

Piberry Institute Inc.
30356 Old Dixie Hwy, Homestead, FL 33033. (305) 245-2581
For further information contact the Campus Compliance Officer at
mcarberryp@piberry.edu

CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS

Piberry Institute, Inc, is committed to assisting all members of the Piberry Institute, Inc., community in providing for their own safety and security. The annual security and fire safety compliance document for the location 30356 Old Dixie Hwy, Homestead FL 33033 is available on the website at <http://piberry.edu>.

If you would like to receive the combined Annual Security and Fire Safety Report that contains this information, you can stop by the administrative office at Piberry Institute located at 30356 Old Dixie Hwy, Homestead, FL 33033 or you can request that a copy be mailed to you by calling Marion Carberry, Campus Compliance Officer at (305) 245-2581.

The website contains this report and information regarding campus security and personal safety including topics such as: crime prevention, fire safety, crime reporting policies, disciplinary procedures, and other matters of importance related to security and safety on campus. They contain information about crime statistics for the year 2022 and previous crimes that have occurred on campus owned or controlled by Piberry Institute, Inc.; and on public property within or immediately adjacent to and accessible from the campus. This information is required by law and is provided by the administrative office at Piberry Institute, Inc.

The institution is providing the following information to all of its employees and students as part of the institution's commitment to safety and security pursuant to the requirements of the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The Campus Security Report is updated and made available on the institution's website and, upon request, in print format. It should be noted that this report is updated annually and distributed by October 1 of each year. Students and employees are encouraged to view the institution's website for updates pertaining to the institution's most recent Campus Security Report. You may also find information on Crime Statistics on the National Center for Education Statistic's College Navigator website. The National Center for Education Statistics (NCES) is the primary federal entity for collecting and analyzing data related to education in the U.S. and other nations. NCES is located within the U.S. Department of Education and the Institute of Education Sciences. Information as it appears on the school's navigator website is based on IPEDS data that are deemed final and closed, based on prior year's statistical submissions. For more up-to-date information, please contact your Admission's Representative.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics (Clery Act), originally known as the Campus Security Act, since amended by the Higher Education Act (HEOA), The Campus Sexual Violence Elimination Act (SaVE), and the Violence Against Women Act (VAWA) requires all colleges and universities that participate in federal financial aid programs to keep and disclose information about crime and sexual violence on and near their respective campuses. Campuses are not permitted to take retaliatory action against anyone with

respect to the implementation of any provision of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. It is the responsibility of the administration of Piberry Institute, Inc. to provide a safe environment for study and to prevent crime and sexual violence. Piberry Institute, Inc., is concerned about the safety and welfare of its students and employees.

The Clery Act ,requires the school to report the following allegations of Clery Act crimes to the Campus President:

- Murder and non-negligent manslaughter
- Negligent manslaughter
- Forcible sex offenses
- Non-forcible sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- All hate crimes relating to the aforesaid classifications and in addition larceny-theft, intimidation, simple assault, and damage/destruction/vandalism of property
- All liquor, drug or weapons law violations resulting in an arrest or referral for disciplinary action
- Domestic violence, dating violence, stalking

The following Campus Security and Safety Policy is implemented for the protection of students, faculty and staff. The policy is published annually by October 1st as required and is compliance with the Student Right-to-Know, the Campus Security Act and as amended by HEOA, the Drug-Free Schools and Communities Act of 1989 (DFSCA), the SaVE Act and Violence.

Piberry Institute is a non-residential School and does not have a campus police force. Therefore, all crimes are reported to local authorities as described in the first section regarding policies and procedures to report crimes. Piberry Institute does not utilize pastoral or professional counselors for this process. Local law enforcement will allow a victim or witness to report crime on a voluntary and confidential basis.

Piberry Institute's commitment to safety and security includes:

- Providing a secure and crime free environment for students, faculty and
- Performing regular evaluation of security
- Monitoring and following up on each crime reported at a Piberry Institute

We believe Students, faculty and staff behavior which promotes security awareness is important in all aspects of our lives, and we encourage all students, faculty and staff to accept responsibility for their own security as well as the security of other members of the Piberry Institute community.

As you read the following report, comments, questions or concerns may be addressed to:
Piberry Institute
30356 Old Dixie Hwy
Homestead, FL. 33033

Violence Against Women Act.

The Campus Security and Safety Policy may be accessed at the Piberry Institute website www.piberry.edu within the Disclosures & Consumer Information tab and is entitled Annual Security & Crime Report Link and a printed copy may be obtained at the campus.

Each year in the fall and by October 1st, Piberry Institute is required to prepare a Campus Security Policy Report and Crime Statistics Report as required in the federal Jeanne Cleary Disclosure of Campus Security Policy and Crime Statistics Act. The Campus Security Report and Crime Awareness Information are gathered through requests to the local Police Agency and are combined with on-campus crime reporting. The report is published by October 1st and is made available to prospective students, students, faculty and staff. In addition, a Crime Statistics report containing three years of reported data is made available. The campus facilities are opened and closed each morning and evening by administrative personnel. We encourage students to immediately report criminal incidents or other emergencies to the Campus Compliance Officer, Marion Carberry at (305) 245-2581, or to any other employee so that the appropriate legal or other action may be taken. Piberry Institute works with local and state law enforcement if necessary. Students and employees are responsible for their own security and safety on and off campus and need to be considerate of the safety and security of others. Piberry Institute has no responsibility or obligation for any personal belongings that are lost, stolen, or damaged on campus premises or any campus activities. In 1996 Megan's Law became federal law. Megan's Law requires state and local law enforcement agencies in all 50 states to notify colleges, schools, day care centers and parents about the presence of dangerous offenders. We encourage our campus community to look out for themselves and one another.

In 1996 The Campus Sex Crimes Prevention Act (Megan's Law) became federal law. Megan's Law requires colleges and universities to disclose to its students the location of sex offender registries and the campus community where state law enforcement agency information concerning registered sex offenders may be obtained. The law requires registered sex offenders to provide to notice to the state enforcement agency of any campus of higher education in which the offender is employed, carries on a vocation, or is a state. Megan's Law requires state and local law enforcement agencies in all 50 states to notify schools, day care centers and parents about the presence of dangerous offenders.

The Florida Department of Corrections advises Piberry Institute Inc. when registered sexual offenders and or sexual predators may be enrolling or may be enrolled. Information regarding registered sexual offenders, sexual predators in Florida may be found at the FDLE Registered Sex Offenders website: <http://offender.fdle.state.fl.us/offender/homepage.do> or toll free number-1-888-357-7332 for TTY Accessibility – 1-877-414-7234. Additionally, information is also available at the U.S. Department of Justice's National Sex Offender Public Website In an effort to provide this critical data to all students and employees nationwide, we offer the following from the U.S. Department of Justice (DoJ). <http://www.nsopw.gov/en>.

The Dru Sjodin National Sex Offender Public Website (NSOPW) is a public safety resource that provides the public with access to sex offender data nationwide and is a partnership between the U.S. Department of Justice and state, territorial, and tribal governments. NSOPW links public

state, territorial, and tribal sex offender registries from one national search site at <http://www.nsopw.gov/en/Registry>. The public can utilize the website's search tool to identify location information on sex offenders residing, working, and attending school not only in their own neighborhoods but in other nearby states and communities. In addition, the website provides visitors with information about sexual abuse and how to protect themselves and loved ones from potential victimization.

VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT

In accordance with the Violence Against Women Reauthorization Act of 2013 (VAWA), educational programs are provided to all students and employees to promote prevention and awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. Primary prevention programs for all incoming students are conducted during orientation. Employee training programs are conducted annually and upon hire for new employees. Such programs enforce Piberry Institute's commitment to prohibiting the crimes of domestic violence, dating violence, sexual assault, and stalking as those terms are defined in the Clery Act.

Piberry Institute also provides the applicable jurisdictions' definition of these crimes each including the definition of consent. (Nonconsensual sexual conduct may constitute a crime. If any of the following are present, the victim will be deemed to have not given consent: if the offender impaired the victim's judgment by administering a substance to the other person or by force, threat or deception, if the victim's ability to apprise the nature of their own conduct is substantially impaired, if the victim is coerced, if the victim is unaware the act is being committed or if the victim's ability to consent is impaired because of a mental or physical condition or because of age.). The programs provide "safe and positive" options for bystander intervention to prevent or intervene when there is a risk to another person of domestic violence, dating violence, sexual assault, or stalking and information on how to reduce risk and recognize warning signs of abusive behavior and how to avoid a potential attack. The programs also provide policies and procedures after a sex offense occurs. Piberry Institute also provides ongoing prevention and awareness campaigns for students and faculty that includes the material provided to incoming students and employees. Piberry Institute will provide students and employees with educational materials on sexual violence so they can be informed of risks and take steps to ensure they do not become a victim or a perpetrator of a VAWA offense. These materials and informational pamphlets are distributed on an annual basis at a time separate from the educational programs.

Piberry Institute is committed to providing clear, accessible channels for reporting to the Title IX Coordinator/Campus Compliance Officer. The Title IX Coordinator/Campus Compliance Officer is made aware of all Title IX incidents and oversees the investigation of any reported incidents and the disciplinary process. If an employee or student is a victim of sexual violence, the victim is urged to seek immediate medical assistance and to report the incident to the police. However, any person may report sexual violence at any time, including during non-business hours, by using the telephone number, regular mail or email address of the Title IX Coordinator/Campus Compliance Officer or the Campus President, or by meeting with or sending a written complaint

to the Title IX Coordinator/Campus Compliance Officer or the Campus President, at the office addresses below.

Title IX Coordinator/Campus Compliance Officer and Campus President
Attention: Title IX Coordinator/Campus Compliance Officer – Piberry institute Inc
Marion Carberry
Address: 30356 Old Dixie Hwy. Homestead, FL. 33033
Telephone: 305-245-2581
E-Mail Address: mcarberry@piberry.edu

Title IX Compliance and Non-Discrimination Policy

Title IX of the Education Amendments Act of 1972 prohibits discrimination on the basis of sex in any education program or activity operated by a recipient that receives federal financial assistance. As an educational institution subject to Title IX, Piberry Institute has developed the following Title IX Non-Discrimination Policy. As set forth in detail herein, the institution:

- Does not discriminate on the basis of sex, including in admissions and employment, and is committed to providing an educational and workplace environment that is free from sex-based discrimination, harassment, and retaliation;
- Prohibits discrimination on the basis of sex in its educational programs and activities, as required by law;
- Is committed to promoting fairness and equity in all aspects its operations; and
- Values and promotes the equal dignity of all community members and is committed to the pursuit of just resolutions with respect the rights of all parties involved.

This Policy is to prevent discrimination prohibited under Title IX and provide a prompt, fair, and impartial process to address complaints of alleged discrimination based on sex. Inquiries about this Policy or the application of Title IX may be referred to the institutions Title IX Coordinator.

Piberry Institute not only complies with the letter of Title IX's requirements but also endorses the law's intent and spirit. Piberry Institute is committed to compliance in all areas addressed by Title IX, including access to higher education, career education, math and science, standardized testing, athletics, education for pregnant and parenting students, learning environment, and technology, as well as sexual harassment.

The purpose of this policy is to ensure that Piberry Institute's policies are applied and interpreted in ways consistent with Title IX and other applicable law. It is the policy of Piberry Institute to provide educational, preventative and training programs regarding sexual or gender-based harassment; to encourage reporting of incidents; to prevent incidents of sexual and gender-based harassment from denying or limiting an individual's ability to participate in or benefit from Piberry Institute's programs; to make available timely services for those who have been affected by discrimination; and to provide prompt and equitable methods of investigation and resolution to stop discrimination, remedy any harm, and prevent its recurrence. Violations of this Policy may result in the imposition of sanctions up to, and including, termination, dismissal, or expulsion, as determined by the appropriate officials at Piberry Institute.

Responsibilities of the Title IX Coordinator/Campus Compliance Officer: The Title IX Coordinator/Campus Compliance Officer oversees implementation and enforcement of this Policy, which includes primary responsibility for coordinating the School's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this policy.

Piberry Institute's Title IX Coordinator/Campus Compliance Officer is identified below and may be contacted with questions about this Policy, to file a report or formal complaint, or to otherwise assist individuals in ensuring equal access to the School's educational programs or activities in compliance with Title IX: Marion Carberry, Campus Compliance Officer. Piberry Institute Inc. 30356 Old Dixie Hwy. Homestead, FL. 33033. (305) 245-2581. mcaberry@piberry.edu. Individuals may also contact the U.S. Department of Education's Office for Civil Rights with Title IX questions.

Formal Complaint of an Alleged Title IX Violation Process:

Any person may report alleged sex discrimination, sexual harassment, or retaliation to the Title IX Coordinator/Campus Compliance Officer, irrespective of whether the reporting person is the alleged victim of such conduct. Any report to the Title IX Coordinator/Campus Compliance Officer alleging sexual harassment and requesting that the School investigate the allegation(s) and implement the School's Grievance Process can be filed with the Title IX Coordinator/Campus Compliance Officer in person, by mail, or by electronic mail at any time.

INFORMATION REGARDING REGISTERED SEX OFFENDERS

Information regarding registered sex offenders under section 775.21 and 775.215 of Florida Law is available with the Miami-Dade Police Department, located at 4 s Krome Avenue, Homestead, FL. 33030. 786-243-3784. Additional information can be obtained by calling the police department at (305) 378-4300. OR: Information regarding registered sex offenders under section 775.21 and 775.215 can be found at <https://offender.fdle.state.fl.us/offender/sops/search.jsf>. Piberry Institute also provide computer labs with internet access to view the above website at the library: Mondays – Thursday: 8:00am – 7:00pm. Fridays: 9:00-2:00pm.

PROGRAMS AND PROCEDURES REGARDING SEXUAL ASSAULT

Educational programs promoting the awareness of rape, acquaintance rape, and other sex offenses are presented by the Institution with the assistance of guest speakers. Guest speakers present discussions on rape awareness, reducing the risk of being a rape victim, and what to do if you are attacked. Brochures on sexual assault issues are available in the student lounge. Should a student or employee be sexually assaulted, it is the student(s)/employee(s) option to notify the appropriate law enforcement authorities, including on-campus authorities and local police. At the student's/employee's request, the Campus President or other Piberry Institute officials will assist in notifying the proper authorities. Victims of sexual assault or rape should follow these recommended steps:

- Go to a safe place following the attack.

- If able, call 911 immediately
- Do not shower, bathe, douche, or destroy any of the clothing you were wearing at the time of the attack.
- Go to a hospital emergency room for medical care.
- Make sure you are evaluated for the risk of pregnancy and venereal disease. (A medical examination is the only way to ensure you are not injured and it could provide valuable evidence should you decide to prosecute.)
- Call someone to be with you as you should not be alone.

