

**The Jeanne Clery Disclosure of
Campus Security Policy
And
Campus Crime Statistics Act
(Clery Act)
The College and
University Security Act of 1988**

Annual Fire Safety Report

Published – August 2015

Office of Public Safety

The Office of Public Safety is responsible for the safety and security of the college community. The Public Safety Staff consisting of a director, assistant director and 15 officers and dispatchers - are uniformed and available 24-hours- a-day, 365 days a year. These men and women are trained in basic first aid and CPR, and are required to participate in continual in-house training to upgrade and professionalize their skills. [Public Safety Officers](#) with Ringling College are neither armed, nor authorized to make arrests, but the department maintains an excellent working relationship with the Sarasota Police Department.

Ringling College [Public Safety Officers](#) conduct foot and mobile patrols of the campus and surrounding area 24 hours-a-day, seven days a week. On campus, they enforce all policies of the school, and all state and federal laws. The Office of Public Safety also works closely with law enforcement agencies as needed, to assist with incidents that may occur on or off campus. That effort may include the sharing of written reports and information.

Illegal drugs and weapons of any kind are not permitted on the campus. Ringling College [Public Safety Officers](#) enforce state and local laws regulating to under-age drinking, the illegal use of controlled substances and weapons possession.

Members of the Ringling College community are encouraged to report crimes, suspicious activity or other emergencies immediately to the Office of Public Safety by dialing (941) 359-7500. [Public Safety Officers](#) will respond to the site of the emergency/incident and assist as needed. Officers then prepare and submit incident reports, or forward complaints to the appropriate agency for investigation if warranted.

The Office of Student Life and the Office of Public Safety sponsor awareness programs on topics including personal safety awareness, rape prevention, and the prevention of larceny, burglary and vandalism. Information pertaining to safety and security matters is provided to students, faculty and staff through bulletins and during student orientation programs.

Public Safety Telephone Numbers

Emergency: 941-359-7500

Non-emergency: 941-309-4121

Director's Office: 941-351-4742

Introduction

The Ringling College of Art and Design, in compliance with **The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act** (Clery Act), and **The College and University Security Act of 1988**, reports annually to its current and prospective students and employees. The report contains statistics for the previous three years pertaining to reported crimes that have occurred on-campus; in certain non-campus buildings or property that is owned or controlled by the College; and on public property within, or immediately adjacent to and accessible from the campus.

The report also includes institutional policies concerning campus security, alcohol use, drug use, and crime prevention, reporting of incidents, and a victim's rights about sexual assaults.

Additional disclosures required beginning with the Annual Security Report due on October 1, 2014 include revised hate crime statistics, law enforcement relationships emergency response and evacuation procedures, missing student notification, and fire safety information and statistics.

If you believe there has been a violation of one or more of the provisions of the Clery Act you may file a complaint at the Department of Public Safety. The complaint will be forwarded to the Director of Public Safety, who will respond in writing to the complaint within five- business days from the date the complaint is received.

If, after receiving the reply to the complaint, you still feel that the violation has been committed, and not corrected, you may appeal to the Vice President of Finance and Administration, who has the ultimate responsibility to receive and resolve such complaints.

Mission Statement

The Office of Public Safety aims to be highly visible, diligent, and "customer service" driven in meeting the public safety and security needs of the students, faculty, staff, and the College Community.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, codified at 20 USC 1092(f) as a part of the Higher Education Act of 1965, is a federal law that requires all colleges and universities to disclose certain timely and annual information about campus crime and security policies. All public and private institutions of postsecondary education participating in federal student aid programs are subject to this Act. Violators may be "fined" up to \$35,000 per infraction or face other enforcement action by the U.S. Department of Education, the agency charged with enforcement of the Act and where complaints of alleged violations should be made.

The Clery Act, originally enacted by Congress and signed into law by President George

Bush in 1990 as the Crime Awareness and Campus Security Act of 1990, was championed by Howard & Connie Clery after their daughter Jeanne was murdered in 1986. Jeanne Ann Clery, a college freshman, was raped and murdered while asleep in her residence hall room on April 5, 1986 on the Lehigh University Campus. The Clery family established the non-profit organization, Security On Campus, Inc., in 1987.

Howard and Connie Clery discovered that students and their parents had not been told about 38 violent crimes on the Lehigh University campus in the three years before their daughter's murder. They joined with other campus crime victims and persuaded Congress to enact this law, which was originally known as the "Crime Awareness and Campus Security Act of 1990".

The law was amended in 1992 to add a requirement that schools afford the victims of campus sexual assault certain basic rights, and was amended again in 1998 to expand the reporting requirements. The 1998 amendments formally named the law in memory of Jeanne Clery.

The law is tied to participation in federal student financial aid programs, applies to most institutions of higher education both public and private, and is enforced by the U.S. Department of Education.

The law was amended in 2000 to require schools to notify the campus community about where "Megan's Law" (information about registered sex offenders on campus) can be obtained.

The law was amended again in 2013 to require the reporting of stalking, dating violence and domestic violence (Violence Against Women Act of 2013).

Note: The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act information noted above was extracted from the Security on Campus website, www.securityoncampus.org. Additional information has been added and the original text may have been modified for editorial clarity.

Annual Report

Schools are required to publish an annual report every year by October 1st that contains the previous 3 years of campus crime statistics and certain security policy statements, including sexual assault policies, which assure basic victims' rights, and where students should go to report crimes. The report is to be made available automatically to all current students and employees while prospective students and employees are to be notified of its existence and afforded an opportunity to request a copy. Schools can comply using the Internet as long as the required recipients are notified and provided the exact Internet address where the report can be found. Paper copies are available upon request. A copy of the statistics must also be provided to the U.S. Department of Education.

Crime Statistics

Ringling College of Art and Design, in compliance with The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), and The College and University Security Act of 1988, reports crime statistics annually to its current and prospective students and employees. The report contains statistics for the previous three years pertaining to reported crimes that have occurred on-campus; in certain non-campus buildings or property that is owned or controlled by the College; and on public property within, or immediately adjacent to and accessible from the campus.

The crime statistics are prepared based on information/incidents reported by the campus community, crime reports from the Sarasota Police Department, and student conduct records.

Crimes are reported in the following 10 major categories, with several subcategories:

Criminal Homicide broken down by:

- a. Murder and Non-negligent Manslaughter
- b. Negligent Manslaughter

Sex Offenses broken down by:

- a. Forcible Sex Offenses (including rape)
- b. Non-forcible Sex Offenses

Robbery

Aggravated Assault

Burglary

Motor Vehicle Theft

Arson and crimes involving bodily injury

Dating Violence

Stalking

Domestic Violence

The Ringling College of Art and Design Office of Public Safety is required to report the following three types of incidents if they result in either an arrest or disciplinary referral:

- Liquor Law Violations
- Drug Law Violations
- Illegal Weapons Possession.

If both an arrest and referral are made only the arrest is counted.

The statistics are broken down geographically as follows

Reportable Geographical Locations

The **Clery Act** requires Ringling College of Art and Design to disclose statistics for offenses committed in certain specific geographic locations. The specific locations are defined as follows:

On Campus - Any building or property owned or controlled by the College within the same reasonably contiguous geographic area and used by Ringling College of Art and Design in direct support of, or in a manner related to, Ringling College of Art and Design educational purposes, including residence halls; and

Any Building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the College but controlled by another person, is frequently used by students, and supports College purposes (such as food or other retail vendor).

Residence Halls – (considered a subset of the “on-campus” category). The number of crimes reported for residence halls or other residential facilities must be less than or equal to the number of reported crimes for the on-campus category.

Non-campus Building or Property - Any building or property owned or controlled by a student organization that is officially recognized by the College; or any building or property owned or controlled by the College that is used in direct support of, or in relation to, the College’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the College.

On Public Property - All public property, including thoroughfares, streets, sidewalks, and parking facilities, that are within the campus, or immediately adjacent to and accessible from the campus. This includes the sidewalk across the street, but does not include property beyond the sidewalk.

Campus Patrol Area

The current Public Safety patrol area includes:

- East of Tamiami Trail to the banks of Whitaker Bayou from 22nd St. East Tamiami Circle, Greensboro Lane and North Riverside Drive.
- Portions of Guilford Lane and Patterson Drive.
- East side of Tamiami Trail from 2736 to 32nd street (Studios North facility)
- West Place from N. Riverside to 31st St.
- Three leased units at the North Trail Shopping Center (3333 N. Tamiami Trail)

Definition of Criminal Offenses

Criminal Homicide:

Murder and Non-Negligent Manslaughter - is defined as the willful (non-negligent) killing of one human being by another.

Negligent Manslaughter is defined as the killing of another person through gross negligence.

Sex Offenses:

Forcible is defined as 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 sexual acts include forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling.

Non-forcible are incidents of unlawful, non-forcible sexual intercourse. Non-forcible sexual acts include incest and statutory rape.

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

Aggravated Assault - is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Burglary - is the unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft – is the theft or attempted theft of a motor vehicle.

Arson – is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Dating Violence - means violence committed by a person who is or has been in a social relationship of romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: length of the relationship; the type of relationship; and the frequency of interaction between the persons involved in the relationship

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.

Domestic Violence – means a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, a person with whom the victim shares a child in common, a person is cohabitating with or had cohabitated with the victim as a spouse or intimate partner, a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving the grand monies (under VAWA) or any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Criminal Offenses by BIAS –include, by geographic location and by category of prejudice, any of the aforementioned offenses, and any other crime involving bodily injury

reported to local police agencies or to a campus security authority, that manifests evidence that the victim was intentionally selected because of the perpetrator's bias.

Arrests or Disciplinary Referrals for Illegal Weapons Possession, Liquor law and Drug/Substance Law Violations

In addition to disclosing statistics for the aforementioned offenses, the *Clery Act* requires institutions to disclose both the number of arrests and the number of persons referred for disciplinary action for Illegal weapons possession; Drug law violations; and Liquor law violations.

Note: Officers of The Ringling College of Art and Design Office of Public Safety do not have the authority to make an arrest. The Sarasota Police Department may make an arrest depending on the severity of an incident. Arrests may be reported to the Department of Public Safety if the arresting authority determines that the individual is a Ringling College student. In most cases, individuals found in violation of illegal weapons possession, liquor law violations and minor drug violations involving small quantities are referred to the Office of Student Life for formal disciplinary action.

Access to Timely Information “Timely Warnings”

Colleges and Universities are required to provide "timely warnings" and a separate more extensive public crime log. It is these requirements that are most likely to affect the day-to-day lives of students, faculty and staff members.

A “Timely Warning” is issued when the Office of Public Safety officials and campus administrators believe a crime poses an ongoing threat to the students, faculty, and staff, and if it is Clery reportable.

Timely warnings cover a broader source of reports (campus police or security, other campus officials, and off-campus law enforcement) than the crime log, but are limited to those crime categories required in the annual report.

The Ringling College of Art and Design maintains an Emergency Notification System that allows instant communication in the event of a campus emergency.

In the event of an emergency, the Office of Public Safety will utilize the Emergency Notification System.

Occasionally, an incident may occur that would not require activation of the Emergency Notification System, but may constitute an ongoing or continuing threat to the College community, requiring the Office of Public Safety to publish a "Public Safety Alert Notice"

The Public Safety Alert Notice will include the crime or incident, location, description of the perpetrators, time and date of occurrence, and any other information deemed necessary.

