

**JONES TECHNICAL INSTITUTE**

**ANNUAL SECURITY REPORT**

**8813 Western Way  
Jacksonville, FL 32256**

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## **JONES TECHNICAL INSTITUTE SAFETY & SECURITY INFORMATION**

Campus safety and security are important issues at Jones Technical Institute ("J-Tech"). Our goal is to provide students with a safe environment in which to learn and to keep students, parents, and employees well informed about campus security. The Jeanne Clery Campus Safety Act, or Clery Act, requires institutions of higher education to provide students and families with the information they need to make informed decisions. The following policies and procedures are established to comply with the Clery Act.

### **A. Timely Warnings**

In the event that a situation arises, either on or off campus, that, in the judgment of the Vice President, constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The Vice President will immediately notify the J-Tech community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring at J-Tech, unless issuing a notification will compromise efforts to contain the emergency. The warning will be issued through J-Tech's text message system and/or the school email system to students, faculty, and staff. Depending on the circumstances of the threat, especially in all situations that could pose an immediate threat to the community and individuals, J-Tech may also post a notice on the social media providing the school community with more immediate notification. Notices may also be posted in the common areas throughout the school. The information shall be disseminated by the Vice President, or by supporting staff members in a manner that aids the prevention of similar crimes. Anyone with information warranting a timely warning should report the circumstances to the Vice President by phone at (904) 328-5600 or in person at J-Tech.

### **B. Reporting the Annual Disclosure of Crime Statistics**

J-Tech prepares this report to comply with the Clery Act. The full text of this report can be located on our web site at [jtech.org](http://jtech.org). This report is prepared in cooperation with the local law enforcement agencies around our campus.

Campus crime, arrest and referral statistics include those reported to the Jacksonville Police, designated campus officials (including but not limited to the Vice President), and other law enforcement agencies.

Each year notification is made to all enrolled students and employees that provides the web site to access this report. Copies of the report may also be obtained in person from the Vice President or by calling (904) 328-5600. All prospective employees may obtain a copy online or from the Vice President.

### **C. Reporting of Criminal Offenses**

Jones Technical Institute encourages anyone who is the victim or witness to any crime or other emergency to report the incident as soon as possible. Contact the Vice President at (904) 328-5600 (non-emergencies) or dial 9-1-1 (emergencies only). Any suspicious activity or person seen loitering inside or around J-Tech buildings should be reported to the Vice President.

Reports may also be made to J-Tech's Campus Security Authorities, or CSAs. Under Federal law, the definition of CSAs includes individuals/offices designated by J-Tech as those to whom crimes should be reported, and officials with significant responsibility for student and campus activities. If a J-Tech staff member has "significant responsibility" for students and campus activities outside of the classroom, and students potentially could report a crime / incident to that staff member, then they are a CSA. CSAs are

defined by function, not title. For Jones Technical Institute, CSAs include J-Tech's President, Vice President, Director of Academic Affairs and Compliance, and

For off campus options you may contact the Jacksonville Sheriff's Office at (904) 630-0500 for non-emergencies. You should always dial 9-1-1 for emergency situations.

The Jacksonville Sheriff's Office encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the Jacksonville Sheriff's Office cannot hold reports of crime in confidence.

#### **D. Confidential Reporting**

Jones Technical Institute encourages anyone who is the victim or witness to any crime to report the incident as soon as possible. All reports will be investigated. Violations of the law will be referred to the Jacksonville Sheriff's Office. When a potentially dangerous threat to the J-Tech community arises, timely reports or warnings will be issued through email messages, text messages, the posting of flyers in J-Tech buildings, in-class announcements, or other appropriate means.

If you are the victim of a crime and do not want to pursue action within the campus or criminal justice systems, you may still want to consider making a confidential report. With your permission, the Vice President can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, J-Tech can keep an accurate record of the number of incidents occurring on campus properties. In addition, this will determine where there is a pattern of crime regarding a location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for J-Tech.

#### **E. Access Policy**

During business hours, J-Tech will be open to students, parents, employees, contractors, guests, and invitees. Entrance to the building during non-working hours is controlled by a code system. Attempted entrance without this code results in immediate notification to the police department. Only specific J-Tech employees are issued an individual security code for entrance. Unique security codes are issued for employees. The individual disclosure of security codes to non-employees is strictly prohibited. Security codes are inactivated upon termination of employees that had access.

The door to the reception area is always locked and requires appropriate credentials or escort past the reception or waiting area door(s). The reception area is always staffed during the working hours of 8:00 AM to 8:00 PM, Monday-Thursday and 8:00 AM to 4:00 PM Friday. Any unrecognized person in a restricted office location should be challenged as to their right to be there. All visitors must sign in at the front desk and be accompanied by J-Tech staff member.

#### **F. Campus Security Authority and Jurisdiction**

J-Tech's administration attempts to provide a safe, secure educational environment for all students and employees. J-Tech does not provide security guards on its campus premises. The ultimate authority for law enforcement at J-Tech is the Jacksonville Sheriff's Office. J-Tech does not have any written agreements with local police departments for the investigation of alleged criminal offenses. J-Tech officials have the authority to contact the local police to request assistance in preventing or reacting to crime within or in the immediate vicinity of school facilities. J-Tech's Vice President is the school's coordinator of security issues. The Vice President is not authorized to arrest individuals but does have the authority to detain suspected criminal offenders if it is deemed safe to do so. If possible, Vice President

shall attempt to non-violently deal with the crime or emergency with the appropriate agency. Individual discretion must be used, as undue risk should not be taken. The administration at J-Tech has a working relationship with the local police and work in partnership to offer students and employees the safest possible environment.

#### **G. Security Awareness and Prevention Programs**

Prior to enrollment, all prospective students are provided a school catalog containing policies, procedures, and practices. At orientation, students will again review the catalog in full, including campus security policies, procedures, and practices. All active students and employees receive updated campus crime data and information on campus security procedures and practices annually no later than October 1st as part of J-Tech's annual security report and crime disclosure.

For information on crime prevention programs and tips, students and employees are encouraged to contact the local police department's crime prevention unit. Jones Technical Institute does not offer on-campus crime prevention programs.

Jones Technical Institute does not officially recognize any off-campus student organizations.

#### **H. Criminal Activity Off Campus**

Jones Technical Institute does not provide law enforcement services to off-campus activities on behalf of J-Tech.

#### **I. Emergency Response Preparation and Evacuation**

In the event of an emergency, students, faculty, and staff will be notified via text message. J-Tech will perform an annual test of the emergency/evacuation text messaging system. All students are responsible for updating their telephone numbers with the administration.

#### **Natural Disaster Plan**

The Vice President monitors the National Weather Service. In the event of impending severe weather at the facility, the following will occur:

- If a Hurricane Warning or Watch (defined below) takes place outside of normal business hours the Vice President will determine if the campus will be closed. If the campus is closed all students, faculty, and staff will be notified via text message, Facebook and Instagram.
- If a Hurricane Warning or Watch takes place during normal business hours the Vice President will determine if the campus will close. Each student, faculty, and staff member will be notified verbally or via text message, Facebook and Instagram that the campus will be closing.
- If severe weather or any other natural disaster such as tornado occurs during normal business hours the Vice President will determine if the students, faculty and staff need to move away from the windows and move to a designated "Severe Weather Area" in J-Tech.

**Hurricane Watch** – hurricane conditions (sustained winds of 74 mph or higher) are **possible** within the specified area. A **hurricane watch** is issued 48 hours in advance of the anticipated onset of tropical storm-force winds in an area.

**Hurricane Warning** – hurricane conditions (sustained winds of 74 mph or higher) are **expected** within the specified area. A **hurricane watch** is issued 48 hours in advance of the anticipated onset of tropical-storm-force winds in an area

### **Active Shooter Plan**

Any event where a **firearm or any other weapon** is known to be involved, all employees and students are asked to contact the Vice President and notify them of the situation. If the President is unavailable, please contact the Director of Education or Program Manager.