It is also recommended that victims call the Rape Crisis Hotline at 305-585-7273. It is open 24 hours a day and their counselors can help answer medical and emotional questions at any hour and in complete confidence. Reporting the rape to the police is up to the victim, but it is important to remember that reporting a rape is not the same as prosecuting a rape. Victims are strongly encouraged to call the police and report the rape. If the victim requests, Piberry Institute will assist in identifying off-campus counseling or mental health services. After any campus sexual assaults are reported, the victims of such crimes have the right to request that Piberry Institute personnel take steps or actions reasonably feasible to prevent any unnecessary or unwanted contact or proximity with alleged assailants, if applicable, including the transfer of classes.

Other rape crisis centers or mental health agencies available to assist a victim of sexual offenses include:

1. Roxcy Bolton Rape Treatment Center, 1611 NW 12 Ave. Ambulatory
2. Care Center-East, 1st Floor, room 116A, 1-305-585-7273
3. Homestead Hospital 975 Baptist Way (Campbell Drive and SW 147 Avenue, Homestead, FL 33157. 305-243-8000
4. National Rape and Crisis Hotline (800)656-4673
5. Miami-Dade Rape Hotline (305)585-7273
6. Switchboard of Miami (305)358-4357
7. Florida Abuse Registry (800)962-2873

When a victim notifies the Title IX Coordinator/Campus Compliance Officer or a responsible Piberry Institute official, victim support and community resources will be made available immediately. Piberry Institute will provide written information to victims about the importance of prompt collection of physical evidence, if any, which is essential, should a person later decide to pursue criminal prosecution and/or a civil action. Piberry Institute will provide written notification in the form of a Victim's Bill of Rights concerning his or her rights and options. Piberry Institute will inform the victim about their options regarding the involvement of law enforcement which include notifying the proper law enforcement authorities, complying with the victim's request to assist them in notifying the authorities or declining to notify such authorities. If the choice is made not to call law enforcement, the victim will be asked to sign a form stating their preference not to involve the police. They will then provide written notification about existing counseling, health, mental health, victim advocacy, legal assistance and other services available in the community designed to help in situations of sexual assault, domestic violence, dating violence and stalking. (Piberry Institute) does not have on-campus services available). A

victim may pursue a criminal charge and a complaint with the Title IX Coordinator/Campus Compliance Officer at the same time. An individual having knowledge of a Title IX offense shall be encouraged to timely report that crime to the Title IX Coordinator/Campus Compliance Officer or local police. Piberry Institute does not issue orders of protection; however, they will assist the victim in notifying local authorities concerning such an order and will fully comply with enforcing a protection order if one is granted. The protected party should provide the order to the Title IX Coordinator/Campus Compliance Officer who will then notify the appropriate campus employees. The order could require a change to the victim's academic schedule so that he or she will not come in contact with the student or employee who is the subject of the order.

Piberry Institute will preserve the victim's confidentiality even if they do not specifically request it. Any personally identifying information will not be included in publicly available recordkeeping. However, in some cases, PBI may need to disclose some information about a victim to a third party to provide necessary accommodations or protective measures. This is the responsibility of the Title IX Coordinator/Campus Compliance Officer that would make such a decision. The victim will be informed prior to any information being shared. Piberry Institute is obligated to comply with a student's reasonable request for an academic situation change following an alleged sex offense. They will provide written notification to victims identifying all available options.

If an alleged incident is reported, the Title IX Coordinator/Campus Compliance Officer will initiate a formal complaint resolution process and will promptly provide written notification to all parties. The Title IX Coordinator/Campus Compliance Officer will designate one or more individuals to investigate the formal complaint. The Investigator will provide an opportunity for both the victim and the accused to provide written statements or other documentation. The accuser and the accused will be provided the same opportunities to be accompanied by an advisor of their choice. The choice of an advisor will not be limited; however, they may establish restrictions regarding the extent of the advisors role as long as it applies to both parties. When the investigation is complete, both parties will be provided with a preliminary report for review and written feedback. A final investigative report will then be provided to both parties to prepare for a scheduled live hearing.

The Title IX Coordinator/Campus Compliance Officer may believe that the complaint may be amenable to an informal resolution option. If both parties agree, they may proceed with an informal resolution process. When a complaint is not resolved informally, the Title IX Coordinator/Campus Compliance Officer will make accommodations for a formal hearing. One or more individual will conduct the formal hearing and will be designated as the Decision-maker. Any determination will be based on the preponderance of evidence standard, which means more likely than not. Following the hearing, the Decision-maker will issue a written determination regarding responsibility to the parties simultaneously.

A student who has committed a VAWA offense will be subject to the school's Disciplinary Action Policy which could result in suspension or dismissal from school. Any employee being investigated in relation to VAWA will immediately be suspended from their duties until the investigation is complete. Any appeal of the decision must be in writing and submitted to the

Title IX Coordinator/Campus Compliance Officer for evaluation and determination within 10 business days after the delivery of the decision. The Title IX Coordinator/Campus Compliance Officer will designate an Appeal Officer to hear and make a decision regarding the appeal. All decisions of the Appeal Officer will be final. Retaliation against an individual who reports a crime; brings a complaint; pursues legal action; participates in an investigation; or, is a witness in any proceeding is prohibited and will not be tolerated by Piberry Institute.

Records shall be retained for a period of seven years. Also see Title IX Policy on Piberry Institute's website.

Consolidated Complaints

If a Complaint involves one or more Complaint, Complainant and/or Respondent and allegations arising out of the same set of circumstances, the School may elect to consolidate complaints.

Time Limits on Reporting

There is no time limitation on making a report or Complaint. However, acting on reports or Complaints is significantly impacted by the passage of time and occurrence of other events (including, but not limited to, the rescission or any revision of this Policy), and is at the discretion of the Title IX Coordinator/Campus Compliance Officer, who may, among other things, document allegations for future reference, offer supportive measures and/or Remedies, and/or engage in informal or formal action, as appropriate. Additionally, if the Respondent is no longer subject to the School's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide Remedies may be more limited or impossible.

Anonymous Report or Complaint

If a Complainant makes a report anonymously, it will be investigated by the School to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures or Remedies can be provided. Anonymous reports typically limit the School's ability to investigate and respond, depending on what information is shared. In some situations, the Title IX Coordinator/Campus Compliance Officer may proceed with the issuance of a Formal Complaint even when the Complainant's report has been made anonymously.

Confidentiality

The School shall undertake reasonable efforts to preserve the confidentiality of reports and Complaints. The School shall not disclose any report or Complaint except as provided herein and as necessary to effectuate this Policy, or as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99, or as required under applicable law.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to the School's education program or activity, including measures designed to

protect the safety of all parties or the School's educational environment, and/or deter harassment, discrimination, and/or retaliation.

The Title IX Coordinator/Campus Compliance Officer promptly makes supportive measures available upon receipt of a report or a complaint alleging possible sexual harassment. At the time that supportive measures are offered, the School will inform the Complainant, in writing, that they may file a formal complaint with the School either at that time or in the future, if they have not done so already. The Title IX Coordinator/Campus Compliance Officer works with the Complainant to ensure that their wishes are considered with respect to the supportive measures that are planned and implemented.

The School shall maintain the confidentiality of the supportive measures to the greatest extent reasonably practicable, provided that confidentiality does not impair the School's ability to provide supportive measures or otherwise fulfill its obligations under this Policy. The School will implement measures in a way that does not unreasonably burden the other party.

Supportive measures may include, but are not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, referral to medical or healthcare services, referral to community-based services, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

Right to an Advisor

The parties have the right to select an advisor of their choice to accompany them to any or all meetings and interviews during the resolution process. There are no limits on who can serve as an advisor; it may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the resolution process. Under Title IX, cross-examination is required during the hearing, and must be conducted by the parties' advisors. If a party selects an advisor of their choice, this advisor must perform cross examination on their behalf during the hearing, as the parties are not permitted to directly cross examine each other or any witnesses. If a party does not have an advisor, or the advisor does not appear for a hearing, the School will provide one for the limited purpose of conducting cross examination on behalf of the party.

An advisor who is also a witness to the allegations in the complaint creates potential for bias and conflict-of-interest. A party who chooses an advisor who is also a witness can anticipate that issues of potential bias will be explored by the hearing Decision-maker(s) and may, but will not necessarily, impact the Final Determination.

The School cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other party does not select or retain an attorney or cannot afford an attorney, the School is not obligated to provide the other party with an attorney. **Conflict-of-**

Interest & Bias

Title IX Personnel are trained to ensure they have no conflict of interest and are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally.

Retaliation

The School prohibits retaliation under this Policy. Retaliation may include intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy and procedure. Alleged retaliation should be reported immediately to the Title IX Coordinator/Campus Compliance Officer and will be promptly investigated. The School will take appropriate action to protect individuals who fear that they may be subjected to retaliation.

Mandatory Reporting/Reporters

We have identified mandated reporters who are required under the institutions policy to report known or suspected discrimination to the Title IX Coordinator/Campus Compliance Officer. Each member of the Campus supervisory staff is a mandated reporter. In these cases, after receiving a report, the institution will act to stop, remedy and prevent future recurrence of prohibited conduct through the application of this Policy.

Notice, Dissemination and Publication of Policy

Title IX requires the institution to notify applicants for admission or employment as well as students, employees, and, if applicable, unions or professional organizations holding collective bargaining of collective agreements with this Policy. We comply with Title IX's notice requirements, including prominently publishing its Non-Discrimination & Grievance Process Policy and contact information for the Title IX Coordinator/Campus Compliance Officer on our website and in other publications.

Sexual Harassment Defined

For purposes of this Policy and the grievance process, Sexual Harassment has the meaning set forth below. Sexual Harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, gender and/or gender identity of those involved.

Sexual Harassment means:

Conduct on the basis of sex that satisfies one or more of the following:

- 1) Quid Pro Quo: a. A School employee, conditions the provision of an aid, benefit, or service of the School, on an individual's participation in unwelcome sexual conduct; and/or
- 2) Sexual Harassment: a. unwelcome conduct, determined by a reasonable person, to be so severe, and b. pervasive, and, objectively offensive, that it effectively denies a person equal access to the School's education program or activity.

- 3) Sexual assault, defined as: Any sexual act directed against another person, without the consent of the Complainant, including instances in which the Complainant is incapable of giving consent.
- 4) Dating Violence, defined as: a. violence, on the basis of sex, committed by a person, b. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
- 5) Domestic Violence, defined as: a. violence, on the basis of sex, committed by a current or former spouse or intimate partner of the Complainant
- 6) Stalking, defined as: a. engaging in a course of conduct, on the basis of sex,
 - i. directed at a specific person, that would cause a reasonable person to fear for the person's safety, or the safety of others; or suffer substantial emotional distress.For the purposes of this definition—
 - (i) Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent 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.
 - (ii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
- 7) Force, Coercion, Consent, and Incapacitation: As used in the offenses above, the following definitions and meanings apply: Force: Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent. Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.
- 8) Consent: Consent is knowing permission to engage in sexual activity that is voluntarily given through clear verbal communication or by unambiguous behavior. If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on the institution to determine whether this Policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

Jurisdiction of the School

If the Respondent is unknown or is not a member of the School community, the Title IX Coordinator will assist the Complainant as requested in identifying appropriate campus and local resources and support options and/or, when criminal conduct is alleged, in contacting local or campus law enforcement to file a police report upon request.

Further, even when the Respondent is not a member of the School's community, supportive measures, remedies, and resources may be accessible to the Complainant by contacting the Title IX Coordinator. In addition, the School may take other actions as appropriate to protect the Complainant against third parties, such as barring individuals from School property and/or events.

School's Educational Program and Activities

For purposes of this Policy, the School's educational program or activities includes locations, events, or circumstances, within the U.S., where the School exercises substantial control over both the Respondent and the context in which the alleged sexual harassment or discrimination occurs and also includes any building owned or controlled by the School or by a student organization that is officially recognized by the School.

Formal Grievance Process

If a Formal Complaint is filed, and not addressed through the informal resolution process, the matter will proceed through the Grievance Process as outlined below and will include an objective investigation, live hearing with opportunity for cross-examination and the right to appeal. This process will treat complainants and Respondents equitably. Any provisions, rule or practice adopted by the School as part of the grievance process, other than those required under Title IX and its implementing regulations will apply equally to both parties. The process will include an objective evaluation of all relevant evidence (inculpatory and exculpatory), will be conducted by trained Title IX Personnel, free from any known conflict of interest or bias, and presumes Respondent's non-responsibility until and unless demonstrated otherwise by the evidence and after a Final Determination as been rendered. The Title IX Coordinator/Campus Compliance Officer will provide written notice of the allegations to the Respondent and Complainant upon receipt of a Formal Complaint.

Disciplinary sanctions or punitive measures will not be imposed against a Respondent unless and until there has been a finding of responsibility after application of the process. If at any stage of the investigation it is determined that conditions exist warranting dismissal, the complaint will be dismissed. Complainant will continue to be entitled to appropriate supportive measures in such cases.

Investigation

Investigators will be assigned to investigate allegations contained in a formal complaint and will do so objectively. The burden to collect all evidence related to the allegations, including both inculpatory and exculpatory, rests on the School, and not on the parties. Investigators must be free

from bias and conflicts of interest. Depending on the complexity of the case, more than one Investigator may be assigned.

Investigation Timeline

The institution will make a good faith effort to complete investigations as promptly as circumstances permit and will communicate regularly with the parties to update them on the progress and timing of the investigation. The institution may undertake a reasonable delay in its investigation under appropriate circumstances. Such circumstances include, but are not limited to, a concurrent law enforcement investigation, the need for language assistance, the absence of parties and/or witnesses, and/or accommodations for disabilities or health conditions. The institution will communicate in writing the anticipated duration of the delay and reason to the parties and provide the parties with status updates as warranted. The institution will promptly resume its investigation and resolution process as soon as feasible. During such a delay, the institution will implement supportive measures as deemed appropriate. The institution's grievance process is an administrative procedure required under Title IX to address sexual discrimination, and therefore is separate and independent of any law enforcement investigation or criminal proceedings.

Role and Participation of Witnesses in the Investigation

Witnesses who are School employees are expected to cooperate with and participate in the School's investigation and resolution process. Failure of such witnesses to cooperate with and/or participate in the investigation or resolution process constitutes a Policy violation and may warrant discipline.

Interviews may occur face to face, or remotely by Skype, Zoom, FaceTime, WebEx, or similar technologies may be used. The School will take appropriate steps to reasonably ensure the security/privacy of remote interviews. No unauthorized audio or video recording of any kind is permitted during investigation meetings.