Anyone with information warranting a Public Safety Alert Notice should report the incident

to the Public Safety Department by phone at 941-359-7500, or in person at the Public Safety Office, which is located on the first floor of Harmon Hall just off of Greensboro Lane at the north side of campus.

Daily Crime Log and Fire Log

The Office of Public Safety maintains a combined Daily Crime & Fire Log of all incidents reported to the Department of Public Safety. This includes all crimes, fire related incidents and other serious incidents that occur on campus; including non-campus buildings or property within the Department of Public Safety patrol boundaries.

The Daily Crime Log includes incidents reported to the Office of Public Safety, by the campus community and local law enforcement agencies. The crime log notes all reported crimes, not just those required by The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), and The College and University Security Act of 1988.

The Office of Public Safety is required to disclose in the crime log "any crime that occurred on campus...or within the patrol jurisdiction of the campus security department and is reported to the security department." The crime log includes the "nature, date, time, and general location of each crime".

Incidents are included in the crime log in a timely manner, but certain information may be withheld to protect victim confidentiality, ensure the integrity of an ongoing investigation, or to keep a suspect from fleeing.

Only the most limited information necessary will be withheld and even then, it will be released "once the adverse effect...is no longer likely to occur."

The crime log is available online by directing your browser to <http://www.ringling.edu/fileadmin/content/publicsafety/pdf/crimelog.pdf> or may be viewed in the Public Safety Office during normal business hours. Individuals can view past crime logs, but a request must be made to the Director of Public Safety and the logs will be made available within two business days of the request.

Megan's Law Website

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

Florida's legislature has determined that public safety will be enhanced by making information about registered sex offenders available to the public through the internet. Knowledge as to whether a person is a registered sex offender could be a significant factor in protecting yourself and your family members, or those in care of a group or community organization, from recidivist acts by registered sex offenders.

The technology afforded by the internet makes information on registered sex offenders readily accessible to the public, enabling them to undertake appropriate remedial

precautions to prevent or avoid placing potential victims at risk. Public access to information about registered sex offenders is intended solely as a means of public protection.

Office of Public Safety Overview

The Office of Public Safety at Ringling College of Art and Design reports to the Vice President for Finance and Administration. The Public Safety team consists of the Director of Public Safety, Assistant Director/Technology Specialist and 15 officers and/or dispatchers.

The Director of Public Safety is responsible for managing all College-related public safety, security, safety programs, coordinating continued cooperation with local law enforcement and fire and rescue public safety agencies, maintaining all burglar and fire alarms and all other safety related campus equipment and materials. The Director ensures that all Public Safety personnel are in compliance with the department and College policy and procedures and ensures the department is providing service to the community and is meeting the needs of its stakeholders.

The Assistant Director assists the Director as needed with the day-to-day operations and provides operational support and direction for staff. The Assistant Director also functions as the Technology Specialist for the Office of Public Safety.

The Patrol Officers patrol campus on foot and golf cart to protect the students, faculty and staff and to enforce local and state laws, as well as College policy. Officers respond to emergencies and calls for general assistance as needed, respond to fire and burglar alarms and lock and unlock campus facilities according to a daily schedule, monitor campus activities, work with various departments and coordinate response efforts in the event of an incident or emergency.

The Public Safety Dispatchers are responsible for answering calls from the blue light call box system and campus phone system. Dispatchers man the Public Safety Communications Center 24/7, assist walk-ins as needed, take incoming calls for service or assistance and dispatch patrol officers to scenes as required, and monitor security camera monitors as time allows around other responsibilities.

Public safety officers work directly with various departments within the college to address security and safety concerns associated with lighting, landscaping, environmental safety, and life safety issues. Once a concern is noted, the Office of Public Safety forwards the information to the appropriate department for corrective action.

Public Safety officers and administrators maintain a close working relationship with local, state and federal law enforcement agencies, businesses, residents and academic institutions to share information and work together to provide a safe environment for the Ringling College of Art and Design community.

Ringling College of Art and Design is in an urban environment and the Office of Public Safety considers various safety initiatives in any new construction or renovation planning.

Public safety initiatives include, but are not limited to lighting, video surveillance, electronic access control, electronic security systems, and environmental design techniques to provide the highest level of safety for our students, faculty, and staff.

Public Safety Officers

The Office of Public Safety officers provide basic security services to the Ringling College of Art and Design community, the services include, but are not limited to monitoring access control, identification verification, patrolling the campus, emergency response, report writing, walking escort services, and enforcing college policies and procedures.

Public Safety Officers are required to obtain and maintain a State of Florida Class D Security Officer license. Officers are not commissioned law enforcement officials and do not possess the authority to make arrests. Public Safety Officers receive additional training in fire safety, first aid, CPR, and Automated External Defibrillation (AED).

Criminal background checks are conducted on all officers. Additionally, the College conducts pre-employment education level verification, previous employment history checks, and motor vehicle verification checks on all officers assigned to operate a university owned vehicles.

In addition to the proprietary Public Safety Officers, the Ringling College of Art and Design from time to time contracts with a contract security company to provide supplemental security coverage for some academic buildings after business hours. The contracted security officers hold Class D Security Officer Licenses through the State of Florida.

Sarasota Police Department

The Ringling College of Art and Design occasionally contracts with the Sarasota Police Department to provide commissioned armed law enforcement officers to patrol the campus during the hours of approximately 9:00 p.m. and 5:00 a.m. seven days a week. The patrol hours of the SPD officers are subject to change based on deployment needs, special events, and time of the year. This service is usually arranged near the end of the College semester in both the Fall and Spring.

Reporting Incidents

Students, faculty or staff members who are victims of crime, observe an incident of crime, or witnesses suspicious activity are encouraged to promptly report the information to the Office of Public Safety. Individuals can report information by calling 941-359-7500, picking up any of the "Red Phones" located in most classrooms or by using one of the blue light call towers, which directly establishes communication with the Office of Public Safety 24 hours a day, seven days a week.

The dispatcher answering the call will ask specific questions in order to direct the appropriate response, dispatch additional services, send an Officer to take a report, or to take the necessary steps to address the situation.

When filing a report, be prepared to provide as much detailed information as possible and to speak in a clear and calm manner. It is extremely important that as much information as possible is provided, such as; name, location, time, date, and a description of the incident.

Campus Reporting Authority Policy

The “Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act” requires the College to collect crime data from the local police and campus security authorities.

The Clery Act mandates that institutions must disclose statistics both for crimes reported to local police agencies and crimes reported to campus security authorities. The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many individuals, students in particular, are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals.

The function of a campus security authority is to report to the Office of Public Safety, those allegations of Clery Act crimes that he or she concludes are made in good faith. A campus security authority is not responsible for determining authoritatively whether a crime took place—that is the function of law enforcement personnel.

Once a report is received, it must be forwarded to the Office of Public Safety, at which time a Public Safety Officer will assist you in determining what information should be reported, and work with you to maintain the confidentiality of the individual(s) involved. Reports filed in this manner are counted in the crime statistics for the College, but the identity of the victim is kept confidential.

The Clery Act regulations define a campus security authority as:

- A member of a campus police department or a campus security department of an institution
- Any individual or individuals who have responsibility for campus security but do not constitute a campus police department or a campus security department (e.g., an individual who is responsible for monitoring the entrance into institutional property).
- Any individual or organization specified in an institution’s statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings.

A Campus Security Authority official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution. The Clery Act does not designate specific titles as security authorities. A security authority is identified by the function performed by the individual or organization. The function must involve relationships with students. Campus Security Authorities cannot delegate this responsibility.

Campus Security Authorities at the Ringling College of Art and Design includes:

- All employees of the Office of Public Safety.
- Faculty Advisors to Student Organizations
- Associate Deans of Student Life
- Residence Life Administrators
- All on-call employees with the Office of Student Life staff (except mental health counselors)
- Resident Assistants
- All other administrators as defined in the Clery Act definition

Professional mental health and religious counselors are exempt from reporting obligations, but may refer individuals to a confidential reporting system.

Ringling College of Art and Design professional counselors are encouraged to tell their clients about the incident reporting procedures, reports (actual, confidential reports, or anonymous reports) are extremely valuable in order to prevent further victimizations and to obtain a more accurate portrait of campus crime.

In certain instances, a crime victim may be reluctant to file a report fearing the process and/or loss of his/her anonymity. In such circumstances, crime victims are encouraged to consider making a confidential report to one of the designated campus security authorities. At a minimum, crime victims will receive valuable counseling and referral information. Confidential reports are important because they provide valuable information that will enhance the safety of the community-at-large and will provide a more accurate portrait of actual campus crime.

Remember, help is available. All you need to do is ask.

Reporting a Sexual Assault

Medical Attention and Preservation of Evidence

Immediately following a sexual assault or any type of sexual misconduct, a victim should seek medical attention. The victim may have injuries that need immediate attention and it is important to test for sexually transmitted infections and discuss options about emergency contraception. The victim should not wash, shower, urinate, defecate and change clothes or douche, even though that may be the immediate reaction. This is important for preserving evidence should the victim decide to file formal criminal charges through the Police. Please be aware that information reported to any police official is public information, and is available to local media. It is, however, the general practice of

journalists not to release names of victims of sex offenses.

Support

The provision of support for a victim is essential. Support should come from trusted friends and/or loved ones and trained professionals. Ringling College's Office of Student Life staff serves as the primary source of support for students who experience sexual misconduct or assault. The Vice President for Student Life and Dean of Students additionally serves as the Deputy Title IX Coordinator (See Title IX). In order to assure appropriate support for a victim, victims of sexual misconduct/sexual assault are urged to report the incident as soon as possible, regardless of where the offense took place, whether or not the offender is known to the victim. Victims of sexual assault are not required to file formal criminal charges through the police, even if they report the incident to campus officials.

Reporting

The College encourages all students to report information about any type of sexual misconduct or harassment involving a student, staff, faculty member or visitor. Faculty and staff, except for College Counseling staff, and the Campus Chaplain, since they are confidential resources, **are required** to report information to a Title IX Coordinator about any type of sexual misconduct or harassment. Medical personnel, when a victim seeks medical treatment for sexual assault, are required to report to the police, but victims are not required to file formal charges unless desired. An incident does not have to occur on campus to be reported to the College. Off campus conduct that adversely affects or has the potential to adversely affect the Ringling College community also falls under this policy. The College will promptly investigate and respond to all reports of sexual misconduct and harassment.

The College provides resources to both the complainant and respondent in making decisions, obtaining information about options under this policy, and assisting both parties in the event that a report of sexual misconduct or harassment is made.

Ways to file a report:

Campus Safety: The opportunity to file a report with the College is available 24 hours a day, 7 days a week by calling Public Safety (941-359-7500). A complainant or third party can request a campus safety officer to respond and take a report.

Title IX Coordinator (Faculty and Staff):

Christine DeGeorge – Vice President of Human and Organizational Development
Office location: Joutras, First Floor
(941) 359-7619 ccarnegi@ringling.edu

Deputy Title IX Coordinator (Students):

Dr. Tammy S. Walsh - Vice President for Student Life and Dean of Students
Office location: Ulla Searing Student Center, Second Floor
(941) 359-7510 twalsh@ringling.edu

Office of Student Life: A complainant or third party can file a report with any of the professionals within the Office of Student Life.

