Security Policies and Crime Statistics

(4) Destruction/damage/vandalism of property.

(iv) Dating violence, domestic violence, and stalking as defined in paragraph (a) of this policy.

(2) All reported crimes will be recorded.

(i) FSM will include in its crime statistics all crimes listed in paragraph (c)(1) of this policy occurring on or within its Clery geography that are reported to campus security authority for purposes of Clery Act reporting. Clery Act reporting does not require initiating an investigation or disclosing personally identifying information about the victim, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)).

(ii) FSM will not withhold, or subsequently remove, a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor, or other similar noncampus official.

(iii) FSM may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of reporting under this section. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.

(A) FSM will report to the Department and disclose in its annual security report statistics the total number of crime reports listed in paragraph (c)(1) of this policy that were “unfounded” and subsequently withheld from its crime statistics pursuant to paragraph (c)(2)(iii) of this policy during each of the three most recent calendar years.

(3) Crimes will be recorded by calendar year.

(i) FSM will record a crime statistic for the calendar year in which the crime was reported to local police agencies or to a campus security authority.

(ii) When recording crimes of stalking by calendar year, FSM will follow the requirements in paragraph (c)(6) of this policy.

(4) Hate crimes will be recorded by category of bias. For each hate crime recorded under paragraph (c)(1)(iii) of this policy, FSM will identify the category of bias that motivated the



Florida School of Massage Institutional Security Policies and Crime Statistics

crime. For the purposes of this paragraph, the categories of bias include the victim's actual or perceived—

- (i) Race;
- (ii) Gender;
- (iii) Gender identity;
- (iv) Religion;
- (v) Sexual orientation;
- (vi) Ethnicity;
- (vii) National origin; and
- (viii) Disability.

(5) *Crimes will be recorded by location.*

(i) FSM will specify whether each of the crimes recorded under paragraph (c)(1) of this section occurred—

- (A) On campus;
- (B) In or on a noncampus building or property; or
- (C) On public property.

(ii) FSM will identify, of the crimes that occurred on campus, the number that took place in dormitories or other residential facilities for students on campus.

(iii) When recording stalking by location, FSM will follow the requirements in paragraph (c)(6) of this policy.

(6) *Recording reports of stalking.*

(i) When recording reports of stalking that include activities in more than one calendar year, FSM will record a crime statistic for each and every year in which the course of conduct is reported to a local police agency or to a campus security authority.

(ii) FSM will record each report of stalking as occurring at only the first location within the institution's Clery geography in which:

- (A) A perpetrator engaged in the stalking course of conduct; or
- (B) A victim first became aware of the stalking.



Florida School of Massage Institutional Security Policies and Crime Statistics

(7) **Identification of the victim or the accused.** The statistics required under paragraph (c) of this policy do not include the identification of the victim or the person accused of committing the crime.

(8) **Pastoral and professional counselor.** FSM is not required to report statistics under paragraph (c) of this policy for crimes reported to a pastoral or professional counselor.

(9) **Using the FBI's UCR program and the Hierarchy Rule.**

(i) FSM will compile the crime statistics for murder and nonnegligent manslaughter, negligent manslaughter, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug law violations, and illegal weapons possession using the definitions of those crimes from the "Summary Reporting System (SRS) User Manual" from the FBI's UCR Program.

(ii) FSM will compile the crime statistics for fondling, incest, and statutory rape using the definitions of those crimes from the "National Incident-Based Reporting System (NIBRS) User Manual" from the FBI's UCR Program.

(iii) FSM will compile the crime statistics for the hate crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property using the definitions provided in the "Hate Crime Data Collection Guidelines and Training Manual" from the FBI's UCR Program.

(iv) FSM will compile the crime statistics for dating violence, domestic violence, and stalking using the definitions provided in paragraph (a) of this policy.

(v) In counting crimes when more than one offense was committed during a single incident, FSM will conform to the requirements of the Hierarchy Rule in the "Summary Reporting System (SRS) User Manual.

(vi) If arson is committed, FSM will always record the arson in its statistics, regardless of whether or not it occurs in the same incident as another crime.

(vii) If rape, fondling, incest, or statutory rape occurs in the same incident as a murder, FSM will record both the sex offense and the murder in its statistics.

(10) **Use of a map.** In complying with the statistical reporting requirements under this paragraph (c) of this policy, FSM will provide a map to current and prospective students and employees that depicts its campus, noncampus buildings or property, and public property areas if the map accurately depicts its campus, noncampus buildings or property, and public property areas.