- If confronted by an armed/violent intruder, do **not** resist and follow their instructions.
- If you are able to run, run out of the building, warning others not to enter. As soon as you are safe, call 911 immediately and inform them of the following:
  - What is going on?
  - Location of incident
  - What type of weapon is involved?
  - How many people are involved?

If scene is not safe, stay out of danger area and wait for police to arrive.

- If you are unable to run and exit the building, the next safest option is to hide and stay quiet. If you are able use furniture or other heavy items to shield yourself from sight.
- As a very last resort, when you cannot safely exit the building or hide, use any objects to protect yourself against an attack.

### **Bomb and Terrorist Plan**

All bomb threats should be treated as though they are real. In the event that a bomb threat is received, the following steps should be taken:

- If a bomb threat has been received at the facility, the Vice President shall initiate an emergency evacuation of the facility.
- Call 911 and report the bomb threat.
- If the bomb threat has been received via phone, the person taking the call should remain calm and obtain as much information from the caller as possible including the following:
  - How many bombs are there?
  - Where are they located?
  - When are they set to explode?

### **J. Fire Prevention and Workplace Hazards**

It is the responsibility of all faculty and staff to alert the Vice President of any and all conditions that could potentially pose a fire hazard or other unsafe condition in or around the building. No smoking is permitted in the building and flammable chemicals are confined and stored in a locked area, meeting all OSHA requirements. Good housekeeping practices will be the responsibility of all faculty, staff, and students. Waste materials are to be discarded in their proper places and all aisles, doorways, hallways and exit doors are to be kept clear at all times.

### **K. Alcoholic Beverages or Controlled Substances**

It is the policy of Jones Technical Institute that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol is prohibited while in the workplace, on school premises, or as part of any school sponsored activities. Any employee or student violating this policy will be subject to disciplinary action up to and including termination or expulsion and referral for prosecution. The specifics of this policy can be found in the Drug and Alcohol Abuse Prevention Program.

### **L. Alcohol and Substance Abuse Education**

J-Tech has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of information materials, referrals, and school disciplinary actions.

A violation of any law regarding drugs or alcohol is also a violation of J-Tech's Drug and Alcohol Abuse Prevention Program and will be treated as a separate disciplinary matter by J-Tech.

Please see J-Tech's Drug and Alcohol Abuse Prevention Program, which is part of this Annual Security Report, for contact information to local mental health and substance abuse services.

### **M. Sexual Harassment Policies & Grievance Procedures**

Jones Technical Institute is committed to providing a working and educational environment for all students, faculty and staff that is free from sex discrimination, including sexual harassment. Every member of the J-Tech community should be aware that J-Tech is strongly opposed to sexual harassment, and that such behavior is prohibited by state and federal laws.

J-Tech's Sexual Harassment Policies & Grievance Procedures are part of this Annual Security Report. It describes J-Tech's programs to prevent sexual harassment, and the procedures that J-Tech will follow once an incident of sexual harassment has been reported. This Policy is disseminated widely to the J-Tech community through publications, J-Tech website, new employee orientations, student orientations, and other appropriate channels of communication. Copies of the Policy can be obtained from the Vice President or downloading from J-Tech's website at [jtech.org](http://jtech.org). J-Tech provides training to key staff members to enable the school to handle any allegations of sexual misconduct promptly and effectively. J-Tech will respond promptly to all reports of sexual harassment, and will take appropriate action to prevent, to correct, and if necessary, to discipline behavior that violates this policy.

J-Tech's Sexual Harassment Policies & Grievance Procedures govern sexual harassment that occurs in J-Tech's education programs or activities. This Policy applies to all students, employees, and third parties conducting business with J-Tech, regardless of the person's gender, gender identity, sexual orientation, age, race, nationality, class status, ability, religion or other protected status. J-Tech encourages victims of sexual harassment to talk to somebody about what happened – so victims can get the support they need, and so J-Tech can respond appropriately. As further described in this Policy, J-Tech will seek to respect a victim's request for confidentiality to the extent possible, while remaining ever mindful of the victim's well-being.

### **N. Sexual Offender Registration**

In accordance with the Campus Sex Crimes Prevention Act of 2000, the Clery Act, and the Family Rights and Privacy Act of 1974, J-Tech is providing information for where students and employees may obtain information regarding registered sex offenders. The Florida Sex Offenders Registry may be found at [offender.fdle.state.fl.us](http://offender.fdle.state.fl.us). The Campus Sex Crimes Prevention Act requires institutions of higher education to provide a statement advising the campus community where law enforcement information provided by a state concerning registered sex offenders can be obtained.

### **O. Anti-Hazing Policy**

J-Tech takes a proactive approach to the prevention of hazing. All students and staff are responsible for complying with policies, standards, rules, and requirements for academic and social behavior. All parties have the responsibility to uphold community standards both on and off campus.

Additionally, you should also be aware that the State of Florida Legislature enacted an anti-hazing law in 2005, the Chad Meredith Act, which provides the following definition of hazing:

*Hazing means any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes, including, but not limited to, the purpose of initiation or admission into or affiliation with any organization operating under the sanction of a postsecondary institution.*

#### **What is Hazing**

"Hazing" includes, but is not limited to:

- Pressuring or coercing the student into violating state or federal law; any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other forced physical activity that which could adversely affect the physical health or safety of the student;
- Any activity that which would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that which could result in extreme embarrassment;
- Other forced activity that which could adversely affect the mental health or dignity of the student.
- Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

#### Penalties for Hazing

In the State of Florida, hazing is a criminal offense and is defined as:

"A person commits hazing, a third-degree felony, when he or she intentionally or recklessly commits any act of hazing upon another person who is a member of or an applicant to any type of student organization and the hazing results in serious bodily injury or death of such other person."

J-Tech will take swift disciplinary action against individuals and/or groups who are involved in hazing activities. In addition, J-Tech will make appropriate referrals to state and local authorities for possible criminal prosecution.

## JONES TECHNICAL INSTITUTE CAMPUS CRIME REPORT

The Vice President prepares this report to comply with the Jeanne Clery Campus Safety Act. The report is prepared in cooperation with the local law enforcement agencies surrounding our campus.

Campus crime, arrest, and referral statistics include those reported to the Vice President and local law enforcement agencies. Copies of the report may be obtained in the Vice President Office or by calling (904) 328-5600. All prospective employees may obtain a copy from the Vice President or by calling (904) 328-5600.

**To Report A Crime:** Contact the Vice President at (904) 328-5600 (non-emergencies) or dial 9-1-1 (emergencies only). Any suspicious activity or person seen loitering inside or around J-Tech buildings should be reported to the Vice President.

| Offense                                                                | On Campus |      |      |  | Public Property |      |      |
|------------------------------------------------------------------------|-----------|------|------|--|-----------------|------|------|
|                                                                        | 2023      | 2024 | 2025 |  | 2023            | 2024 | 2025 |
| Murder/Non-Negligent Manslaughter                                      | 0         | 0    | 0    |  | 0               | 0    | 0    |
| Negligent Manslaughter                                                 | 0         | 0    | 0    |  | 0               | 0    | 0    |
| Rape                                                                   | 0         | 0    | 0    |  | 0               | 0    | 0    |
| Fondling                                                               | 0         | 0    | 0    |  | 0               | 0    | 0    |
| Incest                                                                 | 0         | 0    | 0    |  | 0               | 0    | 0    |
| Statutory Rape                                                         | 0         | 0    | 0    |  | 0               | 0    | 0    |
| Robbery                                                                | 0         | 0    | 0    |  | 0               | 0    | 0    |
| Aggravated Assault                                                     | 0         | 0    | 0    |  | 0               | 0    | 0    |
| Burglary                                                               | 0         | 0    | 0    |  | 0               | 0    | 0    |
| Motor Vehicle Theft                                                    | 0         | 0    | 0    |  | 0               | 0    | 0    |
| Arson                                                                  | 0         | 0    | 0    |  | 0               | 0    | 0    |
| Hazing                                                                 | n/a       | n/a  | 0    |  | n/a             | n/a  | 0    |
| <b>VAWA Offenses</b>                                                   |           |      |      |  |                 |      |      |
| Domestic Violence                                                      | 0         | 0    | 0    |  | 0               | 0    | 0    |
| Dating Violence                                                        | 0         | 0    | 0    |  | 0               | 0    | 0    |
| Stalking                                                               | 0         | 0    | 0    |  | 0               | 0    | 0    |
| <b>Arrests &amp; Disciplinary Referrals</b>                            |           |      |      |  |                 |      |      |
| Liquor Law Arrests                                                     | 0         | 0    | 0    |  | 0               | 0    | 0    |
| Liquor Law Violations Referred for Disciplinary Action                 | 0         | 0    | 0    |  | 0               | 0    | 0    |
| Drug Law Arrests                                                       | 0         | 0    | 0    |  | 0               | 0    | 0    |
| Drug Law Arrests Referred for Disciplinary Action                      | 0         | 0    | 0    |  | 0               | 0    | 0    |
| Illegal Weapons Possession Arrests                                     | 0         | 0    | 0    |  | 0               | 0    | 0    |
| Illegal Weapons Possession Violations Referred for Disciplinary Action | 0         | 0    | 0    |  | 0               | 0    | 0    |