Evidentiary Considerations in the Investigation

The investigation includes collection of all evidence directly related to the allegations, which is not otherwise privileged. Only evidence which is also deemed relevant is summarized in the investigative report which is considered by the Decision-Maker(s), in rendering a determination of responsibility. All parties are provided the opportunity to review all non-privileged evidence gathered during the investigation which is directly related to the allegations in the complaint, whether or not it is also included in the investigative report.

Relevant evidence does not include evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such evidence is offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the evidence concerns specific incidents of the Complainant's prior sexual behavior with respect to the Respondent, and are offered to prove consent.

Privileged evidence is likewise excluded from both the investigation, investigative report and hearing unless a party expressly waives this privilege in writing and consents to the release of this information during the grievance process.

Investigative Report

Upon conclusion of the investigation, the Investigator will create an investigative report that fairly summarizes relevant evidence and, at least five (5) days prior to a hearing, will send the report to each party and the party's advisor, if any, the investigative report in an electronic format or hard copy, for their review and written response.

The Hearing

Upon conclusion of the investigation and distribution of the investigative report to the parties, the matter will proceed to the hearing stage of the grievance process. The hearing will be offered live, in real-time and will include cross-examination. A Decision-maker(s) will be appointed to preside over the hearing, evaluate the evidence and make a determination as to each allegation in the complaint. The Decision-maker will be independent and neutral, and will not have had any previous involvement with the investigation. Investigators, Title IX Coordinator/Campus Compliance Officer (or designee) or advisors are prohibited from serving as Decision-makers.

The School reserves the right to adopt any hearing protocols, which will be applied and be made available equally to both parties, to ensure the efficiency, order and decorum of the hearing process. The School may designate an administrative facilitator of the hearing, which may include the Title IX Coordinator/Campus Compliance Officer, as long as they do not have a conflict of interest.

The School may conduct the hearing virtually at their discretion or upon request of a party. Request for remote participation by any party or witness should be directed to the Title IX Coordinator/Campus Compliance Officer made at least ten business days prior to the hearing.

The Decision-maker may question the parties and any witness at the hearing. Only relevant questions, testimony and evidence may be proffered at the hearing, and the Decisionmaker will make determinations as to relevancy of every question posed by an advisor during cross-examination before it is answered, and of any evidence offered.

Privileged evidence or testimony, likewise, may not be proffered during the hearing, without a party's waiver and written consent allowing its consideration at the hearing. Parties may not conduct cross-examination. Advisors only will conduct cross-exam on a party's behalf. Only relevant questions will be allowed.

Parties, advisors, witnesses, and all participating individuals are expected to behave respectfully during the hearing. Harassing, intimidating or disruptive behavior will not be tolerated, and the School reserves the right to exclude anyone from participation in the process that fails to comport themselves accordingly.

Considerations of Relevant Evidence in the Hearing

Any evidence that the Decision-maker(s) determine(s) is relevant and credible may be considered. Only evidence, which is directly related to the allegations, not subject to an enforceable legal privilege and not otherwise excludable as described here is considered relevant. The hearing does not consider the following which are deemed not relevant: 1) incidents not directly related to the possible violation, unless they evidence a pattern; or 3) questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, unless such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

Privileged Evidence Must be Excluded

Evidence subject to any recognized legal privilege will not be allowed in the hearing without the prior written waiver of the privilege and consent for its consideration during the grievance process.

When a Party/Witness Refuses to Submit to Cross-Examination

If a party or witness does not attend, or chooses not to submit to cross-examination at the hearing, the Decision-maker may not rely on any prior statement made by that party or witness in the ultimate determination of responsibility. The Decision-maker(s) may not draw any inference solely from a party's or witness's absence from the hearing or refusal to answer cross-examination or other questions.

Final Determination as to Responsibility and Standard of Proof

Upon completion of the hearing, the Decision-maker will deliberate privately and will render a finding as to each allegation in the complaint by applying the clear and convincing evidence standard. The decision will be provided simultaneously to the parties through the issuance of a written determination letter, delivered by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official the School records, or emailed to the parties' the School-issued email or otherwise approved account. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered. The determination regarding responsibility becomes final after expiration or exhaustion of any appeal rights.

Sanctions, Disciplinary Action & Remedies

The School may consider a number of factors when determining a sanction and/or remedy and will focus primarily on actions aimed at ending, and preventing the recurrence of, discrimination, harassment, and/or retaliation and the need to remedy the effects its effects on the Complainant and campus community. Sanctions will be imposed upon either expiration of the appeal window, or after Final Determination on any appeal filed. Sanctions or actions may include, but are not limited to, those listed below. These may be applied individually or in combination and the School may assign sanctions not listed, as deemed appropriate.

Student Sanctions

Warning: A formal statement that the conduct was unacceptable and a warning that further violation of any School policy, procedure, or directive will result in more severe sanctions/responsive actions.

Required Counseling: A mandate to meet with and engage in either School-sponsored or external counseling to better comprehend the misconduct and its effects.

Probation: A written reprimand for violation of School policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any School policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from cocurricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.

Suspension: Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at the School.

Expulsion: Permanent termination of student status and revocation of rights to be on campus for any reason or to attend School-sponsored events.

Withholding Diploma: The School may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending or as a sanction if the student is found responsible for an alleged violation.

Employee Sanctions/Actions: Warning – Verbal or Written

- Performance Improvement/Management Process
- Required Counseling
- Required Training or Education
- Probation
- Loss of Annual Pay Increase
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Suspension with pay
- Suspension without pay
- Termination
- Other Actions: In addition to or in place of the above sanctions, the School may impose any other sanction as deemed appropriate.

False Allegations and Evidence

Making deliberately false and/or malicious accusations, knowingly providing false evidence, tampering with or destroying evidence, or deliberately misleading an official conducting an investigation are policy violations subject to discipline.

Long-Term Remedies/Other Actions

Following the conclusion of the resolution process, and in addition to any sanctions imposed, the Title IX Coordinator/Campus Compliance Officer may implement additional long-term Remedies or actions with respect to the parties and/or the campus community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

These Remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Alternation of housing assignments
- Alteration of work arrangements for employees
- Provision of campus safety escorts
- Implementation of long-term contact limitations between the parties
- Adjustments to academic deadlines, course schedules, etc.
- Modified campus security measures

At the discretion of the Title IX Coordinator/Campus Compliance Officer, certain long-term support or measures may also be provided to the parties even if no Policy violation is found. The School will maintain the privacy of any long-term Remedies, provided privacy does not impair the School's ability to provide these services.

Failure to Comply with Disciplinary Sanctions or other Remedies

Respondents are expected to comply with any disciplinary sanction or remedy as set forth in the Final Determination or in response to a final outcome. Failure to abide by the sanction(s)/action(s) whether by refusal, neglect, or any other reason, may result in additional disciplinary action, including suspension, expulsion, and/or.

Appeals

Any party may file an Appeal on the following grounds. Appeals must be submitted in writing to the Title IX Coordinator/Campus Compliance Officer within three days of the delivery of the Notice of Outcome. After expiration of the appeal window, the determination will be considered final, and any applicable sanctions will be imposed.

Grounds for Appeal

Appeals may be made on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator/Campus Compliance Officer, Investigator(s), or Decisionmaker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

Any sanctions imposed as a result of the Final Determination are stayed during the appeal process.

Title IX personnel with prior involvement in the matter will not be permitted to serve as a Decision-maker in the appeal. Appeals will not include a hearing. A decision on the merits will be based on information provided in the appeal document. If an appeal is based on the availability of new evidence, this evidence must be described with specificity and must be available for review within a reasonably prompt timeframe for consideration.

The appeal outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, and the rationale supporting the findings. Appeal decisions will be made within seven business days, barring exigent circumstances, including the review of new evidence not immediately available for submission with the appeal request. Notification of the appeal outcome will be made in writing and will be delivered simultaneously to the parties by one or more of the following methods: in person, mailed to the local or permanent address of the parties as indicated in official School records, or emailed to the parties' School-issued email or otherwise approved account. Once mailed, e-mailed and/or received in-person, notice will be presumptively delivered. Decisions on appeal are considered final.

Copyright Policy

It is the policy of the Institution to respect the copyright protections given to authors, owners, and publishers under federal law including the Digital Millennium Copyright Act of 1998. Copyright is legal protection for creative intellectual works, which is broadly interpreted to cover almost any expression of an idea. Text (including email and Web information), graphics, arts, photographs, video and other media types, music, and software are examples of types of works protected by copyright. The creator of the work, or sometimes the person who hired the creator, is the initial copyright owner.

Copyright infringement (or copyright violation) is the unauthorized or prohibited use of works covered by copyright law, in a way that violates one of the copyright owner's exclusive rights, such as the right to reproduce or perform the copyrighted work, or to make derivative works. It is against policy for any student, faculty, staff member, consultant, contractor or other worker at the institution to copy, reproduce, share, or distribute any software, music, games, or movies on institution computing equipment except as expressly permitted by a software license or with the written consent of the copyright holder or as otherwise permitted under federal law. Willful infringement may subject a student or employee to discipline and can impact the privilege to use information technology resources at the institution. Uploading or downloading works protected by copyright without the authority of the copyright owner is an infringement of the copyright owner's exclusive rights of reproduction and/or distribution. Even an innocent, unintentional infringement violates the law.

Anyone found to have infringed a copyrighted work may be liable for statutory damages for each work infringed and, if willful infringement is proven by the copyright owner, that amount may be increased for each work infringed. In addition, an infringer of a work may also be liable for the

attorney's fees incurred by the copyright owner to enforce his or her rights. Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. The Institution has written plans to effectively combat the unauthorized distribution of copyrighted material by users of the Institution's network without unduly interfering with the education and research use of the network. The plan is evaluated regularly for effectiveness. Students are given login accounts with limited privileges which prevent them from being able to install academic software locally on institution computers. Also, at most locations, a firewall is in place that can be configured to block malicious content from being downloaded and uploaded. Employees of the Institution are required to read and sign a Computer Use Policy. For more information on United States copyright law, please consult the U.S. Copyright Office's website at <http://www.copyright.gov>.

Family Educational Rights and Privacy Policy

(FERPA) Although this information is generally found in the student catalog we have also provided the information in this guide for your convenience. The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a college beyond the high school level. Students to whom the rights have transferred are "eligible students." Parents or eligible students have the right to inspect and review the student's education records maintained by the institution. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies. Parents or eligible students have the right to request that a college correct records which they believe to be inaccurate or misleading. If the institution decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the institution still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information. Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):

- Institution officials with legitimate educational interest, Other schools to which a student is transferring, Specified officials for audit or evaluation purposes,
- Appropriate parties in connection with financial aid to a student, Organizations conducting certain studies for or on behalf of the institution, Accrediting organizations,

- To comply with a judicial order or lawfully issued subpoena, Appropriate officials in cases of health and safety emergencies, and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, “directory” information such as a student’s name, address, telephone number, date and place of birth, honors and awards, enrollment status and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that Piberry Institute not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA.

The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each institution. For additional information or technical assistance, you may call (202) 260-3887 (voice). Individuals who use Consumer Information Guide 2019-2020 54 TDD may call the Federal Information Relay Service at 1-800877-8339. Or you may contact the following address: Family Policy Compliance Office U.S. Department of Education 400 Maryland Avenue, SW Washington, DC 20202-5901 From the Department of Education website at: <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

USA Patriot Act – Amendments to the FERPA Law

Section 507 of the “Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT ACT) of 2001,” (Public Law 107-56; 115 Stat. 272.) amends FERPA and allows institutions to disclose, without consent or knowledge of the student, personally identifiable information from the student’s education records to the Attorney General of the United States or to his designee in response to an ex parte order in connection with the investigation or prosecution of terrorism crimes specified in 2332b(g)(5)(B) or an act of domestic or international terrorism as defined in Section 2331 of Title 18 United States Code. Institutions that, in good faith, produce information from education records in compliance with an ex parte order issued under this amendment “shall not be liable to any person for that production.”

Voter Registration

This institution encourages you to register to vote. The National Mail Voter Registration Form is available at the institution’s financial aid office and can be obtained from the U.S. Election Assistance Commission (EAC) website. The EAC is a comprehensive resource for information on the Federal elections process. For more detailed information please visit www.eac.gov/voter_resources, or call EAC at: (866) 747-1471.

Federal Voting Assistance Program:

Voting resources for uniformed service members and overseas citizens, including the Federal Post Card Application, a voter registration form for citizens living abroad. Tel.: (800) 438-8683 / Web site: www.fvap.gov Am I eligible to vote?

At a minimum, you must be 18 years of age and a U.S. citizen to be eligible to vote. States may also have their own requirements, which are outlined in the “State Instructions” section of the National Mail Voter Registration Form. State and local election offices can also provide

information on voter eligibility. How do I register to vote? You may register to vote by completing and submitting the National Mail Voter Registration Form. This form may also be used to report a name or address change to the voter registration office or to register with a political party. You can obtain the form in person from the following public facilities; state or local election offices, the department of motor vehicles, public assistance agencies, state funded programs that serve people with disabilities, any public facility a state has designated as a voter registration agency (such as a public library, public school, and city or county clerk's office). You may also register to vote by using your state's voter registration form.

When can I register to vote? You must register by your state's registration deadline to ensure voting eligibility. Each state has its own registration deadline. You can find this information in the "State Instructions" section of the National Mail Voter Registration Form at www.eac.gov, or by contacting your state or local election office.

Did You Know...? The EAC provides information for voters on its Web site in Chinese, Japanese, Korean, Spanish, Tagalog and Vietnamese. The Commission has also issued comprehensive glossaries of voting terms in these six languages to assist voters and election officials.

Constitution Day

The Consolidated Appropriations Act, 2005, (Pub. L. 108-447) requires educational institutions that receive Federal funds to hold an educational program on the United States Constitution on September 17th of each year. If September 17th falls on a Saturday, Sunday, or a holiday, Constitution Day programs may be held during the preceding or following week. Schools may choose many different formats to fulfill the requirements, including but not limited to, in-class presentation, video presentations, flyers, or use of online resources. For information specific to your institution, please see your Education Director.

Additional Consumer Information/Gainful Employment Disclosure Student Complaint Procedure

Please consult your institution's catalog and/or addenda, for more specific information related to the Student Grievance Policy.