(11) **Statistics from police agencies.**



Florida School of Massage Institutional Security Policies and Crime Statistics

(i) In complying with the statistical reporting requirements under paragraph (c) of this policy, FSM will make a reasonable, good-faith effort to obtain statistics for crimes that occurred on or within FSM’s Clery geography and may rely on the information supplied by a local or State police agency.

(ii) If FSM makes such a reasonable, good-faith effort, it is not responsible for the failure of the local or State police agency to supply the required statistics.

Campus Statistics of Criminal Offense at Florida School of Massage On Campus/Non-Campus Buildings (NONE)/ Public Property

Crime Statistics - On-campus

The purpose of this report is to advise current and prospective students and employees of crimes that have occurred on campus during the past three calendar years.

Criminal Offenses	2022	2023	2024
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Forcible sex offenses (including forcible rape)	0	0	0
Non-forcible sex offenses	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle theft	0	0	0
Arson	0	0	0
Hate Crimes	0	0	0
Arrests	2022	2023	2024
Weapons Possession	0	0	0
Drug law	0	0	0



Florida School of Massage Institutional Security Policies and Crime Statistics

Alcohol law	0	0	0
Referrals	2022	2023	2024
Weapons possession	0	0	0
Drug law	0	0	0
Alcohol law	0	0	0

Crime Statistics – Public Property

The purpose of this report is to advise current and prospective students and employees of crimes that have occurred on public-property adjoining the campus during the past three calendar years.

Criminal Offenses	2022	2023	2024
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Forcible sex offenses (including forcible rape)	0	0	0
Non-forcible sex offenses	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle theft	0	0	0
Arson	0	0	0
Hate Crimes	0	0	0
Arrests	2022	2023	2024
Weapons Possession	0	0	0



Florida School of Massage Institutional Security Policies and Crime Statistics

Drug law	0	0	0
Alcohol law	0	0	0
Referrals	2022	2023	2024
Weapons possession	0	0	0
Drug law	0	0	0
Alcohol law	0	0	0

(d) **Separate campus.** The Florida School of Massage only has one campus as defined in (a)(i) of this policy.

(e) **Timely warning and emergency notification.**

(1) In the event of the reporting of crimes described in paragraph (c)(1), FSM, shall report to members of the campus community, in a manner that is timely and that withholds as confidential the names and other identifying information of victims, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)), and that will aid in the prevention of similar crimes, report to the campus community on crimes that are—

- (i) Described in paragraph (c)(1) of this policy;
- (ii) Reported to campus security authorities as identified under the statement of current campus policies pursuant to paragraph (b)(2) of this policy or local police agencies; and
- (iii) Considered by the institution to represent a threat to students and employees.

(2) FSM is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

(3) If there is an immediate threat to the health or safety of students or employees occurring on campus, as described in paragraph (g)(1) of this section, FSM will follow its emergency notification procedures. When FSM has to follow the emergency notification procedures, FSM is not required to issue a timely warning based on the same circumstances; however, FSM will provide adequate follow-up information to the community as needed.

(f) **Crime log.** FSM does not have a campus police or a campus security department, and therefore does not maintain a Crime Log.

(g) **Emergency response and evacuation procedures.** The following is the policy in the event that there is an emergency response situation and/evacuations procedures need to be followed.



Florida School of Massage Institutional Security Policies and Crime Statistics

- (1) In the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus, the staff will notify the campus by immediately entering the classrooms and verbally notifying everyone. As safety permits, the administration may also transmit and text message and a message in Microsoft Teams to everyone on campus.
- (2) In the event that a situation arises that may be considered a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus, the staff member notified will:
 - (i) verify the validity of the threat in the most expeditious and safe manner as they can;
 - (ii) Determine the appropriate segment or segments of the campus community to receive a notification, based on proximity to the threat or incident;
 - (iii) Determine the content of the notification by limiting the notification to immediately relevant information to convey the severity of the situation; and
 - (iv) Initiate the notification system, by notifying the classrooms, staff and administration.
- (3) FSM will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.
- (4) All faculty and staff are responsible for carrying out the actions described in paragraph (g)(2) of this section and are listed below;