**Hate Crimes** – There were no reported Hate Crimes for the years 2023, 2024, or 2025.

## **JONES TECHNICAL INSTITUTE DRUG AND ALCOHOL ABUSE PREVENTION PROGRAM**

Jones Technical Institute believes that it is very important to provide a safe environment for all of its students and employees. Substance abuse, while at work, school or otherwise, seriously endangers the safety of students and employees, as well as the general public, and creates a variety of problems including increased theft, decreased morale, decreased productivity, and a decline in the quality of services provided. It is also our Policy to prevent the use and/or presence of these substances in J-Tech. Jones Technical Institute will strive to provide an environment conducive to making conscientious and healthy decisions when students are faced with difficult choices associated with the use of legal and illegal drugs.

It is a violation of school policy for any student to:

- Use illegal drugs or misuse prescription drugs;
- Misuse alcohol;
- Possess, trade, manufacture, distribute, dispense, buy, or offer for sale alcohol, illegal and/or prescription drugs while on duty, during break periods, or on school property;
- Arrive or return to school intoxicated from use of illegal drugs, misused prescription drugs or alcohol;
- Engage in the use of illegal drugs, misuse of prescription drugs or alcohol during school hours or while on school property (including parking lots); or
- Use prescription drugs or non-prescription drugs that may affect the safety of the student or fellow students, and members of the public.

No employee or student is to report to work, attend class, or participate in any activity while under the influence of one or more illegal drugs or alcohol.

Any student who is taking any prescription or non-prescription drug which might impair safety, performance, or any motor functions must advise his/her Instructor or the Vice President before providing services under such medication.

The possession and use of alcoholic beverages by employees, students, and guest of J-Tech are always subject to applicable state alcoholic beverage laws, as well as city ordinances within our service area, and J-Tech's policy. Students are individually responsible for being aware of applicable laws, regulations, ordinances, and J-Tech's policy for complying with them. Jones Technical Institute will assist in that endeavor by providing current information on an ongoing basis to all students.

### **Drug & Alcohol Health Risks**

Alcohol: People drink to socialize, celebrate, and relax. Alcohol often has a strong effect on people—and throughout history, people have struggled to understand and manage alcohol's power. Why does alcohol cause people to act and feel differently? How much is too much? Why do some people become addicted while others do not?

Alcohol's effects vary from person to person, depending on a variety of factors, including:

- How much you drink
- How often you drink
- Your age
- Your health status
- Your family history

While drinking alcohol is itself not necessarily a problem—drinking too much can cause a range of consequences and increase your risk for a variety of problems.

**Cocaine:** Cocaine is a powerfully addictive stimulant drug. Cocaine increases levels of the natural chemical messenger *dopamine* in brain circuits controlling pleasure and movement. This flood of dopamine ultimately disrupts normal brain communication and causes cocaine's high.

Short-term effects include constricted blood vessels, nausea, faster heartbeat, extreme happiness and energy, irritability, and paranoia. Long-term effects include nosebleeds, severe bowel decay, higher risk of contracting HIV, hepatitis C, and other bloodborne diseases, malnourishment, restlessness, and severe paranoia with auditory hallucinations. A person can overdose on cocaine, which can lead to death.

**Marijuana:** Marijuana contains the mind-altering chemical THC and other related compounds. THC over-activates certain brain cell receptors, resulting in effects such as altered senses, changes in mood, impaired body movement, difficulty with thinking and problem-solving, and impaired memory and learning. Marijuana use can have a wide range of health effects, including hallucinations and paranoia, breathing problems, and possible harm to a fetus's brain in pregnant women. Marijuana use can cause some very uncomfortable side effects, such as anxiety and paranoia and, in rare cases, extreme psychotic reactions. Marijuana use can lead to a substance use disorder, which can develop into an addiction in severe cases.

**Hallucinogens and Dissociative Drugs:** Hallucinogens and dissociative drugs—which have street names like acid, angel dust, and vitamin K—distort the way a user perceives time, motion, colors, sounds, and self. These drugs can disrupt a person's ability to think and communicate rationally, or even to recognize reality, sometimes resulting in bizarre or dangerous behavior. Hallucinogens such as LSD, psilocybin, peyote, DMT, and ayahuasca cause emotions to swing wildly and real-world sensations to appear unreal, sometimes frightening. Dissociative drugs like PCP, ketamine, dextromethorphan, and *Salvia divinorum* may make a user feel out of control and disconnected from their body and environment. In addition to their short-term effects on perception and mood, hallucinogenic drugs are associated with psychotic-like episodes that can occur long after a person has taken the drug, and dissociative drugs can cause respiratory depression, heart rate abnormalities, and a withdrawal syndrome.

**Methamphetamine:** The abuse of methamphetamine—a potent and highly addictive stimulant—remains an extremely serious problem in the United States. The consequences of methamphetamine abuse are terrible for the individual—psychologically, medically, and socially. Abusing the drug can cause memory loss, aggression, psychotic behavior, damage to the cardiovascular system, malnutrition, and severe dental problems. Methamphetamine abuse has also been shown to contribute to increased transmission of infectious diseases, such as hepatitis and HIV/AIDS.

### **Reasonable Search:**

To ensure that illegal drugs and alcohol do not enter or affect J-Tech, Jones Technical Institute reserves the right to search all vehicles, containers, lockers, or other items on school property in furtherance of this Policy. Individuals may be requested to display personal property for visual inspection upon J-Tech's request. Searches will be conducted only where Jones Technical Institute has reason to believe that the student has violated J-Tech's Policy. Failure to consent to a search or display of personal property for visual inspection will be grounds for discipline, up to and including termination from the program or denial of access to school premises. Searches of a student's personal property will take place only in the student's presence. All searches under this Policy will occur with the utmost discretion and consideration for the student involved. Individuals may be required to empty their pockets, but under no circumstances will a student be required to remove articles of clothing to be physically searched.

### **Student Assistance:**

Jones Technical Institute holds all students accountable in terms of substance use but also supports getting help for students. Students who come forward voluntarily to identify that they have a substance problem will not be reprimanded. It is important for the student to come to an understanding regarding the extent of the problem in order to correct the problem and be able to avoid future usage in violation of

J-Tech's Policy. This is required in order to correct the problem and be able to avoid violating J-Tech's Policy in the future. If the student is willing to actively engage in resolving the substance use problem, J-Tech will refer the student to a Substance Abuse Professional for an assessment and possible outpatient counseling at the student's expense. If a leave of absence is requested, it must follow the Leave of Absence Policy as stipulated in the catalog. This leave will be conditioned upon receipt of reports from the treatment providers that the student is cooperating and making reasonable progress in the treatment program. The student will be permitted to return to school only if (s)he passes a drug /alcohol test and has satisfactory medical evidence that (s)he is fit for attendance.