Office of Student Life Staff

Jekeyma Robinson – Associate Dean of Students for Student Development
Office location: Ulla Searing Student Center, Second Floor
(941) 309-4375 jrobinso@ringling.edu

Chris Shaffer – Associate Dean for Residence Life
Office Location: Ann and Alfred Goldstein Hall, First Floor
(941) 359-7616 cshaffer@ringling.edu

Tiffany Bartlett – Coordinator of Residence Life
Office Location: Ann and Alfred Goldstein Hall, First Floor
(941) 309-0111 tbartlet@ringling.edu

James Mitchell – Coordinator of Residence Life for Operations
Office Location: Ann and Alfred Goldstein Hall, First Floor
(941) 309-1963 jmitche1@ringling.edu

Katie Cuff – Coordinator of Student Activities and Leadership Development
Office Location: Ann and Alfred Goldstein Hall, First Floor
(941) 309-0202 kcuff@ringling.edu

Melanie Stawkey – Coordinator of Recreation and Wellness
Office Location: Ulla Searing Student Center, Second Floor
(941) 359-6123 mstawkey@ringling.edu

Local Law Enforcement: A complainant may file a report with the Sarasota Police Department or other law enforcement agency (depending on location of incident).

Coordination with Law Enforcement

Because the goals and objectives of the College's Sexual Misconduct and Harassment Policy differ from those of the civil and criminal justice systems, proceedings under the College's Sexual Misconduct and Harassment Policy are independent of civil and criminal processes and may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus. On-campus adjudication does not preclude, limit or require a student's or employee's access to the state and federal justice system.

Notifying the Sarasota Police Department will generally result in the complainant and, in some cases the respondent, being contacted by a police officer. The police department determines if a criminal investigation will occur and if the case will be referred for prosecution. A case not referred for criminal prosecution will still receive a College response.

Under Florida state law, sexual misconduct may constitute a criminal act. However, the

College conducts investigations and hearings and renders sanctions in an educational, non-criminal context. An act not criminally prosecuted may still violate College policy. To the extent permitted or required by law, the College will cooperate with outside investigators. However, outside law enforcement agencies do not respond to Title IX violations, and respond only to allegations of criminal behavior. As a result, the College encourages reporting to both the College and to local law enforcement, if the alleged sexual misconduct may also be a crime.

The College process and the criminal justice process are two separate and independent courses of action. If a complainant wishes to file a report with the Sarasota Police Department, a Ringling College staff member is available to assist. The College will not file a police report about the incident on the complainant's behalf unless compelling circumstances, as outlined in the statement of privacy and confidentiality section, exist. The College's response to a report is not impacted by the complainant's decision to file a criminal complaint or the outcome of the criminal investigation.

Amnesty

Our goal is that all students report all incidents of sexual misconduct so that those affected can receive the support and resources needed. Therefore, violations of the College's alcohol and illegal substances policies by a complainant may be exempt from disciplinary action in situations where sexual misconduct or harassment also occurs. However, the College may initiate an educational discussion about the use of alcohol or drugs and their impact.

Statement against Retaliation

Although Ringling College acknowledges that extreme emotions and stress often accompany incidents of sexual harassment and misconduct, the College does not condone any person engaging in any type of retaliation. The College views retaliation complaints with great seriousness. All individuals are strongly encouraged to report any concerns about retaliation to Public Safety, a Title IX Coordinator or a Student Life staff member. The College will respond to reports of retaliation. Retaliation is a distinct category of prohibited conduct under this policy.

False Reports

Submitting of a good faith complaint, concern or report of harassment will not affect the complainant's employment, grades, academic standing, or work assignments. However, an individual found to have made a false complaint or to have knowingly and willingly given false information during an investigation will be subject to disciplinary action.

Interim Support and Reasonable Protection

After a report is made, the College will provide interim support and reasonable protection against further acts of misconduct, harassment or retaliation as well as provide services and resources to provide a safe educational and employment environment.

After the initial review of the report, the College will determine the necessity and scope of any interim measures. All individuals are required to report instances of another individual's failure to abide by any restrictions imposed by an interim measure. The College will take action to enforce a previously implemented interim measure.

The range of interim support measures include:

1) No contact order: The complainant or respondent may request, or the College may impose, communication and contact restrictions to prevent further potentially harmful interaction.

2) Academic, Employment or Living Arrangements: The complainant or respondent may request a change in academic, employment or living situation after a report of sexual misconduct or harassment. Upon request, the College will inform the complainant or respondent of the options and will accommodate the request if those changes are reasonably available. In some cases the College may initiate these changes without a request. These may include, but are not limited to:

- Changing class or work schedule, including the ability to stop a course without penalty
- Limiting an individual's or organization's access to certain College facilities or activities pending resolution of the matter
- Providing an escort to ensure safe movement between classes and activities
- Providing academic support services

3) Emotional Support: The College will provide counseling services through the Peterson Counseling Center as part of Health Services or Employee Assistance Program or assist in providing a referral to off campus agencies. Counseling and emotional support is available to any member of the College community.

Disciplinary Action

Students accused of sexual misconduct/sexual assault are subject to disciplinary action in accordance with the provisions of the Code of Conduct as contained in the Ringling College of Art and Design Student Handbook, whether or not formal criminal charges are filed by the victim. The disciplinary proceedings will be conducted by College officials who receive training. The standard of evidence that is used is a "preponderance of evidence," meaning it is more likely than not that said violation occurred. Both the accuser and the accused are entitled to the same opportunities to:

- a) Have an advisor of their choosing accompany them during any related meeting or during any campus disciplinary proceedings;
- b) Bring witness;
- c) Be notified simultaneously and in writing of the outcome of the proceeding and of appeal procedures;

- d) Be notified of any change to the result before it becomes final, and when the result becomes final.
- e) Have disciplinary proceedings completed within a reasonable timeframe.

The College will take great care with confidentiality of the victim including publicly available record-keeping (i.e. Clery Reporting) that excludes personally-identifiable information of the victims to the extent permissible by law. A student found in violation of the sexual misconduct policy is subject to disciplinary action, which may include suspension and / or expulsion from the College.

Additional Campus Resources

Dr. John Walker – Campus Chaplain (Confidential Resource)

Office Location: Ulla Searing Student Center, Second Floor

(941) 309-0200 jwalker@ringling.edu

Peterson Counseling Center (Confidential Resource)

Office Location: Health Center

(941) 893-2855

Health Center (Required Reporter to Police)

Office Location: Health Center

(941) 309-4000

Off-Campus Community Resources

SPARCC (Safe Place and Rape Crisis Center)

2139 Main Street

Sarasota, Florida 34237

(941) 365-0208

You can also reach SPARCC through the Florida Coalition Against Domestic Violence
Hotline 1-800-500-1119.

HOPE Family Services

www.hopefamilyservice.org

24 Hour Help-line: 941-755-6805

Outreach Office: 941-747-8499

Manatee Glens Rape Crisis Services

www.manateeglens.org

Rape Crisis Hotline: 941-708-6059

Main number: 941-782-4100

RAINN

[RAPE, ABUSE, & INCEST NATIONAL NETWORK \(RAINN\)](http://www.rainn.org)

The nation's largest anti-sexual assault organization.

Florida Council Against Sexual Violence (FCASV)

[FCASV](#) is an excellent resource regarding the current trends in reported sexual assaults within Florida, current research, outreach, and survivor training, and resources for survivors.

Awareness Programs are community-wide or audience specific programming, initiatives and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety and reduce perpetration.

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

Ringling College offers the following prevention and awareness program for all new employees:

- United Educators online courses:
 - Workplace Harassment Prevention
 - Protecting Children from Sexual Misconduct
 - Campus SaVE Act
- New Employee Orientation
 - Includes review of institutional policies and procedures including the ASR

Ringling College offers the following prevention and awareness program for all new students:

- Title IX Student Awareness Training during New Student Orientation and online materials

In addition, there are multiple ongoing prevention and awareness programs that continuously occur throughout the year that we encourage all staff, faculty and students to participate in.

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

The Office of Student Life works closely with the Office of Public Safety to promote awareness about rape, sexual assault, and other forms of sexual misconduct, and educational programs are offered each year.

SAPHIRE

What is SAPHIRE? Ringling College's Sexual Assault Prevention & Healthy Intimate Relationship Education (SAPHIRE) program is based on a wellness prevention model of

sexual assault and other gender based violence/discrimination.

SAPHIRE helps to educate the Ringling College of Art and Design campus community about resources for students who have been victims/survivors of sexual assault or other gender based discrimination, for bystanders and secondary survivors, and for any student or staff member who wants to learn more about how to develop healthy intimate relationships. The program helps to:

- 1) Educate the RCAD community.
- 2) Spread awareness about sexual assault.
- 3) Empower the student body to be proactive bystanders.
- 4) Create a campus climate that promotes healthy relationship behaviors and interpersonal effectiveness.

We are here to help

Whether you experienced a trauma in childhood, while in college, know someone who has been victimized, have experienced any gender based discrimination, or are having difficulty in your relationships, we are here to collaboratively support you through your recovery. It is incredibly common to experience self-blame, guilt, anxiety, depression, and feel isolated during and following these difficult experiences. We want you to know you are not alone in whatever way you are struggling. The Peterson Counseling Center is a confidential resource that is here to support you and can also be helpful in discussing your options. Talking with a counselor is not the same as filing an incident report with any other staff member and there will be no follow up investigation. You can view more information on our website at <http://health.ringling.edu> or call us at 941-893-2855 to setup an appointment. For more information on filing a Title IX incident report please contact Student Life or the College's Title IX Coordinator.

Annual Programming and Events

SAPHIRE sponsors several campus events each year and programs throughout the year to provide education and spread awareness. For a list of these events, please visit the Ringling website at <http://www.ringling.edu/campus-student-life/campus-services/health-services-overview/saphire/?nomobileredirect=httpeople%2Fstudents%2F>.

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

Safe and positive options are available for bystanders to prevent harm or to intervene when there is a risk of domestic violence, dating violence, sexual assault or stalking. Available bystander intervention strategies can include but are not limited to:

- Asking a victim if he/she is okay
- Getting help
- Use a distraction in an effort to stop an individual's activities
- Asking a friend in a potentially dangerous situation if he/she wants to leave
- Ask another bystander, or a number of other bystanders to intervene with you ONLY if it is safe to do so.
- Notify law enforcement by calling 911

Risk Reduction means options designed to decrease perpetration and bystander

inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

Situational Awareness & Crime Prevention “For Your Safety”

The Ringling College of Art and Design Office of Public Safety encourages everyone to be aware of their environment, stay alert, report suspicious activities, take precautions, and report all crimes/incidents. By being proactive, you can play an important role in not only protecting yourself, but also helping others to be safe. With your help, the Office of Public Safety can provide a safe educational environment in which the College community members can excel.

The programs outlined below if practiced could possibly reduce the odds of you falling victim to a crime. Take a moment to review the programs so you will be better prepared to stay safe.

Safety Escort Service

The Office of Public Safety is available to provide safety escorts to all Ringling College of Art and Design students, faculty and staff during the hours of darkness upon request.

Escort Service is provided for the purpose of safety and security to all locations within the Department of Public Safety patrol area. The primary goal of the escort service is to allow safe travel from one location to another with a greater sense of security.

Call 941-309-4121 to arrange for the escort or request additional information. In the event of an emergency, call 941-359-7500.