Carmen (CJ) Marrero - Admissions Representative
Jennifer Greenwood - Administrative Assistant/Faculty Member
Gerald Padgett – Director
Charlotte Loomis – Bookkeeper
Chrissy Martinez - A/V Library & Media Services Specialist
Dar Mikula – Consultant
Billie Jo Owens - Student Services
Nikki Awuma – Finance and Business Development
Nikki Evirs - Front Desk
Christina Polnyj - Consultant/Facilitator/Faculty Member
Cathy Snyder - Bookstore Manager
Gordon Tanner - Grounds and Maintenance
David Ledesma - Financial Aid Advisor
Sarah Fischer - Financial Aid Advisor
Donn Wilson - Financial Aid Advisor



Florida School of Massage Institutional Security Policies and Crime Statistics

Sarah Abruscato - Assistant to the Director/Faculty Member
Ashley Spence - Front Desk
Cristian Arroyo - Faculty Member
Salina Briseno - Faculty Member
Valerie Broas - Faculty Member
Joseph Cosenza - Faculty Member
Jennifer Greenwood - Faculty Member
Kristina Harmon - Faculty Member
Doug Loeb - Faculty Member
Amada Kaschkarow - Faculty Member
Frank Merillat - Faculty Member
Keith Mulford - Faculty Member
Madi Moyer - Faculty Member
Natalie Nix - Faculty Member
Mary Reis - Faculty Member
Lana Sendzimir - Faculty Member
Laura Tehennepe - Faculty Member
Stephen Towler - Faculty Member
Susie Vought - Faculty Member
Ariela Grodner - Faculty Member

(5) When safe to do so, FSM will disseminating emergency information to the larger community via email, Microsoft Teams and an in-class announcement, if necessary.

(6) FSM will test the emergency response and evacuation procedures on at least an annual basis.

(i) FSM will announce in advance with tests will be conducted.

(ii) Emergency response and evacuation procedures will be publicized on the school's website, in each Team within MS Teams and on the bulletin board in the administrative hallway, and will be tested at least once per calendar year, in August.

(iii) FSM will maintain a log documenting the annual test to include: a description of the exercise, the date, time, and whether it was announced or unannounced.

(h) ***Missing student notification policies and procedures.***

(1) The Florida school of Massage does not have any on-campus student housing facilities, and therefore does not have a policy regarding missing student notification procedures for students who reside in on-campus student housing facilities.

(i) [Reserved]



Florida School of Massage Institutional Security Policies and Crime Statistics

(j) **Programs to prevent dating violence, domestic violence, sexual assault, and stalking.**

FSM maintains that all forms of sexual assault are unacceptable. This section will outline the programs to prevent dating violence, domestic violence, sexual assault, and stalking.

(1) As part of FSM's commitment to keeping the community safe, we:

(i) Introduce from day one of Orientation the importance of Safety, Boundaries and Consent. This includes guided exercises to establish what safety is for each individual, how those parameters for safety inform their personal boundaries, and how one should obtain consent.

(A) It is made clear that FSM prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking, as those terms are defined in paragraph (a) of this policy.

(B) Florida Law defines these crimes as follows:

Dating violence, according to Florida Statute 784.046, is violence that occurs between people who have or have had a romantic or intimate relationship. The relationship must have been characterized by:

- The expectation of affection or sexual involvement
- Continuous interaction over time
- The relationship must have existed within the past 6 months

Domestic Violence, according to Florida Statute 741.28, means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.

Sexual Battery(Assault), according to Florida Statute 794.011, means oral, anal, or female genital penetration by, or union with, the sexual organ of another or the anal or female genital penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.

Stalking, according to Florida Statute 784.048, means to engage in a course of conduct directed at a specific person which causes substantial emotional distress to that person and serves no legitimate purpose.

(C) In reference to Sexual Battery(assault), Florida Statute 794.011 defines **consent** as intelligent, knowing, and voluntary consent and does not include coerced submission. "Consent" shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender.



Florida School of Massage Institutional Security Policies and Crime Statistics

(D) In Florida, there is no legal obligation for bystanders to intervene in situations. However, if someone is in immediate danger, the best action a bystander can take is to call 911. If a bystander does choose to intervene, they can use the Center for Abuse and Rape Emergencies' Green Dot Bystander Intervention Model.

This model focuses on three D's of intervention:

- **Direct:** Directly intervene in the situation, such as asking, "Is everything okay here?"
- **Distract:** Create a distraction, such as "accidentally" spilling a drink
- **Delegate:** Tell someone else or an authority figure, such as another bystander or law enforcement

(E) Dating violence, domestic violence, sexual assault, and stalking can occur in any situation and is **never** your fault, regardless of the circumstances. However, by taking some preventative steps you can substantially reduce your risks for being victimized.