This protection does not cover a student who confesses a problem after an incident or accident that requires a substance use test, or after being notified that a reasonable suspicion test is required.

## **Alcohol & Drug Prevention & Treatment**

### Treatment Options

If you're seeking treatment, you can call the Substance Abuse and Mental Health Services Administration's (SAMHSA's) National Helpline at 1-800-662-HELP (1-800-662-4357) or go to [www.findtreatment.samhsa.gov](http://www.findtreatment.samhsa.gov) for information on hotlines, counseling services, or treatment options in the Florida.

### Important Contact Information

Drug and alcohol counseling and rehabilitation referrals are available through the Career Services Coordinator (904-328-5600)

### Hotlines:

Alcoholics Anonymous: 1-800-356-9996  
American Council on Alcoholism Help Line: 1-800-527-5344  
National Academy on Drug Abuse Hotline: 1-800-662-HELP (4357)  
Cocaine Hotline: 1-800-COCAINE  
National Council on Alcoholism 1-800-NCA-CALL

Additional information about drug and alcohol abuse, health risks, addiction and prevention can be accessed at the National Academy on Alcohol Abuse and Alcoholism ([www.Academydrinkingprevention.gov](http://www.Academydrinkingprevention.gov)) as well as the National Academy on Drug Abuse ([www.drugabuse.gov/DrugPages/DrugsofAbuse.html](http://www.drugabuse.gov/DrugPages/DrugsofAbuse.html)).

### **Disciplinary Action:**

Violation of the policy and laws referenced above by an employee or student will be grounds for disciplinary action up to and including termination or expulsion in accordance with applicable School policies. Violators may also be subject to local, state, and federal criminal laws. Disciplinary action taken against a student or employee of J-Tech does not preclude the possibility of criminal charges being filed against that individual. The filing of criminal charges similarly does not preclude disciplinary action by J-Tech. Students or employees who believe disciplinary action was taken in error should follow the grievance procedures outlined in the student or employee handbook as appropriate.

### **Confidentiality:**

All information, interviews, reports, statement memoranda and drug test results, written or otherwise, received by the Jones Technical Institute as part of this Drug and Alcohol Abuse Prevention Program are confidential communications. Unless authorized by state laws, rules or regulations, J-Tech will not release such information without a written consent form signed voluntarily by the person tested. Information on drug testing results will not be released unless such information or records are compelled by a court or a professional or occupational licensing board.

### **Biennial Review:**

J-Tech will review the drug and alcohol prevention program every two years on the odd number year. J-Tech's Vice Presidents are responsible for ensuring completion of a biennial review of the DAAP

Program and the associated report. Any recommendations/data and or assistance available to substance abusers will be updated and distributed to all J-Tech students and staff.

Jones Technical Institute assesses the effectiveness of the DAAP Program and related policies by conducting an analysis of counseling referrals and campus conduct violations for both students and employees. This will include information reported to J-Tech's Vice President as well as information obtained by J-Tech from local police reports.

In conducting its assessment, J-Tech will analyze the DAAP Program strengths, weaknesses, opportunities, and threats. The committee will use this information to seek opportunities to improve experiences for our students and staff.

### Overview of Federal Controlled Substance Penalties

The Controlled Substances Act (CSA) places all substances which were in some manner regulated under existing federal law into one of five schedules. This placement is based upon the substance's medical use, potential for abuse, and safety or dependence liability. The Act also provides a mechanism for substances to be controlled (added to or transferred between schedules) or decontrolled (removed from control). The procedure for these actions is found in Section 201 of the Act (21U.S.C. §811).

The CSA provides penalties for unlawful manufacturing, distribution, and dispensing of controlled substances. The penalties are basically determined by the schedule of the drug or other substance, and sometimes are specified by drug name, as in the case of marijuana. As the statute has been amended since its initial passage in 1970, the penalties have been altered by Congress. The following charts are an overview of the penalties for trafficking or unlawful distribution of controlled substances.

### FEDERAL TRAFFICKING PENALTIES

| DRUG/SCHEDULE                  | QUANTITY                                  | PENALTIES                                                                                                                                                                                                                   | QUANTITY                                           | PENALTIES                                                                                                                                                                                                                   |
|--------------------------------|-------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Cocaine (Schedule II)          | 500–4999 grams mixture                    | <b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual. | 5 kgs or more mixture                              | <b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual. |
| Cocaine Base (Schedule II)     | 28–279 grams mixture                      |                                                                                                                                                                                                                             | 280 grams or more mixture                          |                                                                                                                                                                                                                             |
| Fentanyl (Schedule II)         | 40–399 grams mixture                      |                                                                                                                                                                                                                             | 400 grams or more mixture                          |                                                                                                                                                                                                                             |
| Fentanyl Analogue (Schedule I) | 10–99 grams mixture                       |                                                                                                                                                                                                                             | 100 grams or more mixture                          |                                                                                                                                                                                                                             |
| Heroin (Schedule I)            | 100–999 grams mixture                     | <b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.                  | 1 kg or more mixture                               | <b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.                 |
| LSD (Schedule I)               | 1–9 grams mixture                         |                                                                                                                                                                                                                             | 10 grams or more mixture                           |                                                                                                                                                                                                                             |
| Methamphetamine (Schedule II)  | 5–49 grams pure or 50–499 grams mixture   |                                                                                                                                                                                                                             | 50 grams or more pure or 500 grams or more mixture |                                                                                                                                                                                                                             |
| PCP (Schedule II)              | 10–99 grams pure or 100–999 grams mixture |                                                                                                                                                                                                                             | 100 gm or more pure or 1 kg or more mixture        |                                                                                                                                                                                                                             |
|                                |                                           |                                                                                                                                                                                                                             |                                                    | <b>2 or More Prior Offenses:</b><br>Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.                                                                              |

| PENALTIES                                                                               |                           |                                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid) | Any amount                | <b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual.                                                                                                                                                                                   |
| Flunitrazepam (Schedule IV)                                                             | 1 gram                    | <b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.                                                                                                                                                                                                |
| Other Schedule III drugs                                                                | Any amount                | <b>First Offense:</b> Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.<br><b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual. |
| All other Schedule IV drugs                                                             | Any amount                | <b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.                                                                                                                                                                                                                                             |
| Flunitrazepam (Schedule IV)                                                             | Other than 1 gram or more | <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.                                                                                                                                                                                                                                    |
| All Schedule V drugs                                                                    | Any amount                | <b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual.<br><b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.                                                                                                                  |

## FEDERAL TRAFFICKING PENALTIES—MARIJUANA

| DRUG                     | QUANTITY                                                                                                            | 1 <sup>st</sup> OFFENSE                                                                                                                                                                                           | 2 <sup>nd</sup> OFFENSE                                                                                                                                                                    |
|--------------------------|---------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Marijuana (Schedule I)   | 1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants                                               | Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual. | Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual. |
| Marijuana (Schedule I)   | 100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants                                                  | Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.  | Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75million if other than an individual.  |
| Marijuana (Schedule I)   | More than 10 kgs hashish; 50 to 99 kg marijuana mixture<br>More than 1 kg of hashish oil; 50 to 99 marijuana plants | Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.                                     | Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.                                   |
| Marijuana (Schedule I)   | Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)            | Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.                                                                                                                       | Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.                                                                                               |
|                          | 1 to 49 marijuana plants;                                                                                           |                                                                                                                                                                                                                   |                                                                                                                                                                                            |
| Hashish (Schedule I)     | 10 kg or less                                                                                                       |                                                                                                                                                                                                                   |                                                                                                                                                                                            |
| Hashish Oil (Schedule I) | 1 kg or less                                                                                                        |                                                                                                                                                                                                                   |                                                                                                                                                                                            |

\*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual.