BLUE LIGHT PHONE TOWERS

Voice over IP telephone towers are located at the Bayou Studio Complex, Bayou Village Apartments, Brandenburg Complex, the Cove Apartments, Goldstein Hall, Roskamp Center, Roy & Susan Palmer Quadrangle, Campus Store parking lot (two towers), Keating Hall near Ferguson Studio, Riverside Drive parking lot (Riverside Drive and Old Bradenton Road), the intersection of Riverside Drive and West Place, Greensboro Lane near Harmon Hall, East Tamiami Circle, Studios North, Sculpture parking lot (just off of Pappy Saunders way near the Sculpture Building), Goldstein Village and the Dean of Faculty Annex. The blue light phones provide a 24-hour direct phone link to the Public Safety Communication Center. Each tower has two activation buttons: one for "information" and one for "emergency." When the blue light phone is activated by using the "emergency" button, the constantly burning blue light at the top of the tower starts flashing. A security camera is focused on each tower, enabling the Communications Officer on duty to see the caller while talking to him or her on the phone. These call boxes are not restricted to emergency situations and may be used for non-emergency purposes.

How to Activate the Phone Towers

- Step 1: Push either the Emergency or Information Button.
- Step 2: A call is immediately placed to the Office of Public Safety.
- Step 3: Speak clearly.
- Step 4: State your emergency or question to the Dispatcher.
- Step 5: Follow the Dispatchers instructions.

When speaking to the Public Safety Dispatcher, speak in a calm and clear manner while providing as much detail as possible related to the emergency or your non-emergency request. The Public Safety Dispatcher will send Public Safety personnel and/or other emergency responders to your location based on the information you provide.

If you are in immediate danger, or are being followed, activate the nearest Phone Tower and if necessary keep moving activating additional Towers as you proceed to a safe location to call 941-359-7500. A security camera is trained on each of the towers so that the Public Safety Dispatcher on duty will have a visual as well as verbal contact with the user.

The Department of Public Safety tests the Blue Light Phone Towers on a regular basis to assure operational compliance. Anyone experiencing a problem regarding the condition and/or use of the Phone Towers should contact the Public Safety Dispatch Center immediately by calling (941) 309-4121.

Emergency Notification System

The Ringling College of Art and Design has established a multi-phased emergency notification system to alert the campus community in case of an emergency situation. The backbone of this mass communication system is the Blackboard Connect mass notification system. The Blackboard Connect system enables campus administrators to reach all members of the campus community in a matter of seconds through cell phone voice calls, text messages, land line telephone voice mail and email. In addition to this system, the college uses various other communications methods in emergency situations, to include:

- Telephone tree communications
- Campus wide email messages
- Facebook
- Twitter
- Paper fliers and bulletin board posting
- Person-to-person communication, using personnel from Student Life and Public Safety

- Website postings
- Two-way radio systems

Emergency Preparedness

The Office of Public Safety, in conjunction with other departments and local agencies has developed an Emergency Response Plan along with policies and procedures for dealing with an emergency that could adversely affect the Ringling College of Art and Design community.

The Emergency Response Plan provides information on how to deal with national security emergencies, natural disasters, external incidents, internal incidents and criminal incidents. In the event of an emergency, the Office Public Safety will utilize the Emergency Notification System to provide information to the Ringling College of Art and Design community.

The entire Emergency Response Plan is available on the Public Safety website.

Evacuation Policy and Plans

The College is committed to getting accurate emergency alerts and information to members of the community as soon as possible. However, in the first minutes of an emergency, you may need to make an immediate decision to “shelter in place” or move to a safer location. You should understand and plan for both possibilities. Use common sense and available information, including what you are learning here, to determine if there is immediate danger.

There may be situations when it’s best to stay where you are and avoid any rapidly changing or unknown situation outside. There are other circumstances when staying put and creating a barrier between yourself and potential danger is a matter of survival. Use available information to assess the situation.

Shelter in Place

Depending on the circumstances, when the College issues a campus alert calling for a shelter in place, you should:

- Move into or stay inside the nearest building.
- Go into an interior room or office with few windows, if possible.
- Close and cover all windows and lock doors and, if possible, turn off ventilation systems (including air conditioning and heat, bathroom and kitchen exhaust fans).
- If the door has a window, cover it.
- Stay away from windows and doors.
- Turn off all lights.
- Put cell phones in silent mode.
- Remain in place until notified by proper College administration officials, Public Safety Officer, or any responding police or firemen.

Evacuation

There may be situations when there is a dangerous condition inside a specific building and you need to evacuate quickly to ensure your safety. If notified to evacuate, please do so in an orderly fashion, move to a safe area away from the evacuated building, and alert others in your area if possible. In situations when you are ordered to leave an area, be sure to take necessary items such as medications, keys, glasses and wallets. You may not be able to return to your dorm room, office or classroom for some time. It is best to be prepared, just in case. Call 941-309-4121 to arrange for the escort or request additional information. In the event of an emergency, call 941-359-7500.

Missing Student Policy

This policy is established by Ringling College of Art and Design in compliance with the Higher Education Opportunity Act of 2008 and applies to all resident students at the college. For the purposes of this policy a student may be considered to be a "Missing Person" if the person's absence from campus is contrary to his/her usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include, but not be limited to, a report or suspicion that the person may be a victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life threatening situation, has been with persons who may endanger the student's welfare, or is overdue to return to campus and is unheard from after giving a specific return time to friends or family.

Designation of emergency contact information

a. During the college's registration process, all students are asked to designate an individual for emergency contact purposes. That designation will remain in effect until changed or revoked by the student.

b. **Students under the age of 18.** If a student under the age of 18 is determined to be missing, the college is required to notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing. The Vice President of Student Life and Dean of Students, in consultation with the Director of Public Safety, will determine if a student is to be considered missing based on the reasonable provision of concerning information and evidence.

c. **All Resident Students.** If a student is determined to be missing the college will notify the appropriate law enforcement agency not later than 24 hours after the determination has been made by the Vice President for Student Life and Dean of Students.

Missing Student Procedure

- a. Any individual on campus who has information that a student may be a missing person must notify the Office of Public Safety and/or the Office of Student Life immediately.
- b. The Office of Public Safety, with the assistance of the Office of Student Life, will gather all essential information about the students from the reporting person, from the student's acquaintances and from official college information sources. Such

information will include description, cellular phone number, clothes last worn, where the student might be, who the student might be with, vehicle description, information about the physical and emotional wellbeing of the student, an up to date photograph, a class schedule, etc.

- c. Appropriate Student Life staff and other personnel across campus will be notified to aid in the search and location of the student. Contact with the student will be attempted using text messaging, cellular phone calls, Facebook, and e-mail.
- d. If search efforts are unsuccessful in locating the student in a reasonable amount of time as determined by the Vice President for Student Life and Dean of Students in consultation with the Director of Public Safety OR it is apparent immediately that the student is a missing person (e.g. witnessed abduction), OR it has been determined that the student has been missing for more than 24 hours, the Office of Public Safety will contact the appropriate law enforcement agency to report the student as a missing person. Law enforcement will take charge of the investigation with assistance from college officials.
- e. No later than 24 hours after determining that a student is missing, the Vice President for Student Life and Dean of Students or an Associate Dean of Students will notify the emergency contact previously identified by the student (for students 18 and over) or the custodial parent/guardian (for students under the age of 18) and advise that the student is believed to be missing.

Communications about missing students

- a) In accordance with established college emergency guidelines and procedures, the Director of Media and Community Relations/Special Assistant to the President will be part of the college administrative response team and is the designated spokesperson to handle media inquiries concerning a missing student.
- b) The local law enforcement agency in charge of the investigation and the city public information officer (PIO) will be consulted by the Director of Media Relations/Special Assistant to the President prior to any information release from the college so as not to jeopardize any investigation.
- c) Information provided to the media to elicit public assistance in the search for the missing person will be handled by the local law enforcement agency

Any questions regarding the Missing Student Policy should be directed to the Director of Public Safety at 941-351-4742.

IDENTIFICATION CARDS

All current students, faculty, and staff are issued identification cards for the purpose of entering campus buildings and events, as well as to access applicable residential space. All students, faculty, and staff are required to have their College ID cards with them while on campus and must be able to produce identification upon request from a Public Safety officer or College official when on any College property.

Individuals are not permitted to lend their ID card to an individual, use other individuals ID

card, or tamper with the ID card in any manner. It is the responsibility of the ID card holder to report any ID card that fails to operate correctly, if lost, and/or stolen immediately to the Office of Student Life or the Office of Public Safety.

CAMPUS HOUSING AND ACCESS CONTROL

Ringling College provides on-campus housing in our residence halls, which include: Goldstein Hall, the fourth and fifth floors of the Student Center, Harmon Hall, Appleton Hall, Idelson Hall, the second and third floors of the Keating Center, Bayou Village Apartments, Quad Apartments, the Cove Housing Complex, and a number of single-family type houses located on the perimeter of the campus. Students are assigned on-campus housing based on a lottery system. All on-campus residential students have the opportunity to request changes in room assignments, which are accommodated on a space-available basis. Ringling College does not provide supervision for off-campus housing.

For security purposes, exterior doors to residence halls remain locked 24- hours-a-day and are accessible via individually numbered key fobs or ID cards that can be activated and deactivated as needed. Students are issued keys for their rooms inside the residence halls. Access to residence halls is limited to students and their authorized visitors. Residents of all campus owned apartments and houses are issued two keys, one to the exterior door(s) and one to the each student's individual bedroom. Strict key and fob control procedures are enforced to ensure maximum student safety in the residence halls. That key control is handled by the Housing Division of the Office of Student Life. Resident Assistants, who live in the residence halls, apartments and houses, are upper-division students who have undergone an extensive selection and training process and are available 24-hours-a-day to assist students. Resident Assistants are student employees of the Office of Student Life.

In addition, Public Safety Officers patrol the inside, commons areas of all residence halls and the parking lots and exteriors areas of all apartments and other campus housing. Unauthorized persons are not allowed in those areas and all non-student visitors must be accompanied by a resident student at all times.

Video Security (CCTV System)

The Office of Public Safety strategically deploys a state of the art video security system to record interior and exterior public space areas of the campus. The system provides a deterrent to criminal activity and provides valuable information for investigative purposes. The system is recorded 24 hours a day seven days a week.

Building Access

All College buildings and residence halls are the private property of the Ringling College of Art and Design. These buildings are opened at a designated time each morning and secured at a designated time each evening. Any unauthorized person entering a College building without specific business and permission of the College or a representative of the

College is considered to be trespassing. After-hour access to College buildings is determined by the needs of each appropriate department. Once a building has been secured for the evening, only authorized individuals are permitted to enter.

Weapons Policy

The health, safety, and welfare of students, faculty, and staff are of the utmost importance to the College. The presence of weapons poses a direct and substantial threat to the safety of our faculty, students, employees, and visitors to our campus. All students, former students, faculty, employees, former employees, customers, vendors, and visitors are prohibited from possessing, carrying, or storing any weapon on their person or vehicle on campus property.

For purposes of the policy, the term “weapon” includes any device, instrument, material, or substance that under any circumstances is readily capable of causing death or injury. Weapons include but are not limited to rifles, shotguns, handguns, pellet or BB guns, starter pistols, toy guns of any type, dangerous knives, slingshots, Billy clubs, blackjacks, makeshift weapons, martial arts weapons, explosive materials, or any other lethal or dangerous devices capable of casting a projectile by air, gas explosion or mechanical means or causing injury or incapacitation via electricity or other means.

This prohibition includes licensed firearms or weapons and applies to all that are licensed to carry firearms or concealed weapons. Requests for exceptions from this policy should be addressed in writing to the Director of Public Safety.