Occupational Listings presented within the Gainful Employment Disclosures

The occupational listings are presented in accordance with the Program Integrity Measures: Gainful Employment requirements as defined by federal regulations. The lists represent a sample of identified occupations for which an institution's graduates may typically find employment within a few years after completing a program. In addition, each occupational name is a link to the Occupational Information Network (O*Net) where various information can be obtained for a particular area of interest. For more information, please refer to the school's website. A paper copy is available, upon request from your Admission's Representative.

On-Time Completion Rates and Median Debt Burden: Gainful Employment Disclosures

On-Time Completion Rates and Median Loan Debt are calculated in accordance with federal

regulations specifically pertaining to the required Program Integrity Measures: Gainful Employment disclosures. On Time graduation rates represent the percentage of students who completed the program no later than the published length of the program, as defined by the institution's catalog. Median Loan Debt is the middle loan amount, extracted from a range of students who have graduated from a particular program, and only includes debt incurred at the institution. The debt incurred includes living expenses. For more information, please refer to the institution's website. A paper copy is available, upon request from your Admission's Representative.

Record Retention

The School shall maintain records related to the implementation of this Policy for at least seven years.

Revision of this Policy

This Policy and procedures supersede any previous policy(ies) addressing harassment, sexual misconduct, discrimination, and/or retaliation under Title IX and will be reviewed and updated subject to any relevant change in law or School policy, and on a recurring periodic basis, by the Title IX Coordinator/Campus Compliance Officer. The School reserves the right to make changes to this Policy as necessary, which become effective when published.

This Policy will not restrict any rights guaranteed against government action by the U.S. Constitution and should be interpreted accordingly and should also be construed to comply with the most recent government regulations or applicable judicial decisions.

This document does not create legally enforceable protections beyond the protection of the background state and federal laws which frame such policies and codes.

Security

The policy of Piberry Institute is to keep its community safe and restrict access to its facilities be limited to authorized personnel, students, and invited visitors. Visitors are at all times subject to Piberry Institute policies and conduct codes. Students and employees are responsible for the conduct of their visitors at all times.

In pursuit of this policy, all employees shall be required to:

1. Keep all unsupervised and unoccupied areas locked at all times
2. Routinely check the alarm systems and security lighting to ensure their operational effectiveness
3. Ensure that the security contacts are on site during all hours that the building is open to the students and to the public. The campus hours are 8:00-8:00PM Mondays to Thursday and Fridays from 9:00-2:00PM. The campus is closed Saturday and Sunday.
4. Report immediately to the Campus Compliance Officer, Marion Carberry, any suspicious activities that relate to the Institution regardless of how minor these may seem. If the Campus President is not available, you may contact the Receptionist at 305-245-2581 or the Miami-Dade Police Department by dialing 911 or (305) 378-4300.

Be familiar with all the Institution's procedures regarding the handling of any accidents or criminal activities. The procedures are highlighted below:

- a) Immediately determine the condition of any injured employees, students, or other parties
- b) In the case of an automobile accident, secure the accident scene and set warning devices
Notify the appropriate authorities by calling 911
- c) Complete an Incident Report
- d) Obtain a copy of the police report
- e) Obtain information from witnesses
- f) Investigate property damage or theft following protocols
- g) Should an alleged sex offense on campus be reported, the parties involved are permitted, if applicable, to change their academic schedule, depending on the availability of classes
- h) Ensure that entrance to the building in the evening is restricted to the front doors, or to doors where entry is continuously monitored. All other doors are locked to prevent entry, but they may be used to exit.

Piberry Institute does not have off-campus locations of student organizations officially recognized by the Institution, including student organizations with off-campus housing facilities. Piberry Institute does not have any on or off campus housing facilities.

CAMPUS SECURITY ENFORCEMENTS

If there are security personnel at the school building, they may be there at the direction of the building owners or the institution, and may assist students, faculty, and staff of the Institution. Someone may be on duty during the hours the building is occupied. If on duty, they are responsible for ensuring that persons entering the building are employees, students, and their families or invited visitors. They are authorized to request identification from those individuals, who are unfamiliar to them, and identification is required of all individuals arriving or leaving after the building is secured. They have the authority to evict unauthorized persons from the premises. Students and employees are advised to carry their School Photo ID card at all times and to present them upon request. Security and Supervisory personnel may not make arrests, but are instructed to promptly contact the Campus Compliance Officer, Marion Carberry, or 911 if any illegal activity occurs.

LOCAL AND STATE POLICE

Piberry Institute is located in Dade County. Piberry Institute maintains a close working relationship with the Miami Dade Police Department with periodic contact initiated by Piberry Institute personnel to ensure that Piberry Institute is aware of criminal offenses and arrests occurring on or near the campus so that they can be properly reported, and if necessary, provide for timely warning reports on crimes that represent a continuing threat. Timely warning reports are placed in employee mailboxes and students are notified by the student handouts. Bulletins are also posted around the Institution.

INFORMATION TO CAMPUS COMMUNITY ABOUT CAMPUS SECURITY

All new Piberry Institute employees are instructed on crime awareness, prevention, and campus security during the hiring process. Employees are instructed on crime awareness, prevention and

campus security during staff/faculty meetings, and are also encouraged to take responsibility for their own security, as well as their fellow co-workers and students.

All new Piberry Institute students are instructed on crime awareness, prevention and campus security during orientation, and are encouraged to take responsibility for their own security, as well as their fellow classmates and the Piberry Institute employees. The orientation includes a description of campus security policies and procedures, suggestions on how to avoid becoming a crime victim, evacuation plans at the institution, and procedures for reporting any criminal activity or emergency.

INFORMATION TO CAMPUS COMMUNITY ABOUT THE PREVENTION OF CRIMES

The Institution provides in-service programs designed to heighten awareness of crime and its prevention. These in service programs are conducted by local law enforcement officials or other appropriately qualified personnel one times per year. Topics included in these informational programs are proper procedures for reporting Criminal Actions (as stated above- “Reporting Criminal Actions or Other Non-Emergencies”, personal safety, living in a city, crime prevention, basic safety, and neighborhood watch programs. In addition to the annual campus security report, students and employees are notified of specific security concerns as they arise throughout the year. In the event the Institution, with the assistance of the local police, determines that a particular criminal offense continues to be a threat to the campus community, the Campus President will notify the Institution’s community by bulletin board notices, notices read by instructors in classrooms, and notices in student handouts or through the

EMERGENCY NOTIFICATION SYSTEM

Students are requested to review the School Catalog and/or Handbook where sections discussing Student Code of Conduct can be found. Also, students are requested to read this Campus Security and Crime Prevention Policy handout that discusses procedures for reporting Crimes and Emergencies, Crime Awareness, and Campus Security. Employees are requested to review the Institution's Employee Handbook where information regarding Employee Conduct and the Safety policy can be found. Furthermore, employees are requested to read this Campus Security and Crime Prevention Policy handout that discusses procedures for reporting Crimes and Emergencies, Crime Awareness, and Campus Security.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

The Institution will use its Emergency Notification System to notify the Campus Community of any immediate threat to the Campus Community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

Students and employees may receive text messages via Cell Phone or e-mail contacts with information relative to the threat and the action to be taken by the Campus Community to remain safe until the threat/perceived threat is over . On campus notifications will also be conducted using manual notification systems such as a school official notifying each classroom and laboratory of any threat or any incident requiring emergency notification.

The Institution will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the

notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

TIMELY WARNINGS

The Institution will also use its Emergency Notification System to issue a “timely warning” to the Campus Community in the event a crime is reported to campus officials or local police that represent a serious or continuing threat to students and employees. The warning will be issued as soon as the pertinent information is available. The intent of the timely warning is to enable recipients to protect themselves and aid in the prevention of similar crimes.

PROCEDURES FOR DISSEMINATING EMERGENCY INFORMATION TO THE LARGER COMMUNITY

Any member of the Campus Community may, at their discretion notify public authorities of any emergency or dangerous situation on campus. The three principles named above will also determine if public authorities/emergency and law enforcement agencies will be notified and will do so by the most expeditious means immediately available.

PROCEDURES TO TEST THE EMERGENCY RESPONSE AND EVACUATION PROCEDURES.

On at least an annual basis, the institution will test the Emergency Response Communications system using text messaging and/e-mail transmissions. A log will be kept of the date and time of the test. A survey will be distributed to the campus community to solicit feedback on the effectiveness of the notification. The surveys will be maintained for a minimum of one year and the data on the response effectiveness recorded as part of the test log.

Confirmation of the type of emergency/dangerous situation - will be through the Campus Director’s office. The Director will confirm the type of emergency and will determine what emergency response agency will be notified.

Any emergencies deemed reportable to all members of the staff, faculty and student body should be immediately directed to the Campus President, or Dean of Academics for prompt action.

Notification to Campus Management by any member of the campus community does not preclude notification to the appropriate emergency authorities:

Campus Compliance Officer: Marion Carberry

Dean of Academics: Michelle Ho

The federal 2002 Campus Sex Crimes Prevention Act requires colleges and universities to issue a statement advising the campus community where state law enforcement agency information concerning registered sex offenders/predators may be obtained. Registered sex offenders are also required to notify appropriate state officials of each institution of higher education at which the offender is employed or is a student.

The Florida Department of Law Enforcement (FDLE) makes information concerning the presence of registered sexual offenders available to local law enforcement officials and the public. It is the responsibility of the county sheriff to notify the campus if an offender is enrolled

or employed at the campus. The school is required to inform members of the campus community where to obtain information about such offenders.

Information regarding sexual offender / predators in our area may be found at the FDLE Website. Information on sexual offenders and Predators can also be obtained by contacting The Florida Department of Law Enforcement (FDLE) Sexual Offender & Predator Unit, P. O. Box 1489 Tallahassee, FL 32302 or by phone at (850) 410-8572, toll free at (888) 357-7332 and email at sexpred@fdle.state.fl.us.

Piberry Institute provides information on personal safety and crime prevention. The Student Services office has a directory of services that are available, within the community, to assist those who have suffered from a criminal act. These services are usually free and are provided by the community.

During the orientation of students, faculty and staff, procedures are outlined to cover the reporting of all criminal acts.

The Student Services Department has available resources addressing Domestic Violence, Dating Violence and Stalking.

The Florida Department of Law Enforcement – Florida Sexual Offenders and Predators Information on sexual offenders and Predators can be obtained by contacting The Florida Department of Law Enforcement (FDLE) Sexual Offender & Predator Unit, P. O. Box 1489 Tallahassee, FL 32302 or by phone at (850) 410-8572, toll free at (888) 357-7332 and email at sexpred@fdle.state.fl.us or on the FDLE website: <https://offender.fdle.state.fl.us/offender/sops/home.jsf>

Information is also available in the United States Department of Justice national sex offender registry – <https://www.nsopw.gov/>

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Notice of Petitioners Rights Under Title IX and the Violence Against Women Act
Title IX of the Education Amendments of 1972 (“Title IX”) protects people from discrimination based on sexual orientation in education programs or activities which receive Federal financial assistance. Title IX states:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. Piberry Institute not only complies with the letter of Title IX’s requirements but also endorses the law’s intent and spirit. The School is committed to compliance in all areas addressed by Title IX including access to higher education, career education, math and science, standardized testing, athletics, education for pregnant and parenting students, learning environment, and technology, as well as sexual harassment.

Sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and include dating violence, domestic violence, and stalking. As such should you report a form of sex-based discrimination, The School wants to inform you of our policy and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus as well as your rights, and The School's responsibilities. As a petitioner of sexual assault, dating violence, domestic violence or stalking, you will receive a full copy of our institution's Title IX Policy. This policy has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking. These procedures include our right to inform you of your rights to file criminal charges as well as the availability of medical, counseling, and support services. We also offer additional remedies to prevent contact between a complainant and an accused party. The policy also addresses possible sanctions and interim and/or long-term protective measures that the School may impose.

Unwelcome Conduct

Conduct is unwelcome if a person (1) did not request or invite it and (2) regarded the unrequested or uninvited conduct as undesirable or offensive. That a person welcomes some sexual contact does not necessarily mean that person welcomes other sexual contact. Similarly, that a person willingly participates in conduct on one occasion does not necessarily mean that the same conduct is welcome on a subsequent occasion.

Whether conduct is unwelcome is determined based on the totality of the circumstances, including various objective and subjective factors. The following types of information may be helpful in making that determination: statements by any witnesses to the alleged incident; information about the relative credibility of the parties and witnesses; the detail and consistency of each person's account; the absence of corroborating information where it should logically exist; information that the Respondent has been found to have harassed others; information that the Complainant has been found to have made false allegations against others; information about the Complainant's reaction or behavior after the alleged incident; and information about any actions the parties took immediately following the incident, including reporting the matter to others.

In addition, when a person is so impaired or incapacitated as to be incapable of requesting or inviting the conduct, conduct of a sexual nature is deemed unwelcome, provided that the Respondent knew or reasonably should have known of the person's impairment or incapacity. The person may be impaired or incapacitated as a result of drugs or alcohol or for some other reason, such as sleep or unconsciousness. A Respondent's impairment at the time of the incident as a result of drugs or alcohol does not, however, diminish the Respondent's responsibility for sexual or gender-based harassment under this Policy.

Gender-Based Harassment

Gender-based harassment is verbal, nonverbal, graphic, or physical aggression, intimidation, or hostile conduct based on sex, sex-stereotyping, sexual orientation or gender identity, but not involving conduct of a sexual nature, when such conduct is sufficiently severe, persistent, or pervasive that it interferes with or limits a person's ability

to participate in or benefit from the Piberry Institute's education or work programs or activities. For example, persistent disparagement of a person based on a perceived lack of stereotypical masculinity or femininity or exclusion from an activity based on sexual orientation or gender identity also may violate this Policy.

Definitions

Consent is defined in Florida 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 Statute Chapter 794.011)

Sexual Assault is defined as an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.

Sexual violence includes any one incident of:

1. Sexual battery, as defined in Florida Statute Chapter 794.
2. A lewd or lascivious act, as defined in Florida Statute Chapter 800, committed upon in the presence of a person younger than 16 years of age.
3. Luring or enticing a child, as described in Florida Statute Chapter 784.
4. Sexual performance by a child, as described in Florida Statute Chapter 827.
5. Any other forcible felony wherein a sexual act is committed or attempted regardless of whether criminal charges based on the incident were filed, reduced, or dismissed by the state attorney. (Florida Statute Chapter 794.011)

Domestic Violence includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, or 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. Domestic violence means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member of another family or household member. A family or household member means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit. (Florida Statute Chapter 741.28)

Dating Violence: Means violence committed by a person (a) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship will be determined based on a consideration of the following factors:

- (i) The length of the relationship
- (ii) The type of relationship
- (iii) The frequency of interaction between the persons involved in the relationship

Dating violence means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:

1. A dating relationship must have existed with in the past 6 months.
2. The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties.
3. The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time, and on a continuous basis during the course of the relationship. The term does not include violence in a casual acquaintanceship or violence between individuals who have engaged in ordinary fraternization in a business or social context.