## Key Provisions of Florida Drug & Alcohol Laws

### Florida Drug Laws

Florida Statute § 893.13 makes it unlawful for any person to sell, manufacture, or deliver, or possess with intent to sell, manufacture, or deliver, a controlled substance. Any person who violates this provision can be liable for the following penalties, depending on the classification and amount of drug involved:

|                                  |                                                     |
|----------------------------------|-----------------------------------------------------|
| Felony in the first degree       | Up to 30 years imprisonment and a \$10,000.00 fine  |
| Felony in the second degree      | Up to 15 years imprisonment and a \$10,000.00 fine  |
| Felony in the third degree       | Up to 5 years imprisonment and a \$5,000.00 fine    |
|                                  |                                                     |
| Misdemeanor in the first degree  | Up to 1 year imprisonment and a \$1,000.00 fine     |
| Misdemeanor in the second degree | Up to 60 days imprisonment and a \$500.00 fine      |
| Non-criminal charge              | Other fines and civil penalties determined by court |

Florida statute also prohibits the sale, manufacture, or delivery, or possession with intent to sell, manufacture or deliver, of a Controlled Substance “in, on, or within 1,000 feet of the real property comprising a public or private college, university, or other postsecondary institution.” A conviction may be punishable by imprisonment for up to 30 years and a \$10,000.00 fine. (F.S. § 893.13(1)(d)).

### Florida Alcohol Laws

The legal drinking age in Florida is 21 years of age. (F.S. § 562.111)

- It is unlawful for any person to aid or abet an underage person in the purchase or attempt to obtain alcoholic beverages.
- It is unlawful for any underage person to falsify a driver's license or other identification document in order to obtain or attempt to obtain alcoholic beverages.
- It is unlawful for any person to permit use of his/her driver's license or any other identification document by an underage person to purchase or attempt to purchase alcoholic beverages.

### Marijuana

Marijuana in Florida is legal only for medicinal use. Recreational possession of up to 20 grams is a misdemeanor offense, punishable by up to one year in jail and a fine of up to \$1,000. All marijuana use is still a criminal act under federal law. Use of marijuana by adults that might otherwise be permissible under Florida law may be subject to criminal penalty under applicable federal laws.

### Notice of Federal Student Aid (FSA) Penalties for Drug Law Violations:

The Higher Education Opportunity Act (HEA) requires institutions to provide to every student upon enrollment a separate, clear and conspicuous written notice with information on the penalties associated with drug-related offenses under existing section 484(r) of the HEA. It also requires an institution to provide a timely notice to each student who has lost eligibility for any grant, loan, or work-study assistance as a result of penalties under 484(r)(1) of the HEA a separate clear, and conspicuous written notice that notifies the student of the loss of eligibility and advises the student of the ways in which to regain eligibility under section 484(r)(2) of the HEA. Students are hereby notified that federal guidelines mandate that a federal or state drug conviction can disqualify a student for Federal Student Aid funds. Convictions only count if they were for an offense that occurred during a period of enrollment for which the student was receiving Title IV aid—they do not count if the offense was not during such a period. Also, a conviction that was reversed, set aside, or removed from the student's record does not count, nor does one received when he/she was a juvenile, unless the student was tried as an adult.

The Higher Education Act of 1965 as amended (HEA) suspends aid eligibility for students who have been convicted under federal or state law of the sale or possession of drugs, if the offense occurred during a period of enrollment for which the student was receiving federal student aid (grants, loans, and/or work-study). If you have a conviction(s) for these offenses, call the Federal Student Aid Information Center at

1-800-4-FED-AID (1-800-433-3243) to complete the "Student Aid Eligibility Worksheet" to find out how this law applies to you.

If you have lost federal student aid eligibility due to a drug conviction, you can regain eligibility if you pass two unannounced drug tests conducted by a drug rehabilitation program that complies with criteria established by the U.S. Department of Education.

By completing the FAFSA, you may be eligible for nonfederal aid from states and private institutions even if ineligible for Federal Aid. If you regain eligibility during the award year, notify your financial aid administrator immediately. If you are convicted of a drug-related offense after you submit the FAFSA, you might lose eligibility for federal student aid, and you may be liable for returning any financial aid you received during a period of ineligibility.

**School Flexibility:**

Jones Technical Institute reserves the right to alter or amend any portion of this policy at any time without prior notice. J-Tech reserves the right to alter or modify this policy in a given situation depending on the totality of the circumstances. Time periods stated herein for the performance of any act or provision of any notice by J-Tech are for guidance only and failure of Jones Technical Institute to strictly meet any time frame provided herein shall not preclude J-Tech from taking any action provided herein. Under no circumstances shall failure to perform any act within the time frames herein excuse or relieve any student from his or her obligations or relieve any student from the consequences of any violation of this Policy.

## **JONES TECHNICAL INSTITUTE SEXUAL HARASSMENT POLICIES & GRIEVANCE PROCEDURES**

### **1. Introduction**

Jones Technical Institute (“J-Tech”) is committed to providing a working and educational environment for all students, faculty and staff that is free from sex discrimination, including sexual harassment. Every member of the J-Tech community should be aware that J-Tech is strongly opposed to sexual harassment, and that such behavior is prohibited by state and federal laws.

J-Tech does not discriminate on the basis of sex in its educational, extracurricular, or other programs or in the context of employment. Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides:

*No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.*

As part of J-Tech’s commitment to providing a working and learning environment free from sexual harassment, this Policy shall be disseminated widely to the J-Tech community through publications, the J-Tech website, new employee orientations, student orientations, and other appropriate channels of communication. J-Tech provides training to key staff members to enable J-Tech to handle any allegations of sexual harassment promptly and effectively. J-Tech will respond promptly to all reports of sexual harassment, and will take appropriate action to prevent, to correct, and if necessary, to discipline behavior that violates this policy.

### **2. Scope of the Policy**

This Policy governs sexual harassment that occurs in J-Tech’s education programs or activities. This Policy applies to all students, employees, and third parties conducting business with J-Tech, regardless of the person’s gender, gender identity, sexual orientation, age, race, nationality, class status, ability, religion or other protected status. J-Tech encourages victims of sexual harassment to talk to somebody about what happened – so victims can get the support they need, and so J-Tech can respond appropriately. As further described in this Policy, J-Tech will seek to respect a victim’s request for confidentiality to the extent possible, while remaining ever mindful of the victim’s well-being.

### **3. Prohibited Conduct**

Sexual harassment comprises a broad range of behaviors focused on sex that may or may not be sexual in nature. Sexual harassment includes a school employee conditioning the provision of a school aid, benefit, or service on an individual’s participation in unwelcome sexual conduct. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to J-Tech’s education programs or activities also constitutes sexual harassment. Sexual assault, stalking, domestic violence, and dating violence are all forms of sexual harassment. Retaliation following an incident of alleged sexual harassment or attempted sexual harassment is strictly prohibited. The definitions for specific acts of sexual harassment can be found in the Definitions of Key Terms at the end of this Policy statement.

Sexual harassment can occur between strangers or acquaintances, or people who know each other well, including between people involved in an intimate or sexual relationship, can be committed by anyone regardless of gender identity, and can occur between people of the same or different sex or gender. **This Policy prohibits all forms of sexual harassment.**

### **4. Options for Assistance Following an Incident of Sexual Harassment**

J-Tech strongly encourages any victim of sexual harassment to seek immediate assistance. Seeking prompt assistance may be important to ensure a victim’s physical safety or to obtain medical care. J-Tech strongly advocates that a victim of sexual harassment report the incident in a timely manner. Time is a critical factor for evidence collection and preservation.

**Reporting Incidents of Sexual Harassment.**

Victims of sexual harassment may file a report with the Jacksonville Sheriff's Office. Victims may also file a report with J-Tech's Title IX Coordinator. More information about reporting an incident of sexual harassment can be found in Section 6 of this Policy, below.

J-Tech will respond promptly when it has actual knowledge of sexual harassment in its education programs or activities. The Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures as described below, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. J-Tech will also provide the complainant with written notification about assistance available both within the J-Tech community and without.