The College shall have the right to seize any firearm or weapon from any persons on the Ringling College of Art and Design property. Violation of this policy may result in disciplinary action up to and including termination for employees or suspension or expulsion for students.

Alcohol and Drug Policy

Ringling College considers the abuse of drugs or alcohol by its faculty, staff and students to be unsafe and counterproductive to the educational process and the work environment. It is Ringling College’s policy that the illegal possession, use, consumption, sale, purchase or distribution of alcohol, illegal drugs or illegally possessed drugs by any employee, while in the workplace, on campus or in the conduct of Ringling College-related work off campus, is strictly prohibited.

For purposes of this policy, the campus is defined as any area used for work, educational, recreational, residence hall or parking purposes, including surrounding sidewalks and exterior areas.

Ringling College of Art and Design permits persons of legal drinking age to possess and consume alcoholic beverages within the confines of private units within the Bayou Village Apartments, Bradenton Apartments, Family Housing, Roy and Susan Palmer Quadrangle and residential houses subject to all Federal, State and Local laws, and the guidelines

drugs will be treated as a violation of this policy. Disciplinary Actions to Prevent Drug Abuse Penalties or sanctions will be imposed by the College in accordance with procedures for disciplinary actions against employees and students as found in Faculty, Student and Staff Handbooks and other applicable documents. Sanctions and penalties may range from referral to rehabilitation programs, written warnings with probationary status, to dismissal from academic programs and termination of employment.

Distribution & Review of Policy

A copy of this policy will be given annually to each employee and to all new employees at the start of employment. Each student registered during an academic year in any degree program will receive a copy of this policy within the Student Handbook. The President will ensure that a biennial review of this policy will be conducted to determine its effectiveness and to implement any necessary changes.

In addition to the disciplinary sanctions, employees and students are subject to state and /or Federal sanctions for any violations of this policy. Employees who work off-site are subject to the appropriate state and / or local sanctions for their work location.

Florida state law prohibits the possession of alcoholic beverages by persons under age 21, punishable for the first offense by a definite term of imprisonment not exceeding 60 days and / or a \$500 fine, and for a subsequent offense by a definite term of imprisonment not exceeding 1 year and a fine of \$1,000. It is similarly prohibited and punishable to distribute alcohol to minors.

State law makes it a crime for any person to possess or distribute illicit drugs (controlled substances as described in Section 893.03, Florida Statutes) under Section 893.13, Florida Statutes. Law provides certain limited exceptions. The crimes range from second-degree misdemeanors (up to 60 days imprisonment and up to a \$500 fine) to first- degree felonies (up to 30 years imprisonment and up to \$10,000 fine).

Trafficking (distributing specified large quantities of various controlled substances under Section 893.03, Florida Statutes) under Section 893.135, Florida Statutes is punishable, depending on the particular illicit drug, quantity involved and location, by a minimum term of imprisonment of 3 to 30 years and a fine of \$25,000 to \$500,000.

Federal trafficking penalties for first offenses, depending upon the illicit drug involved, range from not more than 1 year imprisonment and a fine of not more than \$100,000 for an individual, to 40 years to life imprisonment and a fine of not more than \$200,000 for an individual, to not less than life imprisonment and a fine of not more than \$8 million for an individual.

It is unlawful for any person to misrepresent or misstate his or her age or the age of any other person for the purpose of inducing any licensee or his or her agents or employees to sell, give, serve or deliver any alcoholic beverages to a person under 21 years of age, or for any person under 21 years of age to purchase or attempt to purchase alcoholic beverages.

Resources: Counseling, Treatment & Rehabilitation

Any employee or student who believes he or she has a problem with drug and / or alcohol abuse is urged, for his or her own benefit as well as the benefit of fellow employees and students, to seek counseling and treatment through a treatment program of his or her choice. Options for assistance and referral include:

a) On-campus referral sources. Employees may contact the Office of Human Resources and students may contact the Office of Student Life for assistance in locating a treatment program. All requests for counseling and treatment sessions, as well as referrals, will be handled in a confidential manner.

b) The Office of Student Life has professional mental health counselors on staff to assist students of Ringling College of Art and Design. In addition, the Vice President for Student Life and Dean of Students, Associate Deans of Students, and Student Life Staff are trained in crisis intervention and may provide assistance and / or implement the necessary conduct procedures regarding student behavior.

c) Clinics and programs that provide counseling and / or treatment in this area can be found in the yellow pages of the local telephone directory under the heading of "Drug Abuse and Addiction Information and Treatment."

Guidelines for Legal Use of Alcohol in Permitted Campus Housing

Alcoholic beverages shall not be possessed or consumed in any outdoor area, including: balconies, hallways, stairwells, the community room, work rooms, laundry rooms or any other common area of campus housing unless all parties are 21 years of age or older. Private parties in student units at which alcoholic beverages are distributed or consumed must comply with the following:

1) No alcohol is allowed in any residence hall, regardless of age of resident. Private parties may not be advertised. Residents are responsible for their own behavior and that of individuals in attendance.

2) The number of guests at a private party in a student unit shall not exceed 12, including residents of that unit. The party may not overflow into the hallway or any adjoining areas outside the residents' unit including stairwells, work or laundry rooms, the community room or other apartments. Any alcoholic beverage must be consumed and contained within the unit of the party. Common areas are not to be obstructed in any way.

3) The room or unit door and windows shall be closed and noise contained and not bothersome to other residents.

4) The room or unit may not become the point of dispensing alcohol for the floor or hall or adjacent areas.

5) The sale of alcoholic beverages by either an admission ticket, on a per drink basis or by any other means is prohibited.

which have been established by the College.

Guests under the age of 21 are not allowed to be in a campus housing unit where alcohol is permitted, regardless of whether they are consuming alcoholic beverages or not.

This policy is not designed to interfere with the appropriate use of prescription drugs. Those using prescription drugs should notify their supervisors if the proper use of prescribed medication will affect work or academic performance. Abuse of prescription

6) All guests of the party who are consuming or in possession of alcoholic beverages must be of the legal drinking age and in compliance with all applicable Federal, State and Local laws.

7) Common source alcohol including kegs, party balls, and punches containing alcohol are prohibited.

Procedures for Events with Alcohol

Ringling College considers the abuse of alcohol by its faculty, staff and students to be unsafe and counterproductive to the educational process and the work environment. The College does not encourage the presence and use of alcohol at College sponsored events.

The College may, however, permit the legal purchase and use of alcoholic beverages at College related events that are properly organized and scheduled only when the event will not interfere with scheduled academic activities or the normal operations of the College. If such a program will involve students, permission to provide service must be acquired from the Vice President for Student Life and Dean of Students (and the Vice President for Academic Affairs in cases where a faculty member is the sponsor).

Requests for permission to serve alcohol will only be considered if a third party vendor properly licensed by appropriate state and local authorities has been contracted to serve alcohol. A copy of the appropriate license must be submitted with the request. Requests from the faculty or staff sponsor must be made in writing by completing the Alcohol Policy Exemption Form that is available in the Office of Student Life and on the web at least 2 weeks prior to the proposed event.

Furthermore, only events where the majority of the intended Ringling College attendees will be of legal drinking age will be considered for approval. Additionally, the following are specific policies and procedures that must be followed for the use of alcohol at College events:

1) The only alcoholic beverages that can be served at College functions that are student-oriented are beer and wine.

2) 1 quarter hour prior to the approved ending time listed on the Alcohol Exemption Form, sales will stop.

3) College funds will not be used to pay for or sponsor a party, meal or event where alcoholic beverages are consumed, served or sold in violation of Florida law.

4) Any advertisements for the event (including: leaflets, invitations, posters, letters and all other forms of advertisements) cannot advertise alcohol. These advertisements can display the following information: Beverages will be available. Must have valid state-issued picture identification for verification of age.

5) An adequate amount of food and alternative beverages (such as: water, juice, assorted sodas, coffee and teas) must be available throughout the entire event. The amount of the food and beverages appropriate for the size of the event will be determined by the Vice President for Student Life and Dean of Students.

6) The sponsor is responsible for ensuring that all college policies and procedures are strictly obeyed.

7) Appropriate precautionary measures must be in place to ensure that beer and wine are not served to individuals under the legal drinking age (21 in the State of Florida). These measures include having a designated individual, as deemed by the Vice President and Dean of Students, screening persons entering the event and attaching a wristband or stamp indicating those of legal drinking age. At any time during the event, the individual screening has the option to decline identification provided by an individual. The entire staff working the event has the right to refuse service to individuals deemed as having enough alcohol prior to or during the event.

8) Under no circumstances should anyone be coerced to drink alcohol. This means no drinking games, contests, or events to encourage excessive drinking. Additionally, alcohol cannot be given as a prize.

9) No kegs, or other common source alcohol containers (such as: punch, party balls, etc.) are permitted.

10) Public intoxication at any College sponsored event, in any College facility or area, including common or outdoor areas in College owned residential facilities is prohibited and will be subject to disciplinary action.

11) An approved staff or faculty supervisor must be present at the event for the entire duration. The Vice President for Student Life and Dean of Students may require more than one supervisor depending on the size and nature of the event.

12) Depending on the size and nature of the event, the Vice President for Student Life and Dean of Students may require the presence of Public Safety and / or Police. This will be at the expense of the sponsor.

13) Violations of these guidelines during the event may result in the closing of the event. All individual violations will be referred to the Vice President for Student Life and Dean of Students for review. The College can take disciplinary action as a result of violations of these policies and procedures.

14) Adherence to these policies and procedures applies to any College sponsored

program or activity (including: field trips, gallery events, etc.) whether on or off-campus.

For further information and guidance on the policies and procedures related to events with alcohol, please contact the Vice President for Student Life and Dean of Students.

Violence Against Women Act (VAWA) Compliance

The Violence Against Women Act (VAWA) was implemented in 1994 in recognition of the severity of the crimes associated with domestic violence, sexual assault, and stalking, as part of the Violent Crime Control and Law Enforcement Act of 1994. VAWA was reauthorized in 2000, 2005, and 2013 to strengthen the law.

The Violence Against Women Act provides protection to women from crimes of sexual violence. The act was amended on several occasions and placed new obligations on colleges and institutions to report and conduct educational programs under its Campus Sexual Violence Act (Campus SAVE Act), which amended the Clery Act.

The 2013 VAWA Reauthorization added a non-discrimination provision that prohibits discrimination on the basis of sex by organizations that receive funding under the Act and allows an exception for “sex segregation or sex-specific programming” when it is deemed to be “necessary to the essential operations of a program”. Ringling College does not discriminate on the basis of sex in its education programs and activities, or in the context of employment. Sexual harassment, including sexual misconduct as defined in the Ringling College Non-Harassment Policy and the Ringling College Sexual Misconduct Policy. Sexual violence is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972.

Definitions:

Domestic Violence

Violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a current or former cohabitant with the victim; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.

Fla. Stat. 741.28

Domestic violence in Florida defines is 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, committed by a family or household member against another family or household

member.

“Family or household member” refers to any of the following persons:

- current or former spouses
- persons related by blood or marriage
- persons currently or formerly residing together as if a family, or
- parents who have a child in common, regardless of whether they were at any time married.

With the exception of parents who have a child in common, the persons must currently or previously have resided together in the same single dwelling unit in order to be considered a family or household member under Florida law.

Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship based on a consideration of the following factors:

- Length of relationship
- Type of relationship
- Frequency of interactions between the persons involved in the relationship

Stalking

A course of conduct involving more than one instance of unwanted attention, harassment, physical or verbal contact, or any other course of conduct directed at an individual that could be reasonably regarded as likely to alarm or place that individual in fear of physical, emotional or psychological harm or injury. This includes cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, GPS or other similar devices or forms of contact are used to pursue, harass or make unwelcome contact with another person. Stalking and cyber-stalking may involve individuals who are known to one another or have an intimate or sexual relationship, or may involve individuals not known to one another.

Non-Harassment Policy

Ringling College of Art and Design maintains a professional work and academic environment in which all employees and students are treated with respect and dignity. A vital element of this atmosphere is the College’s commitment to equal opportunities and the eradication of discriminatory practices including harassment, with the goal to provide an academic and institutional climate of non-harassment. Forms of harassment that are encompassed by this policy include harassment based on sex, age, gender, color, race, national or ethnic origin, religion, marital status, sexual orientation, sexual identity, disability, veteran status, genetic information, or any other basis prohibited by law. Harassment is specifically prohibited by state and federal law and instances of

harassment may result in both civil and criminal liability on the part of the individual harasser as well as the College. Harassment's destructive impact wastes human potential, demoralizes employees and students, and perpetuates the tendency for further unacceptable behavior. For these reasons, the College is opposed to harassment in any form in its workplace and activities. This policy establishes procedures to address problems and questions regarding harassment in a prompt, discreet and fair manner. All employees and students are expected to comply and cooperate with its provisions and in accordance with the code of professional ethics.

Definition of Sexual Harassment: Due to the inherent complexity of sexual harassment, the College's policy contains this special section defining sexual harassment. Sexual harassment is defined by this policy as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that is aimed at coercing an unwilling person into a sexual relationship whether or not it involves physical contact; that makes rejecting such conduct the basis for employment or academic decisions affecting the individual; or that unreasonably interferes with the individual's work or academic performance by creating an intimidating, hostile, or offensive environment for work or learning.

Examples of sexual harassment a designated member of the Human Rights Committee will prepare a report containing the Committee's findings and conclusions.

Possible outcomes of the investigation are that the allegations are substantiated, or that allegations are not substantiated, i.e. an inconclusive investigation. In the event the allegations are substantiated, the Vice President for Human and Organizational Development or the Human Rights Committee may endeavor, through mediation, to reach a negotiated settlement of the complaint.

If a negotiated settlement cannot be reached, the Human Rights Committee will refer the matter to the College's Vice Presidents for resolution. The Vice Presidents will not reopen a completed investigation unless it can be shown that the investigating individuals made specific errors in reviewing the facts. The Vice Presidents will consider the findings and recommendations of the Human Rights Committee and, in consultation with the President, render a decision. thorough review of allegations to protect the parties and the broader community and maintain an environment free from sexual misconduct.

Faculty, staff and students wishing to obtain confidential assistance without making a report to the College may do so by speaking with a confidential resource listed below. A **confidential** resource for students is the College counseling staff in the Peterson Counseling Center (941) 893-2855 and the Campus Chaplain (941) 309-0200. A **confidential** resource for faculty and staff is the Employee Assistance Program (EAP). The toll-free phone number of the Employee Assistance Program is (877) 240-6863. When a victim seeks medical treatment for sexual assault, medical personnel are are such actions as sexual attacks; sexual violence; the requesting of sexual favors accompanied by implied or overt threats concerning one's job, grade, letter of recommendation, or similar activities; verbal abuse of a sexual nature; physical contact such as patting, pinching, or unnecessary touching; subtle pressure for sexual activity;

sexist remarks regarding a person's body, clothing or sexual activity; or derogatory comments about a person's sexual orientation.

Sexual harassment does not refer to occasional compliments of a socially acceptable nature or to welcome social interactions.

Instructional material shall not be the basis for discipline unless an appropriate review by the Human Rights Committee finds the material irrelevant to the subject of the course or finds that the cumulative presentation of specific material is unbalanced to the degree that it establishes an atmosphere of harassment.

A Special Note to Faculty, Teaching Assistants, Staff, and Other Persons in Positions of Power: Harassment occurs when a person who is in a position of trust or authority engages in behaviors or creates conditions that are inappropriate, unwanted and/or non-reciprocal. This is especially true in instances of sexual harassment when an unwelcome personal element is introduced into what should be a sex neutral situation. Because of the difference in power between faculty and students and supervisors and employees, a faculty member or supervisor cannot be certain that a personal relationship is truly welcome or consensual. Moreover, other individuals may be affected by such relationships. Those who abuse, or appear to abuse, their power violate their responsibility to the community. The College expects the faculty and staff to be aware of the potential for problems and conflicts of interest.

The Human Rights Committee: The Human Rights Committee is a fact-finding committee whose purpose is to respond to and resolve harassment complaints. The Committee is a standing committee appointed by the President and comprised of three faculty members, two staff members, and two students. The student members of the Committee will participate only in those cases where other students are involved. The Vice President for Human and Organizational Development will serve as coordinator without vote. If the complaint should be against the Vice President for Human and Organizational Development, one of the committee members is to serve as the coordinator, with vote.

Student to Student Harassment: Student-to-Student harassment complaints are to be processed under the disciplinary procedure established and operated by the Office of Student Life. All other harassment complaints are to be processed by the procedures outlined in this policy.

"On Notice" Option of Complaint: Individuals who feel they have been harassed may choose to put the offender "on notice" that the offender's behavior is unwelcome. Often this direct communication by the individual brings a stop to the harassment, and no further action is necessary.

Use of the "on notice" option is not a prerequisite to initiating the complaint procedures set forth in this policy, and the College will not refuse to investigate a complaint on the grounds that the victim did not have a discussion with the offender. In other words, the victim always retains the right to avoid direct interaction with the offender and to initiate the complaint procedure explained in this policy.

Procedures for Informal Complaint: Individuals who believe they have been the victim of harassment may seek an informal resolution of the problem. Use of the informal complaint procedures is not a prerequisite to initiating a formal complaint. Complaints of sexual assault must be made through the Procedures for a Formal Complaint.

Informal complaints may be oral or written and directed to the Vice President for Human and Organizational Development or to any member of the Human Rights Committee. Informal resolution will generally involve the Vice President for Human and Organizational Development or the Human Rights Committee serving as mediators in an effort to resolve the complaint. The accused will be informed of the existence and nature of the informal complaint and will have an opportunity to respond. The Human Rights Committee or the Vice President for Human and Organizational Development, serving as intermediaries, will seek a resolution that both the complainant and the accused can agree upon. If no mutually satisfactory resolution can be found, the Human Rights Committee, the Vice President for Human and Organizational Development, and/or the complainant can decide if further action is appropriate.

Procedures for a Formal Complaint: Harassment complaints are to be directed to the Vice President for Human and Organizational Development or to a member of the Human Rights Committee. The Vice President for Human and Organizational Development or the contact person on the Committee will prepare a written record of the individual's factual allegations which the complainant will then have the opportunity to review before signing. Although complaints should be brought as soon as possible, preferably within six months after an offensive incident, the College recognizes that the sensitivity involved in certain situations may cause individuals to delay taking action.

Once the initial complaint is prepared, the Vice President for Human and Organizational Development or the contact person on the Committee shall convene the entire Human Rights Committee to review the complaint, and to conduct an appropriate investigation of the allegations. This investigation may be limited to mediation and a negotiated settlement between the complainant and the accused. Based on the evidence collected, required to report to the police, but victims are not required to file formal charges unless Decisions will be made using the preponderance of evidence standard (i.e. it is more likely than not that the alleged conduct occurred).

Protection of Complainant and Others: All information regarding harassment will be kept in confidence to the greatest extent practicable and appropriate under the circumstances. The College cannot guarantee that the identity of the complainant will be concealed from the accused harasser, but any retaliation committed by the accused harasser by way of irresponsible, malicious or unfounded complaints will be investigated. If an investigation reveals that the complainant falsely accused another of harassment knowingly or in a malicious manner, the complainant will be subject to appropriate sanctions and/or discipline.

In order to ensure that a complete investigation of harassment claims can be conducted it may be necessary for the College to disclose to others portions of the

information provided by the complainant. The College will try to honor any complainant's request that the College not disclose certain information provided, consistent with the College's obligation to identify and correct instances of harassment, including sexual harassment.

Penalties: Every claim of harassment will be considered on its own merits. The College will take whatever corrective action and/or disciplinary measures it considers appropriate under the circumstances, including but not limited to counseling, reprimand, probation, suspension, transfer, demotion or immediate termination of an employee or student in accordance with the provisions, policies and procedures outlined in the appropriate Faculty, Staff or Student Handbook.

Revision Approved by Board of Trustees 10/30/2014

Sexual Misconduct Policy

Ringling College of Art and Design will not tolerate and will seek to eradicate any behavior by its employees, students, or volunteers which constitutes Sexual Misconduct. Such behavior is prohibited both by law and by College policy. The College is committed to fostering a community that promotes prompt reporting of all types of sexual misconduct and ensures timely and fair resolution of sexual misconduct complaints. It is the intention of the College to take appropriate action to end the misconduct, prevent its reoccurrence and address its effect.

The purpose of the policy is to

- define the forms of sexual misconduct that violate the policy;
- identify resources and support for members of the Ringling College community;
- identify the Title IX Coordinators and their responsibilities related to the policy;
- provide information as to where a member of the Ringling College community can obtain support or access resources confidentially;
- provide information on how a member of the Ringling College community can make a report;
- provide information on how a report against a member of the Ringling College community will be investigated and adjudicated.

This policy applies to all members of the Ringling College community, including faculty, staff and students. All faculty, staff and students are responsible for their actions and behavior, whether the conduct in question occurs on campus or in a different location. As such, this policy applies to both on-campus conduct and relevant off-campus conduct that affects the Ringling College community.

Vendors, independent contractors, volunteers, visitors and others who conduct business with Ringling College or on College owned or controlled property are also expected to comply with this policy. The College will take timely action in all allegations of sexual misconduct to ensure the safety of the community and to provide an environment free from gender and sex discrimination.

Privacy and Confidentiality

The College is committed to protecting the privacy of all individuals involved in a report of sexual misconduct, and will balance individual privacy with its obligation to conduct a desired.

Note that limitations of confidentiality may exist for individuals under the age of 18.

The College will respect, to the greatest extent possible, the privacy of individuals who choose to report to any other employee of the College. Except for the confidential resources identified in this policy, all other College staff and faculty who receive a report of sexual misconduct are required to elevate the report to the Title IX Coordinator or the Deputy Title IX Coordinator for investigation and response.

Information related to a report of sexual misconduct will be shared with those College employees who “need to know” to assist in the investigation and/or the resolution of the complaint.

Where the College has received a report of sexual misconduct but the complainant requests that he or she remain unidentified, and/or requests that the College not pursue an investigation, the College must balance this request with its responsibility to provide a safe and non-discriminatory environment for all members of the community. The College is required to take all reasonable steps to investigate and respond to a complaint, but its ability to do so may be limited by the complainant’s request. However, under compelling circumstances - including evidence of a pattern of repetitive behavior, the use of force or threat of force, or the use of a weapon by the respondent - the College may conduct further investigation or take another appropriate measure without the complainant’s consent.