Stalking: Means 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; or suffer substantial emotional distress. Credible threat means a verbal or nonverbal threat, or a combination of the two, including threats delivered by electronic communication or implied by a pattern of conduct, which places the person who is the target of the threat in reasonable fear for his or her safety, or the safety of his or her family members or individuals closely associated with the person, and which is made with the apparent ability to carry out the threat to cause such harm. It is not necessary to prove that the person making the threat had the intent to actually carry out the threat.

The present incarceration of the person making the threat is not a bar to prosecution under this section “Cyberstalk” means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose. A person who willfully, maliciously, and repeatedly follows, harasses, or cyber stalks another person commits the offense of stalking, a misdemeanor of the first degree, punishable as provided in Florida Statutes 775.082 or 775.083.

A person who willfully, maliciously, and repeatedly follows, harasses, or cyber stalks another person and makes a credible threat to that person commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in Florida Statutes 775.082, 775.083, or 775.084. Bystander Intervention: A bystander is someone other than the victim who is present when an act of dating violence, domestic violence, stalking, or sexual assault is occurring or when a situation is occurring in which a reasonable person feels as though some protective action is required to prevent sexual assault, dating violence, domestic violence, or stalking. Bystanders, if active, can prevent harm or intervene before a situation gets worse.

Reporting sexual assault, dating violence, domestic violence, or stalking After an incident of sexual assault or domestic violence, the victim should consider seeking medical attention as soon as possible at a local hospital that will supply a physical evidence recovery collection kit. In Florida evidence may be collected even if you chose not to make a report to law enforcement. A victim’s name and identifying information will be withheld from the public and press in accordance with the Florida Public Records Law. It is important that a victim of sexual assault

not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence as may be necessary to the proof of criminal activity may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to the School hearing boards/investigators or police. Although the School strongly encourages all members of its community to report violations to law enforcement, it is the victim's choice whether or not to make such a report, and victims have the right to decline involvement with the police. To report an incident involving a sexual assault, domestic violence, stalking or dating violence, contact the Campus Compliance Officer, Marion Carberry 305-2452581.

In Florida, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

- (1) A law enforcement officer who investigates an alleged sexual battery shall:
 - i. Assist the victim in obtaining medical treatment, if medical treatment is necessary as a result of the alleged incident, a forensic examination, and advocacy and crisis-intervention services from a certified rape crisis center and provide or arrange for transportation to the appropriate facility.
 - ii. Advise the victim that he or she may contact a certified rape crisis center from which the victim may receive services.
 - iii. Prior to submitting a final report, permit the victim to review the final report and provide a statement as to the accuracy of the final report.
- (2) The law enforcement officer shall give the victim immediate notice of the legal rights and remedies available to a victim on a standard form developed and distributed by the Florida Council Against Sexual Violence in conjunction with the Department of Law Enforcement. The notice will include the resource listing, including telephone number, for the area certified rape crisis center as designated by the Florida Council Against Sexual Violence.
- (3) A person who is the victim of sexual violence or the parent or legal guardian of a minor child who is living at home who is the victim of sexual violence has standing in the circuit court to file a sworn petition for an injunction for protection against sexual violence on his or her own behalf, or on behalf of the minor child if:
 - i. The person has reported the sexual violence to a law enforcement agency and is cooperating in any criminal proceeding against the respondent, regardless of whether criminal charges based on the sexual violence have been filed, reduced, or dismissed by the state attorney; or
 - ii. The respondent who committed the sexual violence against the victim or minor child was sentenced to a term of imprisonment in state prison for the sexual violence and the respondent's term of imprisonment has

expired or is due to expire within 90 days following the date the petition is filed.

- (4) Further, the School complies with Florida law in recognizing orders of protection for dating violence, domestic violence, repeat violence, and sexual violence. Any person who obtains an order of protection from Florida or any reciprocal state should provide a copy to their Campus President. A petitioner should then meet with Campus President to develop a Safety Action Plan, which is a plan to reduce risk of harm while on campus, or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, or other measures to assist the petitioner.

Below are details on how to file a restraining order:

1. Prepare a petition and file the petition with Circuit Court.
 - a. Petition includes information on the petitioner and respondent, such as, address, employment, children, and description of the respondent.
 - b. Allegation
2. Must be described in detail
3. Relationship to the respondent
4. Dates of incidents
 - a. Reviewed by Judge immediately
5. If requirements are met
6. Judge will grant a temporary restraining order
7. Restraining order will be valid for 15 days
8. Once order is served to the respondent it will be valid and enforceable
9. Court Hearing
 - a. Scheduled 15 days after filing.
 - b. Hearing will be extended 15 days if respondent cannot be found. (Temporary restraining order will not be valid or enforceable until respondent is served.)
 - c. Gather witnesses, and any other evidence to present to the Judge.
 - d. All documents must be certified under Florida Rules of Evidence, or a live witness must testify at the
 - e. hearing to document authenticity of the documents.
 - f. Evidence must relate to the allegation on the petition.
10. Hearing
 - a. Respondent does not appear at hearing.
11. Petitioner allowed to present evidence.
12. Ruling will be based on evidence presented.
 - b. Respondent appears at hearing.
13. Respondent can object to evidence which is based on Florida Rules of Evidence.
14. Respondent can cross-examine witnesses and the petitioner.

- a. Petitioner will rest their case.
- b. Respondent can introduce evidence.

Judge Rules on:

- Custody (if required)
- Visitation (if required)
- Restraining Order can be for a certain time period or indefinitely.
- Judge can also deny petition.
- At any time either the petitioner or respondent can file to remove the Restraining Order.

The Hearing is considered a trial and is applicable to Florida Rules of Evidence.

Nonauthenticated and hearsay are not allowable at the hearing. To the extent of the victim's cooperation and consent, all School offices will work cooperatively to ensure that the petitioner's health, physical safety, work and academic status are protected, pending the outcome of a formal School investigation of the complaint. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. The School does not publish the name of crime victims nor publish any identifiable information regarding victims in the crime logs. Victims may request that their directory information be withheld by making a request in writing to the campus Registrar.

Disciplinary Procedures Following a Complaint

The investigatory process involves interviewing the parties involved and any witnesses while gathering documentary or other evidence. In cases involving alleged criminal conduct, the complainant may file a criminal complaint with the local police department. A complainant need not pursue a criminal complaint in order to seek, or to hold the accused responsible through the School's Student Code of Conduct. As soon as possible, the complainant will be offered appropriate assistance. Based on the outcome of the investigation, the assigned Title IX Officer or their designee will determine if there is sufficient cause to proceed with the complaint. If so, the Title IX Officer or the designee will arrange for an informal resolution conference with the accused. Complainants do not attend informal resolution meetings but are apprised of the meeting's outcome. If the accused does not accept responsibility for the allegations and/or the proposed sanction, the Title IX Officer or their designee will determine if the evidence warrants a formal hearing before the Grievance Committee. The exact nature of the responsive action depends on the circumstances, but may include discipline up to and including suspension or dismissal from the School for a student, staff or faculty who is found to have violated School policies.

The School will take appropriate action i.e., an investigation, adjudication and disciplinary and remedial/corrective steps in response to a complaint made pursuant to the complaint policies/procedures listed above. The School will make every effort to handle complaints and investigations with sensitivity to both the rights of the person who complains, and the rights of the accused.

The School handles complaints discreetly and attempts to maintain privacy throughout the investigatory process, to the extent practicable and appropriate under the circumstances. However, in order to conduct an investigation, it is generally necessary to discuss the allegations with the accused and other potential witnesses.

Additionally, the School may have legal obligations to disclose information to law enforcement or in the context of legal proceedings. Complaints may be made anonymously. While the School endeavors to investigate all complaints, including anonymous complaints, the nature of anonymous complaints makes investigation, determination, and remediation more difficult and, at times, impossible. Further, while the School attempts to protect the identity of complainants who do not wish to be identified, this may not always be possible. In appropriate cases as determined by the School, conflict resolution may be possible. This is permitted only where both the complainant and accused voluntarily agree to participate, and either party may terminate informal resolution attempts and commence formal Grievance procedures at any time prior to reaching a mutually acceptable resolution. Depending on the circumstances, a mediated resolution may not necessarily involve face-to-face discussions between the complainant and the accused. Certain cases are not appropriate for conflict resolution, such as complaints of particularly egregious sexual harassment or cases involving sexual assault or violence.

Occasionally, an individual makes a complaint and later wishes to revoke or discontinue the investigation or adjudication process. Similarly, it may occur that someone other than the victim reports an incident, and the victim declines to participate in the investigation or adjudication process. In other instances, complaints may be received anonymously and/or the victim may not wish to be personally identified. The School endeavors to respect the wishes of a victim to either not be identified and/or not participate in the process. In these situations, the School attempts to investigate and address complaints in accordance with the victim's wishes.

If a victim wishes to talk about an incident with the assurance that the discussion will be confidential and will not result in an investigation or follow up action, the School will also proceed in this regard.

In determining whether sex discrimination, sexual harassment or sexual misconduct occurred, the School does not apply the criminal standard of "beyond a reasonable doubt," nor do formal court rules of evidence apply. Instead, the School uses a "preponderance of the evidence" standard, and the School may consider any evidence it deems relevant. A "preponderance of the evidence" means the evidence which is of greater weight, or is more convincing than opposing evidence such that it is "more likely than not" that an act occurred.

If the applicable investigatory or adjudicatory process allows for parties to offer witnesses and evidence, the complainant and the accused will have an equal opportunity to do so. The complainant and the accused will be informed in writing of the outcome of the complaint, to the extent permitted by law. An accused who is a student may appeal the outcome to an impartial decision maker. An employee who is deemed guilty shall have whatever rights are granted by law. The particular method and grounds for appeal are explained in the student policies listed above.

The School endeavors to resolve complaints promptly. Ordinarily, the investigative stage will take no longer than 60 calendar days from the time the complaint is received. In exceptional circumstances (including but not limited to especially complex cases, or when the School is not in session), it may be necessary to extend these timelines. If that occurs, the parties will be informed of the expected timeline for completion.

The School prohibits retaliation against any individual who in good faith makes a complaint of sex discrimination, sexual harassment, or sexual misconduct or participates as a witness in a proceeding under this or any other School policy. Retaliation is also unlawful pursuant to Title IX and other laws.

The School engages in educational programming to prevent domestic violence, dating violence, sexual assault and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and faculty that:

- a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- b. Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- c. Defines what behavior and actions constitute consent to sexual activity in the State of Florida;
- d. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander;
- e. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.
- f. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

This educational campaign will consist of but not be limited to the distribution of educational materials to new students, participating in and presenting information and materials during employee orientation and through newsletters among other means of distribution through the year. The Office of Student Services also has a directory of services that are available to victims within the community to assist those who have suffered from a criminal act.

Risk Reduction/Warning Signs of Abusive Behavior

No victim is ever to blame for being assaulted or abused. Unfortunately, a person who is the victim of sexual or dating violence is more likely to be re-victimized. Below are some tips to help reduce your risk, to recognize warnings signs of abusive behavior and how to avoid potential attacks.

Warning Signs of Abusive Behavior

Domestic and dating abuse often escalates from threats and verbal abuse to violence. And, while physical injury may be the most obvious danger, the emotional and psychological consequences of domestic and dating violence are also severe. Warning signs of dating and domestic violence include:

- Being afraid of your partner.
- Constantly watching what you say to avoid a “blow up.”
- Feelings of low self-worth and helplessness about your relationship.
- Feeling isolated from family or friends because of your relationship.
- Hiding bruises or other injuries from family or friends.
- Being prevented from working, studying, going home, and/or using technology (including our cell phone.)
- Being monitored by your partner at home, work, or school.
- Being forced to do things you don’t want to do.

Help Reduce Your Risk and Avoid Potential Attacks

If you are being abused or suspect that someone you know is being abused, speak up or intervene.

- a. Learn how to look for “red flags” in relationships so you can learn to avoid some of those characteristics in future partners.
- b. Consider making a report with the Campus President and ask for a “no contact” directive from the School to prevent future contact.
- c. Consider getting a protective order or stay away order.
- d. Learn more about what behaviors constitute dating and domestic violence, understand it is not your fault, and talk with friends and family members about ways you can be supported.
- e. Trust your instincts—if something doesn’t feel right in a relationship, speak up or end it.

Sexual Assault Prevention (From Rape, Abuse and Incest National Network - RAINN)

- Try not to leave your drink unattended.
- Only drink from un-opened containers, or from drinks you have watched being made and poured.
- Cover your drink. It is easy to slip in a small pill even while you are holding your drink. Hold a cup with
- your hand over the top, or choose drinks that are contained in a bottle and keep your thumb over the
- nozzle.
- If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find your
- friends and ask them to leave with you as soon as possible.
- If you suspect you have been drugged, go to a hospital and ask to be tested.
- Keep track of how many drinks you have had.
- Try to come and leave with a group of people you trust.

- Avoid giving out your personal information (phone number, where you live, etc.). If someone asks for your number, take his/her number instead of giving out yours.

Traveling around campus

- Make sure your cell phone is easily accessible and fully charged.
- Take major, public paths rather than less populated shortcuts.
- Avoid dimly lit places and talk to campus services if lights need to be installed in an area.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- Carry a noisemaker on your keychain.
- Carry a small flashlight on your keychain.

Crime Definitions:

The definitions for the three crime categories included in the crime statistics report are from the Federal Bureau of Investigation Uniform Crime Report definitions and the crimes to be reported are as follows:

Hate Crimes: Piberry Institute is required to report statistics for bias-related (hate) crimes by the type of bias as defined by the following classifications: murder/non-negligent manslaughter, negligent manslaughter, sex offenses (forcible and non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug abuse violations and/or weapons: possessing carrying, and etcetera, and larceny-theft, destruction/damage/vandalism of property, intimidation, and simple assault.

Larceny: The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

Vandalism: To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm by using threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Simple Assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness. If a hate crime occurs where there is an incident involving intimidation, vandalism, larceny, simple assault or other bodily injury, the law requires that the statistic be reported as a hate crime even though there is no requirement to report the crime classification in any other area of the compliance document.

A bias-related (hate) crime is not a separate, distinct crime, but is the commission of a criminal offense which was motivated by the offender's bias. Any person that assaults a victim and who was motivated to commit the offense because of his or her bias against the victim's race, religion, sexual orientation, gender, gender identity, disability, ethnicity or national origin the assault is then classified as a hate crime.