Be aware - Walk with confidence, be aware of your surroundings, and trust your instincts. If a situation makes you feel uncomfortable, leave.

Avoid isolation - Don't isolate yourself with someone you don't know or trust. Go with a group to social gatherings and parties, and stay with your group if alcohol is served.

Communicate - Clearly communicate your intentions and limits to your sexual partner, and respect their personal boundaries. Don't make assumptions about consent, and stop if you receive mixed messages.

Intervene - If you witness sexually abusive behavior, intervene in a way that's realistic for you. You can try the 3 Ds: Direct, Delegate, or Distract.

Educate - Educate yourself and the community about sexual violence.

Support - Support survivors of sexual violence, and report sexual assault or harassment.

(F) If you are the victim of dating violence, domestic violence, sexual assault, or stalking, you should take the following actions:

- **Ensure Your Safety:** If you are in immediate danger, call 911. Find a safe place away from the perpetrator.
- **Seek Medical Attention:** If you have been physically injured, seek medical attention immediately. Even if you do not have visible injuries, it's important to get checked by a healthcare professional.



Florida School of Massage Institutional Security Policies and Crime Statistics

- **Preserve Evidence:** If you are able to do so safely, preserve any evidence of the incident. This may include keeping any clothing you were wearing, taking photos of injuries, and preserving any text messages, emails, or other communications related to the incident. Preserving evidence can be critical in proving that you were assaulted and may be helpful in obtaining a protection order.
- **Report the Incident:** Report the incident to the appropriate authorities, by going in person or calling 911. You may also contact the Director, Student Services or any other faculty or staff member you feel safe with for assistance in calling 911. They can provide you with information about your options and support services available to you. It is also within your rights to not contact the authorities, should you choose not to.
- **Seek Support:** Reach out to a trusted friend, family member, or counselor for emotional support. You can also contact local or national organizations that provide support to victims of dating violence, domestic violence, sexual assault, or stalking.
- **Create a Safety Plan:** Develop a safety plan to protect yourself in case of future incidents. This may include changing your routine, seeking legal protection, and accessing support services.
- **Know Your Rights:** Familiarize yourself with your rights as a victim of dating violence, domestic violence, sexual assault, or stalking. You have the right to seek legal protection, counseling, and support services. If you choose to notify school officials, FSM will also take action to abide by orders of protection, “no-contact” orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

FSM will protect the confidentiality of victims and other necessary parties by:

- Excluding personally identifiable information about victims from publicly available recordkeeping, including Clery Act reporting and disclosures, as defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)); and
- Maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

FSM will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and



Florida School of Massage Institutional Security Policies and Crime Statistics

other services available for victims, both within the institution and in the community.

- Students will be notified during their Orientation and the information will be sent to them via email, as well as being posted on their class “team” in Microsoft Teams
- Employees will be notified during their onboarding, will receive an email annually and the resources will be posted to the “faculty and staff team” in Microsoft Teams

FSM will provide written notification to victims about options for, available assistance in, and how to request changes to academic or protective measures. FSM will make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement.

The procedures for FSM’s disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking are found in paragraph (k) of this policy.

In the event that a student or employee reports to FSM that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, FSM will provide the student or employee a written explanation of the student's or employee's rights and options, as described in paragraphs (b)(11)(ii) through (vi) of this section.

- (ii) FSM’s ongoing prevention and awareness campaigns for students and employees include reinforcing the values of Safety, Boundaries, and Consent throughout the program. These fundamental values are essential in an industry centered around safe, therapeutic touch. To support this, FSM offers additional classes on communication skills, boundaries and ethics, therapeutic relationships, and Florida Laws and Rules. These classes are designed to ensure that all students and employees are well-versed in maintaining a safe and respectful environment. Additionally, there are other resources available at <https://www.floridahealth.gov/programs-and-services/prevention/sexual-violence-prevention/index.html> to include:

Florida Council Against Sexual Violence’s (FCASV) toll-free hotline at 1-888-956-7273 or visit FCASV’s website at www.FCASV.org



Florida School of Massage Institutional Security Policies and Crime Statistics

Florida Domestic Violence Hotline toll-free at 1-800-500-1119 or visit <https://www.myflfamilies.com/service-programs/domestic-violence/>