If a report of misconduct poses an immediate threat to the community when timely notice must be given to protect the health or safety of the community, the College may not be able to maintain the same level of privacy. Immediate threatening circumstances include, but are not limited to, reported incidents of misconduct that include the use of force, a weapon, or other circumstances that represent a serious and ongoing threat to the community.

A complainant will be informed whenever possible of any action the College takes to resolve the complaint, including further investigation and correction or disciplinary steps.

Under Florida law, the College is mandated to report any abuse of a minor (under the age of 18) to the Florida Abuse Hotline at 1-(800) 962-2873.

All resolution proceedings are conducted in compliance with the requirements of FERPA, the Clery Act, Title IX, the Violence Against Women Reauthorization Act (VAWA) and College policy. No information shall be released from these proceedings except as required or permitted by law and College policy.

Prohibited Conduct and Definitions

This policy addresses a broad spectrum of behavior, all of which fall under the broad definition of Sexual Misconduct. The term Sexual Misconduct includes: sexual assault, sexual contact, sex-based communication and sexual exploitation. Sexual Misconduct also includes means actual, attempted or alleged criminal sexual abuse as defined by the State of Florida. Complete definitions, under College policy, including what it means to give effective “consent” can be found below and in the Student Code of Conduct.

Sexual Misconduct does not include “Sexual Harassment” which is addressed under the College’s *Non-Harassment Policy* and the *Student Code of Conduct*. In compliance with the *Violence Against Women Reauthorization Act (VAWA)*, sexual harassment, including stalking, cyber-stalking, domestic violence and dating violence as defined by the VAWA are prohibited under the *Non-Harassment Policy*, the *Sexual Misconduct Policy* and the *Student Code of Conduct*. See *VAWA Compliance* and the *Student Code of Conduct* in the Student Handbook for definitions. Procedures to report and resolve complaints are found in the disciplinary procedures, the *Non-Harassment Policy* and the *Sexual Misconduct Policy*, in the Student Handbook.

Definitions:

Sexual Assault is having or attempting to have sexual intercourse or sexual contact with another individual without consent. Sexual intercourse includes vaginal or anal penetration, however slight, with a body part or object, or oral copulation by mouth-to- genital contact.

Sexual Contact includes kissing, touching the intimate parts of another, causing the other to touch one’s intimate parts, or disrobing of another without permission. Intimate parts may include the breasts, genitals, buttocks, mouth or any other part of the body that is touched in a sexual manner.

Sexual-based Communication is speaking to, or directing any kind of communication, words or images of a sexual nature at another person that is not welcomed by the receiving party. If the communication is unwelcome; that is, if it occurs without the other person’s consent or participation, it may create a hostile learning and living environment. Sexual-based communication can include interactions in person, by phone, electronic messages and photos, written words or images such as graffiti and social media postings.

Sexual Exploitation is when an individual takes non-consensual or abusive sexual advantage of another, for his/her own benefit; or to benefit anyone other than the one being exploited; and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Prostituting another person (i.e. personally gaining money, privilege, or power from the sexual activities of another person)
- Non-consensual video, photography, audiotaping, or any other form of recording, of sexual activity;

- Non-consensual sharing or streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved;
- Allowing others to observe a personal act of consensual sex without knowledge or consent of the partner;
- Engaging in voyeurism (being a “peeping tom”);
- Knowingly or recklessly transmitting an STD or HIV to another person;

Consent is the conscious affirmative agreement to voluntarily engage in sexual activity with another person. Consent cannot be given if it results from the use or threat of physical force, intimidation, or any other factor that would eliminate an individual’s ability to exercise his/her own free will to choose whether or not to have sexual contact. Consent cannot be given if an individual is incapacitated, under the influence of drugs or alcohol, mentally incompetent or in an altered state of consciousness. Consent may be withdrawn by either party at any time. Previous consent does not automatically provide consent for a current sexual activity. Failure of an individual to say “no” does not imply consent.

Retaliation

Any retaliation committed by the accused abuser by way of irresponsible, malicious or unfounded complaints will be investigated. Ringling College will discipline any individual who retaliates against any person who reports alleged Sexual Misconduct or who retaliates against any person who testifies, assists, or participates in an investigation, a proceeding, or a hearing relating to a Sexual Misconduct complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

Definition of Retaliation: Acts or attempts to retaliate or seek retribution against the complainant, respondent, or any individual or group of individuals involved in the investigation and/or resolution of an allegation of Sexual Misconduct. Retaliation can be committed by any individual or group of individuals, not just a respondent or complainant. Retaliation may include continued abuse or violence, other forms of harassment, and slander and libel.

False Complaints

Submitting a good faith complaint, concern or report of harassment will not affect the complainant’s employment, grades, academic standing, or work assignments. However, an individual found to have made a false complaint or to have knowingly and willingly given false information during an investigation will be subject to disciplinary action.

Title IX Coordinators

Title IX Coordinator (Faculty and Staff):

Christine DeGeorge – Vice President for Human and Organizational Development

Office location: Joutras 1, First Floor

(941) 359-7619

ccarneqi@ringling.edu

Deputy Title IX Coordinator (Students):

Dr. Tammy S. Walsh - Vice President for Student Life and Dean of Students
Office location: Ulla Searing Student Center, Second Floor
(941) 359-7510 twalsh@ringling.edu

The Title IX Coordinator and Deputy Title IX Coordinator are knowledgeable and trained in the College's policies and procedures, state and federal laws, that apply to Sexual Misconduct and Harassment, and the dynamics of sexual misconduct and Harassment. The Title IX Coordinator and Deputy Title IX Coordinator are available to meet with any individual to discuss the options for resolving a report under this policy.

The College provides resources to both the complainant and respondent in making decision, obtaining information about options under this policy, and assisting both parties in the event that a report of sexual misconduct is made.

Reporting and Investigating Procedures

Reports will be addressed according to the status of the respondent as follows:

If the respondent is a student, the Office of Student Life will utilize the student disciplinary process in the Student Handbook to address the report. If the respondent is a faculty or staff member, or other individual, the Office of Human Resources will utilize the procedure below to address the report.

Employees and volunteers are required to report immediately any case of known or suspected Sexual Misconduct in compliance with Florida law. They must also report incidents to the Title IX Coordinator.

As required by Florida law, upon notification of known or suspected sexual abuse, abandonment or neglect of a child under age 18, employees, students and volunteers should report as described in the Ringling College of Art and Design Child Protection Policy. This policy can be found in the student and employee handbooks.

Time Frames For Responding To Reports

The College will promptly investigate and respond to all reports of Sexual Misconduct. The time frames are guides and may be extended because of extraordinary circumstances. Each case is unique and the process for handling the incident will be impacted by factors such as: the complexity of the investigation, the scope of the allegation, the parties' schedules and availability, and the academic calendar. Parties will be notified in writing of the final outcomes of the hearing or other action which concludes the complaint process. The College will provide parties with periodic status updates as needed or requested.

Procedures for a Complaint

1. **Student to Student Sexual Misconduct**

Student to student sexual misconduct complaints are to be processed under the disciplinary procedure established and operated by the Office of Student Life. All other sexual misconduct complaints are to be processed by the procedures outlined in this policy.

2. **Student complaints against faculty or staff and all other complaints**

Procedures:

The Vice President for Human and Organizational Development or designee, or the contact person on the Human Rights Committee*, will prepare a written record of the individual's factual allegations which the complainant will then have the opportunity to review before signing. Complaints should be brought as soon as possible. Although the College recognizes that the sensitivity involved in certain situations may cause individuals to delay taking action, all complaints should be brought within six months if at all possible because a delay in reporting impedes the investigation.

A grievant may elect to utilize the informal process, to facilitate a solution without making a formal complaint. The informal process helps parties to reach a mutually agreed upon solution. Participation in the informal process does not mean that an individual gives up any rights to file a formal complaint, and both parties must agree to a resolution. The informal process is not an available option if the complaint is related to sexual assault. The informal process does not preclude the College from conducting an investigation of a complaint or taking disciplinary action.

Once the initial complaint is prepared, the Vice President for Human and Organizational Development will investigate the complaint, engage a third party investigator, and/or convene the Human Rights Committee to conduct an appropriate investigation of the allegations. Complaints will be given an impartial and timely investigation. The Vice President for Human and Organizational Development, the investigator, or a designated member of the Human Rights Committee will prepare a report of the investigation. Should there be a conflict, or for any reason the Vice President or a member of the committee is unable to carry out their responsibilities under this policy in an impartial manner, the College may designate an alternate official to preside over the investigation.

Both the complainant and Respondent shall have the option of assistance by an advisor of their choice from the College faculty, staff, student body or parent (students only), provided the individual is willing to participate in the process. The advisor's role is to provide support and assistance during the process but not to speak on behalf of the complainant or respondent or in any way interfere with the process.

When a complaint is filed, the Vice President for Human and Organizational Development will notify the respondent and provide him/her with the information regarding the complaint. The respondent may submit a written response to the Vice President for Human and Organizational Development within seven (7) working days.

Upon conclusion of the investigation, the Committee will make a recommendation for resolution to the Vice President over the respondent's

department, or their designee, for resolution. The Vice President will consider the findings and recommendations of the investigator(s) and render a decision. The Vice President will not reopen a completed investigation unless it can be shown that the investigating individuals made specific errors in reviewing the facts or if additional credible information comes to light. The Vice President will render a decision within 20 working days. Time limits may be extended at the discretion of the Vice President for Human and Organizational Development. Decisions will be made using the preponderance of evidence standard (i.e. it is more likely than not that the alleged conduct occurred).

If the Committee determination is not acceptable to either the Complainant or Respondent, the decision may be appealed with seven (7) working days to the College's Vice Presidents, or their designees, who will serve as the appeals committee. The Appeals Committee will review the complaint, any response, any documents provided by the Complainant or Respondent, and any other documents. The Appeals Committee also has the option, but not the obligation, to schedule a hearing and/or take testimony from the parties and other witnesses. Upon conclusion of its review and/or investigation, the appeals Committee will deliberate and make a written report, including its conclusions and recommendations to the Vice President. The Vice President will then have the option of amending his/her determination based on the recommendations of the Appeals Committee. The Vice President determination will then be final.

* The Human Rights Committee is a fact-finding committee whose purpose is to respond to reports of Harassment and Sexual Misconduct. The Committee is a standing committee appointed by the President and comprised of three faculty members, two staff members, and two students. The student members of the Committee will participate only in those cases where other students are involved. The Vice President for Human and Organizational Development or designee will serve as coordinator without vote. If the complaint should be against the Vice President for Human and Organizational Development, one of the committee members is to serve as the coordinator, with vote.

Any employee or volunteer who is accused in a reported incident of sexual misconduct may be immediately relieved of responsibilities, suspended, or the College may take other actions as it determines. Reinstatement of relieved or suspended employees or volunteers shall occur at the sole discretion of Ringling College.

Disciplinary Proceedings/Action:

Students accused of sexual misconduct/sexual assault are subject to disciplinary action in accordance with the provisions of the Code of Conduct as contained in the Ringling College of Art and Design Student Handbook, whether or not formal criminal charges are filed by the victim.

Disciplinary proceedings will be conducted by College officials who receive training.

The Department of Education's Office of Civil Rights has interpreted Title IX to require schools to evaluate evidence of alleged sexual misconduct under a "preponderance of the evidence" standard, and that is the standard of evidence that is used, meaning it is more likely than not that said violation occurred.