A complainant may choose for the investigation to be pursued through the criminal justice system and/or through J-Tech's disciplinary procedures by filing a formal complaint as describe in this Policy. J-Tech and the criminal justice system work independently from each other. Law enforcement officers do not determine whether a violation of this Policy has occurred. The Title IX Coordinator will guide the complainant through the available options and support the complainant in his or her decision.

**Supportive Measures.**

J-Tech's Title IX Coordinator will work with all students affected by sexual harassment to ensure their safety and support their wellbeing. This assistance may include providing supportive measures to support or protect a student after an incident of sexual harassment and while an investigation or disciplinary proceeding is pending. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to J-Tech's education programs and activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or J-Tech's educational environment, or deter sexual harassment.

Supportive measures may include:

- counseling,
- extensions of deadlines or other course-related adjustments,
- modifications of work or class schedules,
- campus escort services,
- mutual restrictions on contact between the parties,
- changes in work or housing locations,
- leaves of absence,
- increased security and monitoring of certain areas of the campus, and
- other similar measures.

J-Tech will maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of J-Tech to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The measures needed by each student may change over time, and the Title IX Coordinator will communicate with each student throughout any investigation to ensure that any supportive measures are necessary and effective based on the students' evolving needs. Students who report an incident of sexual harassment may also be able to obtain a formal protection order from a civil or criminal court. J-Tech will work with the student and the applicable court to assist in the enforcement of any such protective orders.

**Support Services Available.**

Counseling, advocacy and support services are available for complainants, whether or not a complainant chooses to make an official report or participate in J-Tech's disciplinary or criminal process. *Jones Technical Institute does not provide counseling or health care services. Personal counseling offered by J-Tech will be limited to initial crisis assessment and referral.*

Sexual harassment crisis and counseling options are available locally and nationally through a number of agencies, including:

**National Resources:**

**National Sexual Assault Hotline:** 800-656-4673

**National Domestic Violence Hotline:** 800-799-7233

**Local Resources:**

Relationship Center of Jacksonville - (904) 236-3963

Women's Center of Jacksonville

5644 Colcord, Jacksonville, FL 32211

904-722-3000

<http://womenscenterofjax.org/index.shtml>

24 Hour Rape Hotline (Rape Recovery Team)

904-721-7273 [http://womenscenterofjax.org/services\\_rrt.shtml](http://womenscenterofjax.org/services_rrt.shtml)

Hubbard House

8012 Lem Turner Blvd, Jacksonville, FL 32208

904-354-3114

<http://www.hubbardhouse.org/>

Sulzbacher Center

611 East Adams St., Jacksonville, FL 32202

904-359-0457

<http://www.sulzbachercenter.org/overview/about.htm>

**Health Care Services:**

UF Health Jacksonville

655 W 8th St.

Jacksonville, FL 32209

904-244-0411

<http://ufhealthjax.org/>

CareSpot Urgent Care:

Arlington: 904-743-2466

Beaches: 904-241-0117

Mandarin: 904-288-0277

Northside: 904-757-2008

Town Center: 904-248-3910

Westside: 904-531-4525

<https://www.carespot.com/>

Wolfson Children's Hospital

800 Prudential Drive

Jacksonville, Florida 32207

904-202-2000

<http://www.baptistjax.com/locations/wolfson-childrens-hospital>

**Evidence Preservation**

Victims of sexual assault, domestic violence or dating violence should consider seeking medical attention as soon as possible. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen where they were assaulted so that evidence necessary to prove criminal

activity may be preserved. In circumstances where the victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address health concerns. Victims of sexual harassment are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful in connection with a school or police investigation.

### **5. Title IX Coordinator**

J-Tech's Title IX Coordinator is responsible for monitoring and overseeing J-Tech's compliance with Title IX and the prevention of sexual harassment and discrimination. The Title IX Coordinator is:

- Knowledgeable and trained in J-Tech policies and procedures and relevant state and federal laws;
- Available to advise any individual, including a complainant, respondent, or a third party, about school and community resources and reporting options;
- Available to provide assistance to any J-Tech employee regarding how to respond appropriately to a report of Title IX-related prohibited conduct and related retaliation;
- Participate in ensuring the effective implementation of this Policy, including monitoring compliance with all procedural requirements, record keeping, and timeframes; and
- Responsible for overseeing training, prevention, and education efforts and annual reviews of climate and culture.

Inquiries or concerns about Title IX may be referred to J-Tech's Title IX Coordinator:

Lori Stowers, Vice President  
8813 Western Way  
Jacksonville, FL 32256-0367  
Phone: (904) 328-5600  
Email: [lstowers@jtech.org](mailto:lstowers@jtech.org)

### **6. Reporting Policies and Protocols**

Jones Technical Institute strongly encourages all members of the J-Tech community to report information about any incident of sexual harassment as soon as possible. Reports can be made either to J-Tech and/or to law enforcement.

#### **Reporting to J-Tech**

An incident of sexual harassment may be reported to J-Tech's Title IX Coordinator or to J-Tech's President, Vice President, Director of Academic Affairs and Compliance, or Dean of Students. No other school officials or employees have the authority to institute corrective measures under these Policies and Procedures on behalf of J-Tech. J-Tech will not be deemed to have actual knowledge of alleged sexual harassment unless J-Tech's Title IX Coordinator, President, Vice President, Director of Academic Affairs and Compliance, or Dean of Students possess such knowledge. Reports of sexual harassment to school officials or employees other than the Title IX Coordinator, President, Vice President, Director of Academic Affairs and Compliance, or Dean of Students will not confer actual knowledge to J-Tech of such allegations, unless one of these designated school officials subsequently obtains such actual knowledge.

If J-Tech's Title IX Coordinator is the alleged perpetrator of the sexual harassment, the report should be submitted to J-Tech's Vice President and vice versa. Filing a report with a school official will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers.

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed in Section 6 for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator or other designated school official receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address, listed for the Title IX Coordinator.

While there is no time limit for reporting, reports of sex discrimination or harassment should be brought forward as soon as possible. All incidents should be reported even if significant time has elapsed, but prompt reporting will better enable J-Tech to respond, investigate, provide an appropriate remedy, and impose discipline if appropriate. Note that if a complainant seeks to file a formal complaint for J-Tech to initiate an investigation into allegations of sexual harassment, the complainant must be participating in or attempting to participate in J-Tech's education programs or activities at the time of filing such formal complaint. J-Tech is committed to supporting the rights of a person reporting an incident of sexual harassment to make an informed choice among options and services available.

J-Tech will respond to all reports in a manner that treats each individual with dignity and respect and will take prompt responsive action to end any harassment, prevent its recurrence, and address its effects.

### **Reporting to Law Enforcement**

An incident of sexual harassment can be reported to law enforcement at any time, 24 hours a day/7 days a week, by calling 911. At the complainant's request, J-Tech will assist the complainant in contacting law enforcement. If the complainant decides to pursue the criminal process, J-Tech will cooperate with law enforcement agencies to the extent permitted by law. A complainant has the option to decide whether or not to participate in any investigation conducted by law enforcement. Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests
- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam)

### **Reporting of Crimes & Annual Security Reports**

Campus safety and security are important issues at Jones Technical Institute. Our goal is to provide students with a safe environment in which to learn and to keep students, parents, and employees well informed about campus security. The Jeanne Clery Campus Safety Act, or Clery Act, requires institutions of higher education to record and report certain information about campus safety, including the number of incidents of certain crimes on or near campus, some of which constitute sexual harassment under this Policy.

Each year J-Tech prepares this report to comply with the Clery Act. The full text of this report can be located on J-Tech's web site at [www.jtech.org](http://www.jtech.org). This report is prepared in cooperation with the local law enforcement agencies around our campus. Each year notification is made to all enrolled students and employees that provides the web site to access this report. Copies of the report may also be obtained in person from the Vice President or by calling (904) 328-5600. All prospective employees may also obtain a copy from the Vice President.