Alachua County VS and Rape Crisis Center
Counties Served: Alachua, Bradford, Union
218 SE 24th Street, Gainesville, FL 32641
352-264-6760
Helpline/Hotline: (866) 252-5439
www.alachuacounty.us/victim

24 Hour Sexual Assault Helpline - 352-264-6760 or Toll Free 24 Hour Sexual Assault Helpline - 866-252-5439

(2) For the purposes of this paragraph (j)—

(i) **Awareness programs** means community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

(ii) **Bystander intervention** means 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. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

(iii) **Ongoing prevention and awareness campaigns** means 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 institution and including information described in paragraph (j)(1)(i)(A) through (F) of this section.

(iv) **Primary prevention programs** means 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 directions.



Florida School of Massage Institutional Security Policies and Crime Statistics

(v) **Risk reduction** means 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.

(3) It is the Florida School of Massage's intention to support the community by promoting safety and awareness around the topics of dating violence, domestic violence, sexual assault, and stalking by complying with 34 CFR 668.46, Florida Statutes and this policy.

(k) **Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking.** FSM does employ employee personnel or officers that are trained in investigating crimes, so we will report all crimes to local law enforcement for investigation and disposition. FSM will pursue the following measures:

(1) FSM will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures.

(i) **Reporting:** Any member of the Florida School of Massage community who believes they have been a victim of dating violence, domestic violence, sexual assault, or stalking, or who has witnessed or received a report of such incidents, should immediately report the incident to the Director. Reports should be made as soon as possible after the incident occurs to ensure a prompt response and investigation.

Initial Assessment: The Director will conduct an initial assessment within 24 hours of receiving the report to determine if the reported behavior falls within the scope of dating violence, domestic violence, sexual assault, or stalking, as defined by section (k) of this policy.

Interim Actions: During the investigation, the Director may implement interim actions to protect the campus community. These actions may include, but are not limited to, temporary suspension of the accused individual and relocation of classes or work assignments. Interim actions, if necessary, will be implemented immediately following the initial assessment and will remain in place until the conclusion of the investigation and any subsequent disciplinary proceedings.

Investigation: The investigation will be conducted by the appropriate law enforcement agency, in which FSM will cooperate in any way possible.

(ii) FSM will defer to the investigation of law enforcement when determining the standard of evidence.

(iii) Following the results of any institutional disciplinary proceeding for an allegation of dating violence, domestic violence, sexual assault, or stalking FSM will impose the following sanctions:



Florida School of Massage Institutional Security Policies and Crime Statistics

Not guilty – the individual will be allowed to resume classes or duties

Guilty – the individual will be expelled or terminated.

(iv) FSM may provide a range of protective measures to the victim including :

- suspension of the accused person while investigation is pending
- excused absence to the victim while investigation is pending

(2) FSM will ensure that the proceedings will –

- (i) Include a prompt, fair, and impartial process from the initial investigation to the final result;
- (ii) Be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;
- (iii) Provide the accuser and the accused with the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice;
- (iv) Not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding; however, FSM may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties; and
- (v) Require simultaneous notification, in writing, to both the accuser and the accused, of—
 - (A) The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault, or stalking;
 - (B) FSM’s procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding, if such procedures are available;
 - (C) Any change to the result; and
 - (D) When such results become final.

(3) For the purposes of this paragraph (k)—

(i) A prompt, fair, and impartial proceeding includes a proceeding that is—

(A) Completed within reasonably prompt timeframes designated by FSM's policy, including a process that allows for the extension of timeframes for



Florida School of Massage Institutional Security Policies and Crime Statistics

good cause with written notice to the accuser and the accused of the delay and the reason for the delay;

(B) Conducted in a manner that—

(1) Is consistent with FSM's policies and transparent to the accuser and accused;

(2) Includes timely notice of meetings at which the accuser or accused, or both, may be present; and

(3) Provides timely and equal access to the accuser, the accused, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings; and

(C) Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

(ii) **Advisor** means any individual who provides the accuser or accused support, guidance, or advice.

(iii) **Proceeding** means 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. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

(iv) **Result** means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result must also include the rationale for the result and the sanctions.

(l) Compliance with paragraph (k) of this section does not constitute a violation of FERPA.

(m) **Prohibition on retaliation.** An institution, or an officer, employee, or agent of an institution, may not retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision in this section.