Murder / Non-Negligent Manslaughter – The willful (non-negligent) killing of one human being by another. NOTE: Deaths caused by negligence, attempts to kill, assaults to kill, suicides, accidental death, and justifiable homicides are excluded.

Negligent Manslaughter – The killing of another person through gross negligence.

Robbery: the taking or attempting to take anything from value of the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

Burglary – The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny, housebreaking, safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft – The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access, even though the vehicles are later abandoned – including any joy riding).

Arson: The willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, or person property of another kind.

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

Domestic Violence – Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or 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.

Dating Violence – Violence committed by a person – (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship (ii) the type of relationship (iii) the frequency of interaction between the persons involved in the relationship.

Stalking – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to – (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress.

Drug Abuse Violations:

Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana, synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

Liquor Law Violations – The violation of law or ordinance prohibiting the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor, maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person, using a vehicle for illegal transportation of liquor, drinking on a train or public conveyance, all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition)

Consent – Means intelligent, knowing, and voluntary consent and does not include coerced submission. The law says that consent does mean your failure to offer physical resistance to the offender. If you are under 16 years of age, consent cannot be used as a defense to a sexual crime. A 16 or 17 year old cannot legally consent to sexual activity with a person in a position of familial or custodial authority or to a person 24 or older.

Sex Offenses – Forcible Any sexual act directed against another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent.

Forcible Rape - The carnal knowledge of a person, forcibly and/or against the person’s will; or not forcibly or against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).

Forcible Sodomy - Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will, or not forcibly against the person’s will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

Sexual Assault With An Object - The use of an object or instrument to unlawfully penetrate, no matter how slightly, the genital or anal opening of the body of another person, forcibly and/or against that person’s will; or not forcibly or against the person’s will where the victim is

incapable of giving consent because of his/her temporary or permanent mental or physical incapacity.

Forcible Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.

Sex Offenses – Non-forcible Unlawful non-forcible sexual intercourse.

Incest Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law

Statutory Rape - Non-forcible sexual intercourse with a person who is under the statutory age of consent if a weapon is utilized in any of the crime categories above a separate weapons violation will be recorded in the campus crime statistics.

Unfounded Crimes: An institution may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situations 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 a 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 to do not “unfound” a crime report.

Disciplinary Referrals

In addition to maintaining statistics for arrests the following three crime categories require statistics to be maintained for disciplinary referrals regarding violations of law:

Weapons: Carrying Possessing, etc.

1. The number of campus violations
2. The type of sanctions for violations
3. The number of arrests

Liquor Law Violations

1. The number of campus violations
2. The type of sanctions for violations
3. The number of arrests
4. The number of fatalities

Drug Law Violations

1. The number of campus violations
2. The type of sanctions for violations
3. The number of arrests
4. The number of fatalities

The Campus Sexual Violence Elimination Act (SaVE Act) mandates that all schools and colleges have an obligation to respond to reported incidents of domestic violence, dating violence, sexual harassment, sexual violence and stalking on or off campus.

Piberry Institute Inc., prohibits domestic violence, dating violence, sexual harassment, sexual assault, and stalking and encourages students and employees to report incidents against them on campus and off-campus. These incidents should be reported to the campus security authorities and or Campus director. Piberry Institute Inc provides awareness, prevention and victim rights training to its employees and students. Pamphlets and brochures are also available in each campus' library. Domestic violence, dating violence, sexual harassment, sexual violence and stalking involve unwelcome conduct of a violent and/or sexual nature and are traumatic to the victim (s). If you are a victim of domestic violence, dating violence, sexual harassment, or stalking tell someone who understands these offenses. It is a tremendous burden to bear alone. These incidents are terrifying and traumatic. It is not uncommon to feel fearful, confused, guilty, ashamed, or isolated. It is better not to deal with these feelings alone. There are many concerned and professionally trained people in the community who are prepared to help you. The campus assists students with off-campus counseling, mental health services, and other services for victims. Information may be obtained from the Campus Compliance Officer, Marion Carberry. Piberry Institute does not have a process by which it conducts verbal or written encouragement or for referring victims to pastoral counselors and professional counselors, but maintains procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

The following are some national and state agencies that provide support for Counseling, Treatment, and Rehabilitation:

<p>The National Domestic Violence Hotline: thehotline.org 1.800.799.SAFE (7233) 1.800.787.3224 (TTY)</p>	<p>Dating Violence : loveisrespect.org Text “loveis” to 22522 Love is respect – (866) 3319474 (866) 331-8456 (TTY)</p>	<p>Sexual Assault: Sexual Violence Resource Center RAINN: rainn.org / (800) 656HOPE (4673) Not Alone: notalone.gov</p>
<p>Florida Council Against Sexual Violence : www.fcasv.org (850) 297-2000 (800) 956-7273 toll free</p>	<p>The National Domestic Violence: thehotline.org 1.800.799.SAFE (7233) 1.800.787.3224 (TTY)</p>	<p>Stalking: National Women’s Law: womenslaw.org National Center for Victims of Crime: victimsofcrime.org (202) 467-8700</p>

If you are a victim:

1. You have the option to report domestic violence, dating violence, rape or sexual offenses and stalking to the proper law enforcement authorities including campus personnel and local police. The campus staff will assist you in reporting these offenses at your request. So, first and foremost:

Get to a safe place where you will be safe from further attack. Call a friend or family member who you believe you trust for support. For your own protection you are advised to call the local police immediately, especially if the assailant is still nearby.

2. Once you have reported incident to the campus authorities whether the offense occurred on or off campus, you will be provided with a written explanation of the student or employee's rights and options.

3. Get medical attention immediately for incidents involving domestic violence, dating violence, and rape or sexual assault. It is extremely important that you seek medical attention immediately because you may have been injured internally as well as externally by the attack. A prompt medical examination in rape and sexual violence incidents will test for pregnancy and disease. Do not drink, bath, change clothing, or comb your hair before receiving medical attention. It is only natural to want to do these things, but you may be destroying evidence you will need if you decide to prosecute. In the course of your medical examination, this evidence will be collected by the hospital staff.

4. Seek professional counseling - Regardless of whether you report the incident or not, you should always seeking counseling for the traumatic experience you have survived. The longlasting psychological effects of a domestic violence, dating violence, rape or sexual assault or stalking do not go away if they are ignored. The campus will provide students and employees written notification about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims.

5. Reporting a domestic violence, dating violence, rape or sexual assault or stalking incident to the police does not commit the victim to further legal action. In the initial meeting with the police, you will be asked to tell the police what happened, where it happened, and what your attacker looked like. The earlier you report an offense, the easier it will be for police to investigate the crime, and to prosecute the case successfully, if that is your choice. It helps to preserve your options for the future. If you desire assistance in contacting the appropriate law enforcement agencies the campus will assist you in notifying the local law enforcement agencies. If you wish to have the assailant prosecuted the police and the District Attorney's office will handle the legal proceedings without expense to you. You do not need to hire an attorney. You have the right to decline to report the offense to the local law enforcement agencies. Where applicable, the rights of victims and Piberry Institute's responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court will be explained to the victim(s). Upon request by a victim of a domestic violence, dating violence, rape or sex offense or stalking, the campus will change the victim's academic, living, transportation, or work schedule if the change is reasonably available.

Disciplinary Proceedings: Understand that Piberry Institute has a zero-tolerance policy regarding any criminal offenses involving our students and employees. If the offender is a student or employee, Piberry Institute may impose institutional disciplinary sanctions including suspension and dismissal. Persons seeking to file a complaint should contact the Campus Director. In domestic violence, dating violence, rape or sexual assault, or stalking cases, the following additional provisions apply:

Any violator will be immediately suspended and depending on the results of the investigation will be disciplined up to and including expulsion from school or employment termination. Any disciplinary hearing stemming from the investigation(s) will be conducted within 14 days of the investigation's conclusion.

The investigation and disciplinary hearing will be conducted by officials who receive annual training on issues related to domestic violence, dating violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

The standard of evidence utilized in the investigation and hearing is the “preponderance of evidence” standard. The accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding; including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice; and both the accuser and accused shall be simultaneously informed, in writing, of:

The outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, rape or sexual assault, or stalking. Procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding is conducted by the Institute. Appeal requests must be in writing to the Campus Director and within 14 days after the date the individuals are notified of the disciplinary proceeding findings. The victim will be provided with information of how Piberry Institute, Inc. will protect the confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

Disciplinary Proceedings - Notification to Victims

The Higher Education Opportunity Act (HEOA) requires the campus to disclose, upon written request, to the alleged victim of a crime of violence or sexual assault, the results of any disciplinary hearing related to the offense conducted by the campus against the student or employee who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, the campus must provide the results of the disciplinary hearing to the victim’s next of kin, if requested. Piberry Institute, Inc. is registered to receive alerts from here: <https://floridaoffenderalert.com/subscribe.php>

Policies for Making Timely Warning Reports

Piberry Institute, Inc encourages the immediate reporting of any actual, suspected criminal or hazardous activity. Any student, faculty member, employee or guest can directly report suspected criminal activities or emergencies on campus by calling the School Director, faculty or employee member. However, those with complaints of potential criminal action should make a report with local police authorities as well as with the school. In the event of an emergency and criminal actions, the public is notified within 24/48 hours. Victims or witnesses report crimes on a voluntary, confidential basis for inclusion in this annual security report.

For violent crime or non-forcible sex offense (Incest or Statutory Rape), Piberry Institute will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined

in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

In the Piberry Institute Inc. Drug Awareness and Substance Abuse Policy, it recognizes that drug or alcohol abuse education programs as required under Section 120(a) through (d) of the HEA (otherwise known as the Drug-Free Schools and Communities Act of 1989). For the purpose of meeting this requirement, an institution may cross-reference the materials the institution uses to comply with Section 120(a) through (d) of the HEA.

Emergency Response and Evacuation Procedures

Piberry Institute will use its Emergency Notification System to notify the Campus Community of any immediate threat to the Campus Community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus. Students and employees may receive text messages via Cell Phone or e-mail contacts with information relative to the threat and the action to be taken by the Campus Community to remain safe until the threat or the perceived threat is over. On campus notifications will also be conducted using manual notification systems such as a school official notifying each classroom and laboratory of any threat or any incident requiring emergency notification. Piberry Institute Inc. will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Timely Warnings

Piberry Institute will also use its Emergency Notification System to issue a “timely warning” to the Campus Community in the event a crime is reported to campus officials or local police that represent a serious or continuing threat to students and employees. The warning will be issued as soon as the pertinent information is available. The intent of the timely warning is to enable recipients to protect themselves and aid in the prevention of similar crimes.

Procedures For Disseminating Emergency Information to the Community at Large Any member of the Campus Community may, at their discretion notify public authorities of any emergency or dangerous situation on campus. The two persons named below will also determine if public authorities/emergency and law enforcement agencies will be notified and will do so by the most expeditious means immediately available.

Procedures for Testing the Emergency Response and Evacuation Procedures

On at least an annual basis, the institution will test the Emergency Response Communications system using text messaging and/e-mail transmissions. A log will be kept of the date and time of the test. A survey will be distributed to the campus community to solicit feedback on the effectiveness of the notification. The surveys will be maintained for a minimum of one year and

the data on the response effectiveness recorded as part of the test log. Confirmation of the type of emergency/dangerous situation - will be through the Campus Director's office. The Director will confirm the type of emergency and will determine what emergency response agency will be notified. Any emergencies deemed reportable to all members of the staff, faculty and student body should be immediately directed to Marion Carberry, Campus Compliance Officer, and or Campus Dean of Academics, Dr. Vorick Picou for prompt action. Notification to Campus Management by any member of the campus community does not preclude notification to the appropriate emergency authorities.

Piberry Institute, Inc. does not maintain Crime Logs. Please call 911 or the local Police for assistance and further information. The local Police Department has jurisdiction to arrest any person committing a criminal crime on the Piberry Institute, Inc. campus and its surrounding. Piberry Institute, Inc. does not hire a security company or security personnel that works exclusively for Piberry Institute, Inc.

Piberry Institute, Inc., is in compliance with both the Student Right to Know Act of 1990 and the Campus Awareness and Campus Security Act of 1990. The following statistics represent incidents directly reported to local authorities Miami-Dade Police Departments and other Campus Authorities. These statistics, as well as an annual fire safety report are required to be submitted to the Department of Education annually.

DRUG AWARENESS AND SUBSTANCE ABUSE POLICY 2022

The federal Drug-Free Schools and Communities Act of 1989 requires institutions receiving Title IV funding and other financial assistance to implement and enforce drug prevention programs and policies. Students shall receive a copy of the Drug- Free Schools/Drug -Free Workplace Annual Disclosure upon enrollment, and thereafter annually. The disclosure is also made available to all campus employees. These policies are reviewed and published annually at the Piberry Institute website: www.piberry.edu. For additional Information, contact Marion Carberry, Campus Compliance Officer, at (305-245-2581 or mcarberry@piberry.edu).

Illegal, illicit, and controlled drugs' use and other forms of substance abuse affect all communities. Therefore, all members of the academic community, students, faculty, administrators, and other academic support staff share the responsibility for protecting the environment by exemplifying high standards of professional and personal conduct. The illegal use, possession, sale, delivery, and/or manufacture of drugs will not be tolerated and may be grounds for immediate suspension and/or dismissal of students, faculty members, administrators, and other employees.

Piberry policies and programs are intended to emphasize: 1) The incompatibility of the use or sale of illegal drugs with the goals of the Institute, 2) The legal consequences of involvement with illegal, illicit, and controlled drugs 3) The medical implications of the use of illegal, illicit, and controlled drugs and 4) The ways in which illegal, illicit, and controlled drugs jeopardize an individual's accomplishments and quality of life.

Piberry Institute publishes and distributes annually to all current students and employees a copy of the Drug and Alcohol Abuse Prevention Program. Below are the details related to this topic.

Drug and Alcohol Abuse Prevention

Drug abuse affects all aspects of American life. It threatens the workplace, our homes, our schools and our community. The U.S. Department of Education requires institutions of higher education to implement a drug prevention and awareness program for their students and employees through the Safe and Drug Free Schools and Communities Act. All students are expected to conduct themselves as mature adults and as members of an academic community. The consumption of alcohol or drugs while attending class is prohibited and may be subject to disciplinary action.