Both the complainant and the respondent are entitled to the same opportunities to:

- a) have an advisor of their choosing accompany them during any related meeting or during any campus disciplinary proceedings – the advisor may not participate or speak for the complainant or respondent.
- b) bring witness;
- c) be notified simultaneously and in writing of the outcome of the proceeding and of appeal procedures;
- d) be notified of any change to the result before it becomes final, and when the result becomes final;
- e) have disciplinary proceedings completed within a reasonable timeframe.

A student found in violation of the *Sexual Misconduct Policy* is subject to disciplinary action, which may include suspension and/or expulsion from the College.

Any employee who is determined, after an investigation, to have engaged in sexual misconduct in violation of this policy will be subject to disciplinary action. The College will take whatever corrective action and/or disciplinary measures it considers appropriate under the circumstances, up to and including, but not limited to, probation, suspension, transfer or immediate termination of an employee in accordance with the policies and procedures outlined in the Faculty or Staff Handbook.

Maintenance of Records and Documents

Ringling College shall maintain all records and documentation required by law. The College will take great care with confidentiality of the victim including publicly available record-keeping (i.e. Clery Reporting) that excludes personally-identifiable information on the victims to the extent permissible by law.

Revised 10/22/2014

***Proceeding** means all activities related to a non-criminal resolution of an institutional disciplinary complaint, including but not limited to, fact-finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim.

***Result** means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding section 444 of the General

Education Provision Act, commonly referred to as FERPA, the result must also include the rationale for the result and the sanctions.

Residence Hall Fire, Safety & Security Policy

Appliances

Hot plates, full-size refrigerators and any appliance with exposed elements (i.e. hot plates, George Foreman Grills) are prohibited. U.L. Approved microwaves less than 600 watts and refrigerators less than 4.0 cubic feet are allowed. No grills are permitted in any student housing

Fire Drills

When a fire alarm sounds in campus housing units, it is mandatory for all students to evacuate the building according to the prescribed fire emergency procedures:

- 1) Dress quickly and appropriately for exiting the building.
- 2) Feel the door for heat – if it is hot, do not open it! Remain in the room. Place a towel in the airspace under the door. Go to the window and wave an article of clothing until a fire fighter reaches the student. If the door is not hot, lock the door, and move quickly to the nearest fire exit.
- 3) If smoke is present, he / she should wrap a towel over their nose and mouth and remain close to the floor.
- 4) As the student exits, move away from the building and to the location assigned by the Resident Assistant (RA).
- 5) Do not re-enter the building under any circumstances until directed to do so.

Fire Alarm Systems & Safety

Tampering with fire alarms, fire extinguishers or any other fire equipment is a third-degree crime. Any person found responsible for such actions may be subjected to a fine of up to \$500. In addition to potential criminal charges, students engaging in this behavior will be referred for disciplinary action and / or civil prosecution that may result in separation from the College.

Fire Safety

Hanging objects from sprinkler heads, pipes and electrical conduit is strictly prohibited. Live cut trees (such as Christmas trees) are not permitted anywhere in student housing. Blocking entries and exits with furniture or personal belongings is prohibited. Stacking furniture in front of residence hall room doors is a fire hazard and could be potentially life threatening. Persons found responsible for such actions will be held accountable through the student conduct system.

Flammable Items

Open flames such as candles, incense, and potpourri burners are not permitted in any student residence. An initial violation of this policy will result in confiscation of the materials and a written reprimand. Additional violations will result in Conduct System action and / or a fine. Please be advised that the Residence Life Staff reserves the right to confiscate candles, even if they have not been burned.

Annual Fire Safety Report

The Higher Education Opportunity Act (HEOA) requires that institutions participating in federal student financial aid programs publish the following:

Annual Fire Safety Report: Institutions providing on-campus housing facilities must publish a fire safety report, which shall contain information with respect to the campus fire safety practices and standards of that institution.

Ringling College of Art and Design complies with this regulation by including all fire related incidents at on-campus students housing facilities as part of the Annual Security & Fire Safety Report. Information contained in this report includes the number of fire related deaths & injuries; value of fire-related property damage; information on evacuation procedures and fire safety education and training programs; fire safety systems; in each student housing facility; the number of regular mandatory supervised fire drills; and policies on portable electrical appliances, smoking, and open flames. To view the most recent report, visit the Public Safety website.

Fire Log: Institutions must keep a fire log that states the nature of each fire date, time and general location of each fire in on-campus student housing facilities.

There have been no fires on the Ringling College Campus in the last three year reporting period and no damages or injuries from fire.

RINGLING COLLEGE OF ART AND DESIGN RESIDENTIAL FACILITIES FIRE SAFETY INFORMATION

	FACP	Sprinkler	Smoke	Fire	Evacuation	Number of
Residence Halls and Apartments	Monitored	System*	Detectors	Extinguishers	Placards	Fire Drills
						Per Semester
Harmon Hall	Yes	No	Yes	Yes	Yes	2
Appleton Hall	Yes	No	Yes	Yes	Yes	2
Idelson Hall	Yes	No	Yes	Yes	Yes	2
Keating Hall	Yes	Yes *	Yes	Yes	Yes	2
Student Center	Yes	Yes *	Yes	Yes	Yes	2
North Residence Hall	Yes	Yes *	Yes	Yes	Yes	2
Bayou Village Apartments	Yes	Yes *	Yes	Yes	no	2
Quadrangle Apartments	No	No	Yes	Yes	no	0
Family Housing	No	No	Yes	Yes	no	0
Whitaker Cove South	Yes	Yes *	Yes	Yes	Yes	2
Whitaker Cove North	Yes	No	Yes	Yes	Yes	2
Old Bradenton Road Apts	No	No	Yes	Yes	No	0
Houses Occupied by Students						
2951A Tamiami Circle	No	No	Yes	Yes	No	0

2951B Tamiami Circle	No	No	Yes	Yes	No	0
3007A Tamiami Circle	No	No	Yes	Yes	No	0
3007B Tamiami Circle	No	No	Yes	Yes	No	0
2914A Tamiami Circle	No	No	Yes	Yes	No	0
2914B Tamiami Circle	No	No	Yes	Yes	No	0
1107A Greensboro Lane	No	No	Yes	Yes	No	0
1107B Greensboro Lane	No	No	Yes	Yes	No	0
1123A Greensboro Lane	No	No	Yes	Yes	No	0
1123B Greensboro Lane	No	No	Yes	Yes	No	0
1133 Greensboro Lane	No	No	Yes	Yes	No	0
1143 Greensboro Lane	No	No	Yes	Yes	No	0
1151 Greensboro Lane	No	No	Yes	Yes	No	0
1159 Greensboro Lane	No	No	Yes	Yes	No	0
2936 West Place	No	No	Yes	Yes	No	0
2930 West Place	No	No	Yes	Yes	No	0
1273 Riverside Drive	No	No	Yes	Yes	No	0
1267 Riverside Drive	No	No	Yes	Yes	No	0
1261 Riverside Drive	No	No	Yes	Yes	No	0
1255 Riverside Drive	No	No	Yes	Yes	No	0
1245 Riverside Drive	No	No	Yes	Yes	No	0
2927 Old Bradenton Road	No	No	Yes	Yes	No	0
3015 Old Bradenton Road	No	No	Yes	Yes	No	0
1142 Guilford Lane	No	No	Yes	Yes	No	0
1158 Guilford Lane	No	No	Yes	Yes	No	0
1160 Guilford Lane	No	No	Yes	Yes	No	0

* indicates full sprinkler system with heads located in bedrooms.

CRIME STATS 2012 CALENDAR YEAR					
	On	Resi-	Public	Non	Total
Offense	Campus	dential	Property	Campus	
Murder	0	0	0	0	0
Manslaughter	0	0	0	0	0
Forcible Sex Offenses	1	1	0	0	1
Non-forcible Sex Offenses	0	0	0	0	0
Robbery	1	0	1	0	2
Aggravated Assault	0	0	1	0	1
Burglary	0	0	0	0	0
Vehicle Theft	1	0	0	0	1
Larceny/Theft	25	10	0	0	25
Arson	0	0	0	0	0
Hate Crimes					
Race	0	0	0	0	0
Gender	0	0	0	0	0
Religion	0	0	0	0	0
Sexual Orientation	0	0	0	0	0
Ethnicity	0	0	0	0	0
Disability	0	0	0	0	0
Liquor Law Violations					
Arrests	0	0	3	0	3
Disciplinary Referrals	10	9	0	0	10
Drug Law Violations					
Arrests	0	0	5	0	5
Disciplinary Referrals	25	25	0	0	25
Weapons Violations					
Arrests	0	0	0	0	0
Disciplinary Referrals	0	0	0	0	0

NOTE: The one Aggravated Assault on the stats was reported to SPD on an adjacent city street and did not involve any members of the campus community.

NOTE: All Drug and Alcohol arrests were made on city streets adjacent to campus and did not involve any members of the campus community.

CRIME STATS 2013 CALENDAR YEAR					
	On	Resi-	Public	Non	
Offense	Campus	dential	Property	Campus	Total
Murder	0	0	0	0	0
Manslaughter	0	0	0	0	0
Forcible Sex Offenses	3	3	0	0	3
Non-forcible Sex Offenses	0	0	0	0	0
Robbery	0	0	1	0	1
Aggravated Assault	0	0	0	0	0
Burglary	2	0	0	0	2
Vehicle Theft	1	0	0	0	1
Larceny/Theft	41	7	0	0	41
Arson	0	0	0	0	0
Dating Violence	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Stalking	0	0	0	0	0
Criminal Offences by BIAS					
Race	0	0	0	0	0
Gender	0	0	0	0	0
Gender Identity	0	0	0	0	0
Religion		0	0	0	0
Sexual Orientation	0	0	0	0	0
Ethnicity	0	0	0	0	0
National Origin	0	0	0	0	0
Disability	0	0	0	0	0
Liquor Law Violations					
Arrests	0	0	0	0	0
Disciplinary Referrals	2	1	0	0	2
Drug Law Violations					
Arrests	2	2	9	0	11
Disciplinary Referrals	11	11	0	0	11
Weapons Violations					
Arrests	0	0	1	0	1
Disciplinary Referrals	0	0	0	0	0

CRIME STATS 2014 CALENDAR YEAR					
	On	Resi-	Public	Non	
Offense	Campus	dential	Property	Campus	Total
Murder	0	0	0	0	0
Manslaughter	0	0	0	0	0
Forcible Sex Offenses	0	0	0	0	0
Non-forcible Sex Offenses	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	0	0	0	0	0
Burglary	2	2	0	0	2
Vehicle Theft	1	0	0	0	1
Larceny/Theft	51	27	0	0	51
Arson	0	0	0	0	0
Dating Violence	0	0	0	0	0
Domestic Violence	0	0	0	0	0
Stalking	1	1	0	0	1
Hate Crimes					
Race	0	0	0	0	0
Gender	0	0	0	0	0
Gender Identity	0	0	0	0	0
Religion	0	0	0	0	0
Sexual Orientation	0	0	0	0	0
Ethnicity	0	0	0	0	0
National Origin	0	0	0	0	0
Disability	0	0	0	0	0
Liquor Law Violations					
Arrests	0	0	0	0	0
Disciplinary Referrals	5	5	0	0	0
Drug Law Violations					
Arrests	0	0	3	0	3
Disciplinary Referrals	3	3	0	0	3
Weapons Violations					
Arrests	0	0	2	0	2
Disciplinary Referrals	0	0	0	0	0