### **Timely Warnings**

In the event that a situation arises, either on or off campus, that, in the judgment of the Vice President constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The Vice President will immediately notify the J-Tech community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring at J-Tech, unless issuing a notification will compromise efforts to contain the emergency. The warning will be issued through the most effective and efficient means available and may include instant messaging to students and school employees. Notices may also be posted in the common areas throughout J-Tech. Anyone with information warranting a timely warning should report the circumstances to the Vice President by phone at (904) 328-5600 or in person at J-Tech. J-Tech will provide adequate follow-up information to the community as needed.

### **Third-Party and Anonymous Reporting**

In cases where sexual harassment is reported to the Title IX Coordinator or other designated school official by someone other than the complainant (by an instructor, classmate, or friend, for example), the Title IX Coordinator will promptly notify the complainant that a report has been received. This Policy and the Procedures will apply in the same manner as if the complainant had made the initial report. The

Title IX Coordinator will make every effort to meet with the complainant to discuss available options and resources. Reports from an anonymous source will be treated in a similar fashion.

### **No Retaliation**

J-Tech prohibits retaliation against any individual for the purpose of interfering with any right or privilege secured by Title IX or, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation, proceeding, or hearing. J-Tech will take strong responsive action if retaliation occurs. Any incident of retaliation should be promptly reported to the Title IX Coordinator or the Vice President.

Except as may otherwise be required by law, J-Tech will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness.

Charging an individual with a violation of J-Tech's code of conduct for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

### **Coordination With Drug Free School Policy**

Students may be reluctant to report instances of sexual harassment because they fear being disciplined pursuant to J-Tech's alcohol or drug policies. J-Tech encourages students to report all instances of sexual harassment and will take into consideration the importance of reporting sexual harassment in addressing violations of J-Tech's alcohol and drug policies. This means that, whenever possible, J-Tech will respond educationally rather than punitively to student alcohol or drug policy violations associated with reported sexual harassment.

### **7. School Policy on Confidentiality**

J-Tech encourages victims of sexual harassment to talk to somebody about what happened – so victims can get the support they need, and so J-Tech can respond appropriately.

This policy is intended to make students aware of the various reporting and confidential disclosure options available to them – so they can make informed choices about where to turn should they become a victim of sexual harassment. J-Tech encourages victims to talk to someone identified in one or more of these groups.

### **Privileged and Confidential Communications – Professional & Pastoral Counselors**

Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX coordinator without a victim's permission. *J-Tech does not provide professional or pastoral counseling, but can assist a victim of sexual harassment in obtaining support services from these groups or agencies.* Contact information for these support organizations is listed in Section 4 of this Policy.

**NOTE:** While these professional and pastoral counselors and advocates may maintain a victim's confidentiality vis-à-vis J-Tech, they may have reporting or other obligations under state law.

**ALSO NOTE:** If J-Tech determines that the alleged perpetrator(s) pose a serious and immediate threat to the J-Tech community, J-Tech's Vice President may be called upon to issue a timely warning to the community. Any such warning should not include any information that identifies the victim.

### **Reporting to a Designated School Official**

A "designated school official" is a J-Tech employee who has the authority to institute corrective measures on behalf of J-Tech upon actual notice of sexual harassment.

A designated school official will report to the Title IX coordinator all relevant details about the alleged sexual harassment shared by the complainant – including the names of the complainant and respondent, any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a designated school official will be shared only with people responsible for handling J-Tech's response to the report. Designated school officials should not share information with law enforcement without the complainant's consent or unless the complainant has also reported the incident to law enforcement.

In addition to the Title IX Coordinator, J-Tech's designated school officials include the school's President, Vice President, Director of Academic Affairs and Compliance and Dean of Students.

Before a complainant reveals any information to a designated school official, the official should ensure that the complainant understands the official's reporting obligations – and, if the complainant wants to maintain confidentiality, direct the complainant to confidential resources.

If the complainant wants to tell the designated school official what happened but also maintain confidentiality, the official should tell the complainant that J-Tech will consider the request but cannot guarantee that J-Tech will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the official will also inform the Title IX Coordinator of the complainant's request for confidentiality.

Designated school officials will not pressure a complainant to request confidentiality, but will honor and support the complainant's wishes, including for J-Tech to fully investigate an incident. By the same token, designated school officials will not pressure a complainant to make a formal complaint and initiate a school investigation if the complainant is not ready to do so.

A complainant who at first requests confidentiality may later decide to file a formal complaint with J-Tech or report the incident to local law enforcement, and thus have the incident fully investigated.

### **Reporting to Title IX Coordinator**

To the extent possible, information reported to the Title IX Coordinator will be shared only with people responsible for handling J-Tech's response to the report. The Title IX Coordinator should not share information with law enforcement without the complainant's consent or unless the complainant has also reported the incident to law enforcement.

Before a complainant reveals any information to the Title IX Coordinator, the Coordinator should ensure that the complainant understands the Coordinator's reporting obligations – and, if the complainant wants to maintain confidentiality, direct the complainant to confidential resources. If the complainant wants to tell the Title IX Coordinator what happened but also maintain confidentiality, the Coordinator should tell the complainant that J-Tech will consider the request but cannot guarantee that J-Tech will be able to honor it.

The Title IX Coordinator will not pressure a complainant to request confidentiality, but will honor and support the complainant's wishes, including for J-Tech to fully investigate an incident. By the same token, the Title IX Coordinator will not pressure a complainant to make a formal complaint and initiate a school investigation if the complainant is not ready to do so.

### **Requesting Confidentiality: How J-Tech Will Weigh the Request and Respond.**

If a complainant discloses an incident to the Title IX Coordinator but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, J-Tech must weigh that request against J-Tech's obligation to provide a safe, non-discriminatory environment for all students, including the complainant.

If J-Tech honors the request for confidentiality, a complainant must understand that J-Tech's ability to investigate the incident and pursue disciplinary action against the respondent will be limited. A complainant may provide the Title IX Coordinator with confidential knowledge of alleged sexual harassment and receive supportive measures from J-Tech without the complainant filing a formal complaint and initiating an investigation. Although rare, there are times when J-Tech may not be able to honor a complainant's request in order to provide a safe, non-discriminatory environment for all students.

The Title IX Coordinator will evaluate requests for confidentiality. When weighing a complainant's request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, including the following:

- The increased risk that the respondent will commit additional acts of sexual harassment or other violence, such as:
  - whether there have been other sexual harassment complaints about the same respondent;
  - whether the respondent has a history of arrests or records from a prior school indicating a history of violence;
  - whether the respondent threatened further sexual harassment or other violence against the complainant or others;
  - whether the sexual harassment was committed by multiple respondents;
- Whether the sexual harassment was perpetrated with a weapon;
- Whether the complainant is a minor;
- Whether J-Tech possesses other means to obtain relevant evidence of the sexual harassment (e.g., security cameras or personnel, physical evidence);
- Whether the complainant's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the Title IX Coordinator to file a formal complaint to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, J-Tech will likely respect the complainant's request for confidentiality.

**If J-Tech determines that it cannot maintain a complainant's confidentiality**, J-Tech will inform the complainant prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling J-Tech's response. J-Tech will remain ever mindful of the complainant's well-being, and will take ongoing steps to protect the complainant from retaliation or harm and work with the complainant to create a safety plan. Retaliation against the complainant, whether by students or school employees, will not be tolerated. J-Tech will also:

- assist the complainant in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance;
- provide other security and support, which could include issuing a no-contact order, helping arrange a change of course schedules (including for the respondent pending the outcome of an investigation) or adjustments for assignments or tests; and
- inform the complainant of the right to report a crime to local law enforcement – and provide the complainant with assistance if the complainant wishes to do so.

J-Tech may not require a complainant to participate in any investigation or disciplinary proceeding.

Because J-Tech is under a continuing obligation to address the issue of sexual harassment campus-wide, reports of sexual harassment (including non-identifying reports) will also prompt J-Tech to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual harassment occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/ victimization surveys; and/or revisiting its policies and practices.