Standards of Conduct

Piberry Institute community must adhere to a code of conduct that recognizes the unlawful manufacture, sale, delivery, unauthorized possession or use of any illicit drug is prohibited on property owned or otherwise controlled by Piberry Institute. If an individual associated with Piberry Institute is apprehended for violating any drug-or alcohol-related law when on Piberry Institute property, or participating in a Piberry Institute activity, Piberry Institute will fully cooperate with all law enforcement agencies. Underage possession or consumption of alcoholic beverages is not permitted on property owned or controlled by Piberry Institute and the state laws will be enforced. Intentionally or knowingly selling, or intentionally or knowingly furnishing alcoholic beverages to persons under the age of 21, or to persons obviously inebriated, is not permitted on property owned or controlled by Piberry Institute.

Health Risks Associated with the use of Illicit Drugs and the Abuse of Alcohol

Moderate to high doses of alcohol cause marked impairments in higher mental functions and the loss of memory. High doses of alcohol can cause respiratory depression and death. Long-term consumption, particularly when combined with poor nutrition, can also lead to dependence and permanent damage to vital organs such as the brain and the liver. Physical effects of drugs include increased heart rate, bloodshot eyes, dry mouth and throat, and increased appetite. The use of drugs may impair or reduce short-term memory and comprehension, alter sense of time, and reduce the ability to perform tasks requiring concentration and coordination. Motivation and cognition may also be altered making the acquisition of new information difficult. As you can see from the above there are major health risks associated with the use of illicit drugs and the abuse of alcohol.

Pell Grant

Federal guidelines state the grantee must certify that he or she will not engage in unlawful activities related to controlled substances during the period covered by the grant.

Federal Financial Aid Penalties for Drug Violations

Federal guidelines focus strongly on illicit drug use and distribution. The Higher Education Opportunity Act states students convicted of an illicit drug violation can be denied federal

financial aid for a specific period, in addition to other legal penalties. The Free Application for Federal Student Aid (FAFSA) asks students if they have been convicted of a drug-related offense: “Have you ever been convicted of possessing or selling illegal drugs?” If you answer “yes,” Piberry Institute will send a worksheet in the mail to determine if your conviction affects your eligibility for aid. Failure to answer the question automatically disqualifies students from receiving federal financial aid. Answering this question falsely could result in fines up to \$20,000, imprisonment or both.

More information about federal penalties and sanctions is located at <https://studentaid.gov/understand-aid/eligibility/requirements/criminal-convictions>

Penalties for Drug Convictions

If the student was convicted of both possessing and selling drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.

Possession of Illegal Drugs

- For a first offense, a student loses eligibility for federal financial aid for one year from the date of conviction.
- For a second offense, a student loses eligibility for federal financial aid for two years from the date of conviction.
- For a third offense and subsequent offenses, a student has indefinite ineligibility for federal financial aid from the date of conviction.
- Sale of Illegal Drugs
- For a first offense, a student loses eligibility for federal financial aid for two years from the date of conviction.
- For a second offense and subsequent offenses, a student has indefinite ineligibility from the date of conviction.

How to Regain Eligibility

- A student can regain eligibility for federal student aid funds the day after the period of ineligibility ends or upon successful completion of a qualified drug rehabilitation program that must:
- Include at least two unannounced drug tests;

AND

- Have received or be qualified to receive funds directly or indirectly under a federal, state or local government program.
- Students denied eligibility for an indefinite period can regain it after successfully completing a rehabilitation program, passing two unannounced drug tests from such a program, or if a conviction is reversed, set aside or removed from the student’s record so that fewer than two convictions for sale or three convictions for possession remain on the record.

In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility. The student is responsible to certify that a rehabilitation program was successfully completed. As with the conviction question on the FAFSA, Piberry Institute is not required to confirm the reported information unless conflicting information is determined.

Convictions During Enrollment

Federal regulations require enrolled students convicted of a drug offense after receiving federal financial aid to notify Piberry Institute immediately. The student will then become ineligible for further federal financial aid and must repay federal financial aid received after the conviction.

Drug and Alcohol Counseling

Available to all students is the 211 and 988 national Helpline Center. Students can call 211 or 988 to receive referrals to local resources and support to individuals who need drug and alcohol counseling.

Institutional Sanctions for Alcohol and Drug Violations

Any member of Piberry Institute community found consuming or selling drugs on Piberry Institute property shall be subject to discipline on a case-by-case basis.

- Discipline will be based on the seriousness of the situation.
- A case may result in dismissal from the Piberry Institute.
- In all cases, Piberry Institute will abide by local, state and federal sanctions regarding unlawful possession of drugs and the consumption of alcohol.
- Additional state penalties and sanctions may also apply.
- Piberry Institute has adopted a zero-tolerance policy regarding underage drinking.

Penalties Relate to Alcohol and Drugs

Underage Drinking

You must be 21 years of age to purchase, consume, or possess alcohol. First offense underage possession of alcohol is a crime punishable by 60 days in jail and a fine of \$500.00. A second conviction is punishable by up to 1 year in jail and \$1000.00 in fines.

Underage drinking and driving

If you are under 21 years of age with a blood or breath alcohol level of .02 or higher, your license will be suspended for 6 months. If you refuse to submit to the breath test, your license will be suspended for one year. If you weigh less than 240 pounds, one 12-ounce beer, 5 ounces of wine, or one ounce of liquor may put you over this limit. The suspension is for 6 months and is effective immediately but the notice you receive allows you to drive for 10 days after the stop. (Fla Stat. 322.2616)

Providing to Minors

It is illegal to give, sell, or serve alcoholic beverages to anyone under age 21. Maximum penalty for violations is one year in jail and a \$1,000 fine. A second conviction is a felony punishable by five years in prison and a \$5,000 fine.

“Roofies”

Flunitrazepam is a very powerful tranquilizer marketed overseas under the brand name Rohypnol. Possession of Flunitrazepam is a felony punishable by 5 years in prison and a fine of \$5,000.00.

Slipping a roofie into someone’s drink constitutes deliver of a controlled substance punishable by 15 years in prison and a fine of \$10,000.00.

Having sex with a person dosed without their consent constitutes sexual battery or rape punishable by 30 years in prison and a fine of \$10,000.00.

Nitrous Oxide (whippits)

It is a second-degree misdemeanor (Max penalty 60 days in jail, \$500 in fines) to inhale, possess with the intent to inhale, buy, sell, or transfer to inhale an amount of nitrous oxide less than 16 grams. Distribution, selling, purchasing, possessing, or transferring more than 16 grams of nitrous oxide is a felony of the third degree punishable by up to 5 years in prison and \$5,000.00 fines.

Maintaining a Drug-Free-Campus & Workplace:

The Drug Schools and Communities Act (DFSCA) of 1989 requires that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

Drug-Free Campus and Workplace Statement:

Piberry Institute, Inc. is committed to providing a learning and working environment free of the abuse of alcohol and the illegal use of drugs and the abuse of alcohol by any Piberry Institute, Inc. employee. The policies and laws described in this statement apply to all employees and students of Piberry Institute.

DrugFree.org - <http://www.drugfree.org/wp-content/uploads/2012/04/Partnership-Drug-AlcoholFactSheet4.pdf>

Alcohol & Substance Abuse Policy:

The unlawful manufacture, distribution, dispensation, possession, or use of any prohibited, controlled and chemical substance, or the unlawful possession and use of alcohol which can be harmful and prohibited in and on property used as clinical or externship site, or which is owned and/or controlled by Piberry Institute, Inc. when used in any manner contrary to a doctor’s prescription. No employee or student is to report to work, class, or any school or school sponsored activity (whether on or off-campus) while under the influence of illegal drugs or alcohol. The use of alcoholic beverages by employees and students by any Piberry Institute, Inc. employee are subject to the alcoholic beverage laws of the State of Florida, applicable county and city regulations. Such employee also must abide by the Employee Code of Conduct policies outlined in the Staff and Faculty Handbook. The possession and use of controlled drugs by members of the Piberry Institute, Inc. community is prohibited and must at all times be in

accordance with the provisions of Florida law, federal law, and school policies. Under Florida law, no person may possess substances regulated under the provisions of Chapter 893, Florida Statutes (controlled substances and “designer drugs”), unless dispensed and used pursuant to prescription or otherwise authorized by law. Sale and delivery of such substances is prohibited unless authorized by law.

Violation of the policies and laws described in this policy statement by an employee or student is grounds for disciplinary action up to and including termination or expulsion. Such disciplinary actions may also include reprimand or suspension. Student organizations may be sanctioned for violation of these policies and laws. Sanctions may range from written reprimand to revocation of recognition as a student organization. Additionally, a violation may be reason for evaluation and treatment of a drug-and/or alcohol-use disorder or referral for prosecution consistent with local, state, and federal criminal law. Disciplinary action by Piberry Institute, Inc., does not preclude the possibility of criminal charges against a student or employee. Similarly, the filing of criminal charges does not preclude further action by Piberry Institute, Inc.

Employees must notify the School Campus Director in writing of a conviction of a criminal drug statute occurring within the workplace within five days after receiving the conviction. Disciplinary action will take place within 30 days of notification. For reporting purposes, each year the campus must determine the number of drug and alcohol-related violations and fatalities that occur on campus or as part of any of the Institute’s activities as well as the number of arrests, and number and type of sanctions that are imposed by the campus. Those statistics are sent to the Department of Education and published by October 1st as part of the annual crime statistics.

Note: Students who are convicted of drug related charges are subject to losing Title IV federal financial aid. The Institute must provide a timely notice to each student who has lost eligibility for any grant, loan, or work-study assistance as a result of penalties in a clean and written notice that notifies the student of the loss and advises the ways in which to regain eligibility. The student must successfully pass two unannounced drug tests conducted by a drug rehabilitation program that complies with criteria established by the United States Department of Education Secretary to determine whether or not the student may be eligible to regain eligibility of Federal funds.

Legal Sanctions:

Students/employees are reminded that unlawful possession, distribution or use of illicit drugs or alcohol may subject individuals to prosecution. Piberry Institute refers violations of prescribed conduct to appropriate authorities for prosecution.

Federal and state sanctions for illegal possession of controlled substances range from up to four years’ imprisonment and up to \$20,000 in fines for each offense. Under federal laws, possession of drugs such as heroin or cocaine may result in sanctions of not less than five years and up to life imprisonment for a first offense involving 100 grams or more. Offenses involving lesser amounts, 10–99 grams, may result in sanctions up to and including 20 years’ imprisonment and a fine of up to \$4 million.

Under Florida law, any person who knowingly sells, purchases, manufactures, delivers, or brings into Florida any controlled substance shall be punished pursuant to sentencing guidelines and punished by a fine of not less than \$25,000 nor more than \$250,000. Any person who possesses more than 10,000 pounds of a controlled substance must serve a mandatory sentence of 15 years and pay a \$200,000 fine. If they transport a controlled substance into Florida, they have committed a capital felony and shall be imprisoned for life and shall be fined \$250,000, the maximum fine under the guidelines. Local sanctions range from \$500 to \$1,000 in fines or from 60 days to six months in jail, or both, plus civil forfeiture of property for possession.

The State of Florida may impose a wide range of sanctions for alcohol-related offenses. For example, any person who is convicted of driving under the influence of alcohol shall be punished by a fine of not less than \$250 or more than \$500 for a first offense. For a first conviction, a person shall be imprisoned for no more than six months and suspension of his or her driver's license for a minimum of six months.

The term "controlled substance" as used in this policy means any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance, as defined in Schedules I through V of Section 202 of the Controlled Substances Act, 21 U.S.C. 812, and as further defined by regulation 21 CFR 1208.01 et seq. The term does not include the use of a controlled substance pursuant to a valid prescription or other use authorized by law.

Drinking Age

The legal drinking age in Florida is 21. Selling, giving or serving alcohol to persons under 21 is unlawful. In Florida, this law extends to possession of alcohol by anyone under 21. It is unlawful for anyone to misrepresent or misstate his or her age. This includes the manufacture or use of false identification. Use of altered identification for the purpose of procuring alcohol is a felony.

Open Container Law

It is unlawful for any person to consume or to induce, assist or aid another to consume any beverage containing more than 1% alcohol by weight upon any street, sidewalk or in any alley within the City of Miami/Homestead. It is unlawful to have an open container of alcohol in a vehicle. (Section 316.1936, F.S.) Florida Law.

Under Florida law, driving under the influence of alcoholic beverages or any controlled chemical substance (DUI) is an offense evidenced by the impairment of normal faculties or an unlawful blood or breath alcohol level of .08 or higher. For a first conviction, the following sentencing guidelines apply:

- Payment of a fine of \$250 to \$500 and imprisonment for up to six months for a first conviction.
- If the blood or breath alcohol level is .20 percent or higher, the fine is \$500 to \$1,000 and imprisonment for up to nine months.
- Monthly probation reporting and mandatory completion of substance abuse course.
- Probation for up to one year which will include a minimum of fifty hours of public service for a community work project.

- Impoundment of vehicle for ten days unless owner or family has no other means of transportation.
- Serious bodily injury of another, property damage or death while driving under the influence will result in additional sentences.

Sale or Possession of Illegal Drugs

It is unlawful to be in the possession of illicit drugs and/or to sell or intend to sell illicit drugs.

Selling and Purchasing Controlled Substances Within 1,000 Feet of School

It is unlawful for any person to sell, purchase, manufacture, deliver or possess with the intent to sell a controlled substance in, on or within 1,000 feet of the real property comprising a public or private elementary, middle, secondary school, community or state college or university.

Local Counseling, Treatment, and Rehabilitation Programs

Piberry Institute, Inc., is required to notify current/perspective students and employees of local counseling, treatment, and rehabilitation programs, and as such states that any drug or alcohol abuse education programs as required under Section 120(a) through (d) of the HEA (otherwise known as the Drug-Free Schools and Communities Act of 1989). For the purpose of meeting this requirement, an institution may cross-reference the materials the institution uses to comply with Section 120(a) through (d) of the HEA. Additionally, many health insurance plans include drug, alcohol and mental health services. If you need help in finding a treatment center, the Federal Substance Abuse & Mental Health Services Administration (SAMHSA) offers a free service to help you locate a facility near you. The toll free Treatment Referral Hotline can be reached 24 hours a day, 7 days a week; 1-800-622-HELP (4357). You can also access their treatment facility location online at <http://www.samhsa.gov/treatment/index.aspx>. Local Drug and Alcohol Counseling facilities:

- 1) Florida Drug Rehab Center, Miami, Florida. (786) 563-4432
- 2) Drug and Alcohol Rehab of Miami, Miami, Florida. (305) 290-4820 or (800) 537-2334
- 3) Alcoholics Anonymous, Miami, Florida. (305) 759-6362

Health Risks Associated with Drugs and Alcohol Abuse

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood the driver will be involved in an accident. Low-to-moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate-to-high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

The health and personal risks associated with alcohol and drug abuse may include temporary or permanent physical or mental impairment, injury, or death. Risks can include nausea, emotional volatility, loss of coordination, visual distortions, loss of consciousness, violence, depression, neurologic deficits, hypertension, liver and heart disease, increased heart rate, anxiety, panic

attacks, psychosis, addiction, and fatal overdose. Use and abuse of such substances may also give rise to conduct which could result in criminal or civil prosecution and liability. Repeated use of drugs and alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening.

Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and liver. Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk of becoming alcoholics than other youngsters.

In addition to disciplinary sanctions imposed by the Institution, all employees and students should be aware that federal, state, and some local laws treat illegal possession, use, sale/distribution, or manufacturing of drugs or alcohol as serious crimes that can lead to imprisonment, fines, and assigned community service. Resulting convictions can prevent a person from entering certain fields of employment and may have to be listed on employment applications. The possession, use, or distribution of illegal drugs is prohibited by federal law. There are strict penalties for drug convictions, including mandatory prison terms for many offenses. For a listing of federal offenses, penalties and sanctions, visit the Department of Justice / U.S. Drug Enforcement Administration- Office of Diversion Control website at <http://www.deadiversion.usdoj.gov/21cfr/21usc/index.html>.

Description & Health Risks Associated with Drug Usage

Below are some specific risks related to the use of alcohol and illegal drugs.

- Alcohol: Alcohol often has a strong effect on people—and throughout history, people have struggled to understand and manage alcohol’s power. While drinking alcohol is itself not necessarily a problem, drinking too much can cause a range of consequences, and increase your risk for a variety of problems. Alcohol interferes with the brain’s communication pathways, and can affect the way the brain looks and works. These disruptions can change mood and behavior, and make it harder to think clearly and move with coordination. Heavy drinking can damage the heart, liver, pancreas and can weaken your immune system. Drinking too much can also increase your risk of developing certain cancers.
- Cocaine: a powerfully addictive stimulant drug. Cocaine increases levels of the natural chemical messenger dopamine in brain circuits controlling pleasure and movement. Short term effects include extreme energy, hypersensitivity to light, sound and touch, irritability and paranoia.
- Long term effects include constricted blood vessels, dilated pupils, nausea, raised blood pressure, faster heartbeat, muscle twitches and restlessness.

- Hallucinogens (PCP, LSD, Ketamine, Salvia, Peyote, Psilocybin): Hallucinogens are a diverse group of drugs that alter perception (awareness of surrounding objects and conditions), thoughts, and feelings. They cause hallucinations, or sensations and images that seem real though they are not.
- Heroin: users report feeling a surge of euphoria (“rush”) accompanied by dry mouth, flushing of the skin, heavy feelings in hands and feet, and clouded mental functioning. Long term effects include collapsed veins, abscesses, liver or kidney disease and lung complications. In addition to the effects of the drug itself, street heroin often contains dangerous chemicals that can clog blood vessels leading to the lungs, liver, kidneys, or brain, causing permanent damage. Also, sharing drug injection equipment and having impaired judgment from drug use can increase the risk of contracting infectious diseases such as HIV and hepatitis. People can overdose on heroin. It is also highly addictive.
- Inhalants: substances such as solvents, aerosols, gases, and nitrites can cause slurred speech, lack of coordination, euphoria, and dizziness. Inhalant abusers may also experience lightheadedness, hallucinations, and delusions. With repeated inhalations, many users feel less inhibited and less in control. More serious long-term consequences include liver and kidney damage, hearing loss, or bone marrow damage.
- Marijuana: effects include altered senses (for example, seeing brighter colors), altered sense of time, changes in mood, impaired body movement, difficulty with thinking and problem solving and impaired memory. Marijuana also affects brain development as the drug may reduce thinking, memory, and learning functions and affect how the brain builds connections between the areas necessary for these functions.
- Methamphetamine: can cause extreme weight loss, severe dental problems, intense itching, anxiety, confusion, insomnia, and mood disturbances and display violent behavior. Also symptoms of psychosis, such as paranoia, visual and auditory hallucinations, and delusions (for example, the sensation of insects crawling under the skin).
- Prescription Drugs - Some medications have psychoactive (mind-altering) properties and, because of that, are sometimes abused—that is, taken for reasons or in ways or amounts not intended by a doctor, or taken by someone other than the person for whom they are prescribed. In fact, prescription and over-the-counter (OTC) drugs are, after marijuana (and alcohol), the most commonly abused substances by Americans 14 and older. Commonly abused classes of prescription drugs include opioids (for pain), central nervous system (CNS) depressants (for anxiety and sleep disorders), and stimulants (for ADHD and narcolepsy). All of these drugs have the potential for addiction, and this risk is amplified when they are abused.
- Synthetic Cannabinoids (K2/Spice) - refer to a growing number of man-made mind-altering chemicals that are either sprayed on dried, shredded plant material so they can be smoked (herbal incense) or sold as liquids to be vaporized and inhaled in e-cigarettes and other devices. They may affect the brain much more powerfully than marijuana; their actual effects can be unpredictable and, in some cases, severe or even life-threatening.

- Synthetic Cathinones (Bath Salts) - Synthetic cathinones are included in a group of drugs that concern public health officials called "new psychoactive substances" (NPS). NPS are unregulated psychoactive (mind-altering) substances that have become newly available on the market and are intended to copy the effects of illegal drugs. Synthetic cathinones are marketed as cheap substitutes for other stimulants such as methamphetamine and cocaine. The use of this drug can produce effects such as paranoia, hallucinations, panic attacks and violent behavior.
- MDMA (Ecstasy/Molly) - synthetic drug that alters mood and perception (awareness of surrounding objects and conditions). It is chemically similar to both stimulants and
- hallucinogens, producing feelings of increased energy, pleasure, emotional warmth, and distorted sensory and time perception. A person may experience irritability, impulsiveness and aggression, depression, sleep problems, anxiety, memory and attention problems. High doses of MDMA can affect the body's ability to regulate temperature. This can lead to a spike in body temperature that can occasionally result in liver, kidney, or heart failure or even death.

There are classic danger signals that could indicate the first sign of drug use. The primary ones could call attention to one's use of drugs such as abrupt changes in mood or attitude, continuing slump at work or in school, continuing resistance to discipline at home or school, inability to get along with family or friends, regular temper flare-ups, increased borrowing of money, heightened secrecy / isolation, acquiring a whole new set of friends.

It is recommended that any person observing any of the above changes in either students or staff behavior immediately notify the School Campus Director. Caution must be observed, however, to avoid wrongful accusation of a person suspected of taking drugs as an improper accusation could lead to embarrassment to both individual and the Institution. Once it has been determined by management that assistance to overcome the problem is indicated, the individual and his/her family should be counseled on the need for assistance. Records must be maintained of any such counseling provided to an individual. If the individual is in immediate danger of harming himself/herself or others, local law authorities should be contacted immediately.

The Drug Free Schools and Campuses Regulations (34 CFR Part 86) of the Drug-Free Schools and Communities Act (DFSCA) require institutions of higher education to document its efforts related to the prevention of alcohol abuse and the use/distribution of illegal drugs by both employees and students. At a minimum, schools must annually distribute the following in writing to all students and employees:

- Standards of conduct prohibiting the unlawful possession, use or distribution of illicit drugs or alcohol by students and/or employees
- A description of the legal sanctions under local, state, or federal law related to the unlawful possession or distribution of illicit drugs and alcohol
- A description of any drug or alcohol counseling, treatment or rehabilitation or re-entry programs available to students and/or employees

- A clear statement that the institution will impose sanctions on students and employees, a description of those sanctions, up to and including expulsion/termination of employment, for violations of these standards of conduct
- The law further requires institutions to conduct a biennial review of its alcohol/other drug prevention efforts with the following objectives:
- Determining the effectiveness of the policy and implementing changes to the Alcohol and Other Drug (AOD) program if needed
- Ensuring that sanctions are consistently and evenly applied

Legal Sanctions:

The Institution will comply with all federal, state and local laws and policies regarding the abuse of alcohol and other drugs by its employees and students. In addition to disciplinary sanctions imposed by the Institution, all employees and students should be aware that federal, state, and some local laws treat illegal possession, use, sale/distribution, or manufacturing of drugs or alcohol as serious crimes that can lead to imprisonment, fines, and assigned community service. Resulting convictions can prevent a person from entering certain fields of employment and may have to be listed on employment applications. The possession, use, or distribution of illegal rugs is prohibited by federal law. There are strict penalties for drug convictions, including mandatory prison terms for many offenses.

For a listing of federal offenses, penalties and sanctions, visit the Department of Justice / U.S. Drug Enforcement Administration- Office of Diversion Control website at <http://www.deadiversion.usdoj.gov/21cfr/21usc/index.html>. (Part D – Offenses and Penalties consists of Prohibited Acts, Penalties for Simple Possession, Civil Penalties for Possession of Small Amounts, Attempt and Conspiracy, Transportation Offenses, Information for Sentencing Distribution or Manufacturing Offenses, Sanctions for Testing Positive and Drug Paraphernalia.)

Additional state penalties and sanctions may also apply; please see Appendix B for detail on penalties for each jurisdiction in which the Institution operates. Many localities have ordinances and regulations which prohibit public consumption of alcoholic beverages or consumption of alcoholic beverages on private property without the owner's consent. Similar laws and regulations apply in most other states and in many localities.

Sanctions the Institution Will Impose:

- Any employee or student found consuming alcohol or drugs on any campus or externship/clinical site shall be subject to disciplinary action.
- Any employee or student found using; possessing, manufacturing, or distributing illegal drugs or transferring alcohol or drugs during normal working/school hours on any campus or externship/clinical site shall be subject to disciplinary action.
- Any employee or student who reports to work or class under the influence of alcohol or drugs shall not be permitted to remain on campus or the externship/clinical site and will be escorted home.

- The employee or student shall also be subject to disciplinary action. Consistent with the Drug-Free Workplace Law, as a condition of employment, all employees are required to abide by the terms of this policy and notify Human Resources of any criminal drug conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
- Compliance with this policy is considered a condition of employment and/or acceptance for study; therefore, if an employee or student violates this policy, discipline will be assessed accordingly, and the individual could be subject to termination or expulsion or referral for prosecution.
- In all cases, the Institution abides by local, state and federal sanctions regarding unlawful possession of drugs in prohibited areas and/or the use of alcohol by individuals who have not attained the legal drinking age. Any drug identified by the law as illegal is included in
- this program, as are legal prescription drugs that are used in a manner contrary to a doctor's prescription.

Counseling, Treatment & Rehabilitation Programs

The Institution supports programs that aid in the prevention of substance abuse. Students and employees are encouraged to seek assistance for substance abuse problems. Many health insurance plans include drug, alcohol and mental health services. If you need help in finding a treatment center, the Federal Substance Abuse & Mental Health Services Administration (SAMHSA) offers a free service to help you locate a facility near you.

The toll-free Treatment Referral Hotline can be reached 24 hours a day, 7 days a week; 1-800-622-HELP (4357). You can also access their treatment facility location online at <http://www.samhsa.gov/treatment/index.aspx>.

2022 BIENNIAL REVIEW OF PIBERRY INSTITUTE ALCOHOL AND DRUG PROGRAMS. Period covered: January 1, 2020 – December 31, 2022

The Drug Free Schools and Communities Act requires, as a condition of receiving any federal funding or other financial assistance, that an institution of higher education certify it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol for students and employees on school premises and as a part of its activities.

Piberry Institute is in compliance with the Drug Free Schools and Communities Act and continues to conduct a biennial review on the effectiveness of its alcohol and other drug programs and services. Staff and Students will receive email notification annually from the Campus Director. Students will receive notification annually through an electronic announcement via the Student Portal and by email. It is also posted to the bulletin board in the facility.

Piberry Institute provides alcohol and other drug prevention initiatives and programs. In addition, in accordance with federal law, the Office of Student Financial Services, the Office of Crisis Management/Safety and Security and the Office of Compliance annually provide every

employee and student with an “Annual Crime Statistics” email notification that includes the following (as required by 34 CFR 86.100):

- Standards of conduct that prohibit the unlawful possession, use or distribution of illicit drugs and alcohol on school property or part of school activities.
- A description of the applicable legal sanctions under federal, state or local law for the unlawful possession or distribution of illicit drugs and alcohol.
- A description of the health risks associated with the use of illicit drugs and abuse of alcohol.
- A description of counseling and treatment programs available to students and staff.
- A clear statement and description of the disciplinary sanctions Piberry Institute will impose on students and employees.

It is the goal of Piberry Institute to produce a Biennial Review that would be used to document the progress made by Piberry Institute and also provide insight into how Piberry Institute Alcohol and Drug policy and programs could be improved. The Piberry Institute Biennial Review meets two objectives:

1. Determine the effectiveness of the Alcohol and Drug policy and programs at Piberry Institute and outlines any changes that the institution has made (if necessary)
1. Analyzes the disciplinary sanctions imposed by the institution and ensures that they are consistently enforced.
2. A hard copy of this biennial report is also maintained on file at the Office of Student Financial Services that can be provided to the U.S. Department of Education, as requested.

POLICY

Piberry Institute is committed to educating and informing students, faculty and staff about the dangers and effects of substance abuse. Piberry Institute recognizes that drug addiction and alcoholism are illnesses that may not be easily resolved and may require professional assistance and treatment. This policy is reviewed and updated annually.

The entire policy is included in the Annual Security Report. It is available year-round to students, staff and employees at: <https://www.piberry.edu>

In addition to the Annual Security Report notification described, students and employees may be made aware of Piberry Institute’s drug and alcohol policies during orientation, as well as during other activities throughout the year.

EDUCATION, INTERVENTION & PREVENTION

Piberry Institute provides many different avenues for students and employees to receive education and counseling about alcohol and other drug issues. In addition to campus resources such as the student services department and the Ombudsperson.

Piberry Institute also provides students and employees with information about the 211 and 988 Helpline Centers. Students can call 211 or 988 to receive referrals to local resources and support to individuals who need drug or alcohol counseling.

POLICY ENFORCEMENT

As seen in our reports, Piberry Institute has steadily had no drug or alcohol related violations over the past few years. Based on this data, Piberry Institute has determined that its current Drug and Alcohol policy and programs are inherently effective.

As Piberry Institute has not encountered any violations related to drugs or alcohol, disciplinary sanctions for violation of campus drug and alcohol policies are non-existent.

That being said, Piberry Institute reviews its policies and sanctions on an annual basis to determine whether industry standards and best practices are being adhered to.

Staff and Students will receive email notification annually from the Campus Director. Students will receive notification annually through an electronic announcement via the Student Portal and by email. It is also posted to the bulletin board in the facility.