**If J-Tech determines that it can respect a complainant's request for confidentiality**, J-Tech will also take action as necessary to protect and assist the complainant. This includes the Title IX Coordinator promptly contacting the complainant to discuss the availability of supportive measures. A complainant's request for confidentiality will limit J-Tech's ability to investigate a particular matter. J-Tech may take steps to limit the effects of the alleged sexual harassment and prevent its recurrence without initiating formal action against the respondent or revealing the identity of the student complainant. Examples include: providing increased monitoring, supervision, or security at locations or activities where the harassment occurred; providing training and education materials for students and employees; revising and publicizing J-Tech's policies on sexual harassment; and conducting climate surveys regarding sexual harassment.

**Off-campus Counselors and Advocates.** Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with J-Tech unless the complainant requests the disclosure and signs a consent or waiver form. Contact information for these off-campus resources can be found in Section 4 of this Policy.

### **8. Formal Complaint Investigation Procedures and Protocols**

J-Tech will investigate all formal complaints of sexual harassment. A formal complaint must be in writing filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that J-Tech investigate the allegation of sexual harassment. A formal complaint form may be obtained from the Title IX Coordinator, although no particular form is required to submit a formal complaint so long as the complaint is in writing, signed by a complainant, alleges sexual harassment against a respondent, and requests an investigation. The Title IX Coordinator oversees J-Tech's investigation, response to, and resolution of all reports of prohibited sexual harassment, and of related retaliation, involving students, faculty, and staff.

As soon as practicable after receiving a formal complaint, the Title IX Coordinator will make an initial assessment of the formal complaint to determine whether the formal complaint, on its face, alleges an act prohibited by this Policy. If the Title IX Coordinator determines the formal complaint states facts which, if true, could constitute sexual harassment in violation of this Policy, the Title IX Coordinator will proceed through the formal investigation process (see below). If the Title IX Coordinator determines the complainant's report does not state facts that, if true, could constitute a violation of this Policy, the Title IX Coordinator will communicate this determination in writing to the complainant. In such circumstances the complainant may still file a report with the federal Office for Civil Rights, the police, or seek available civil remedies through the judicial system. The complainant may also re-file the report with J-Tech upon discovery of additional facts.

J-Tech will dismiss a formal complaint if the conduct alleged in the formal complaint would not constitute sexual harassment under Title IX even if proved, did not occur in J-Tech's education program or activity, or did not occur against a person in the United States. ***Such dismissal does not preclude action under another provision of J-Tech's code of conduct.*** J-Tech may dismiss the formal complaint if a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint; the respondent is no longer enrolled or employed by J-Tech; or specific circumstances prevent J-Tech from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. J-Tech will promptly send written notice of the dismissal and reasons therefor simultaneously to the parties.

### **Notice**

Upon receipt of a formal complaint, J-Tech will provide written notice of J-Tech's grievance process to the parties who are known. J-Tech will also provide the parties with notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice will include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written

notice will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence that is submitted to and/or collected by J-Tech in connection with the investigation. The written notice will also inform the parties of any provision in J-Tech's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, J-Tech decides to investigate allegations about the complainant or respondent that are not included in a prior notice provided to the parties, J-Tech will provide notice of the additional allegations to the parties whose identities are known.

### **Voluntary Resolution**

Voluntary resolution, when selected by all parties and deemed appropriate by the Title IX Coordinator, is a path designed to eliminate the conduct at issue, prevent its recurrence, and remedy its effects in a manner that meets the safety and welfare of the J-Tech community. If all parties voluntarily agree to participate in an informal resolution that does not involve a full investigation and adjudication after receiving notice of a formal complaint and if J-Tech determines that the particular formal complaint is appropriate for such a process, J-Tech will facilitate an informal resolution to assist the parties in reaching a voluntary resolution. J-Tech retains the discretion to determine which cases are appropriate for voluntary resolution.

Voluntary resolution may include: conducting targeted or broad-based educational programming or training for relevant individuals or groups; providing increased monitoring, supervision, or security at locations or activities where the harassment occurred; facilitating a meeting with the respondent with the complainant present; and any other remedy that can be tailored to the involved individuals to achieve the goals of the Policy.

Voluntary resolution may also include restorative principles that are designed to allow a respondent to accept responsibility for harassment and acknowledge harm to the complainant or to the J-Tech community. Restorative models will be used only with the consent of both parties and following a determination by the Title IX Coordinator that the matter is appropriate for a restorative approach.

J-Tech will not compel parties to engage in mediation or to participate in any particular form of informal resolution. As the title implies, participation in voluntary resolution is a choice, and either party can request to end this manner of resolution and pursue an investigation and adjudication at any time, including if voluntary resolution is unsuccessful at resolving the complaint.

In connection with any informal resolution process, J-Tech will provide written notice to the parties disclosing the allegations and the requirements of the informal resolution process. J-Tech will notify the parties that any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint. J-Tech must obtain the parties' voluntary, written consent to the informal resolution process. The informal resolution process may not be utilized to resolve allegations that a J-Tech employee sexually harassed a student.

The time frame for completion of voluntary resolution may vary, but J-Tech will seek to complete the process within 15 days of all the parties' request for voluntary resolution.

### **Formal Investigation Process**

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on J-Tech and not on the parties. The Title IX Coordinator is responsible for the investigation of a formal complaint. The Title IX Coordinator may designate a specially trained investigator (or team of investigators) to conduct the investigation.

J-Tech's process for responding to, investigating and adjudicating sexual harassment reports will continue during any law enforcement proceeding. The investigator may need to temporarily delay an investigation while the police are gathering evidence but will resume the investigation after learning that

the police department has completed its evidence-gathering and will generally not wait for the conclusion of any related criminal proceeding.

The investigator will interview the complainant, respondent and any witnesses. They will also gather pertinent documentary materials (if any) and other information. J-Tech will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate. Each party shall have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. J-Tech will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

### **Time Frame for Investigation**

Consistent with the goal to maximize educational opportunities and minimize the disruptive nature of the investigation and resolution, the Title IX Coordinator seeks to resolve all reports in a timely manner. In general, an investigation may last up to 30 days, from receipt of a formal complaint from the complainant or the Title IX Coordinator of the request to proceed with an investigation. Adjudication will generally take up to 30 days from the date the investigative report is provided to both the complainant and the respondent. The Title IX Coordinator may set reasonable time frames for required actions under the Policy. Those time frames may be extended for good cause as necessary to ensure the integrity and completeness of the investigation, comply with a request by external law enforcement, accommodate the availability of witnesses, accommodate absences or delays by the parties, the need for language assistance or accommodation of disabilities, account for school breaks or vacations, or address other legitimate reasons, including the complexity of the investigation (including the number of witnesses and volume of information provided by the parties) and the severity and extent of the alleged conduct. Any extension of the timeframes, and the reason for the extension, will be shared simultaneously with the parties in writing. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

Where necessary, J-Tech will take prompt steps to protect complainants pending the final outcome of an investigation, including the provision of supportive measures to the complainant and/or the respondent. J-Tech may remove a respondent from the school's education programs or activities on an emergency basis, provided that J-Tech undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. J-Tech may place a non-student employee respondent on administrative leave during the pendency of a grievance process.

J-Tech will provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which J-Tech does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, J-Tech will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report. J-Tech will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

### **Investigation Report**

The investigator will prepare an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a hearing, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. Such report will include a statement of the allegations and issues, the positions of the complainant and respondent, a summary of the evidence (including from interviews and documentation gathered), an explanation why any proffered evidence was not investigated, assessment of individual credibility, and findings of fact and an analysis of

whether a violation of the Policy has occurred. The investigator will use “preponderance of the evidence” as the standard of proof to determine whether a violation of the Policy occurred. Preponderance of the evidence means that the investigator must be convinced based on the information it considers that the respondent was more likely than not to have engaged in the conduct at issue in order to find the respondent responsible for violating the Policy. The complainant and respondent will be simultaneously notified of the completion of the investigation and provided with the investigator’s report.

## **9. Grievance/Adjudication Procedures**

### **Hearing Panel**

J-Tech will convene a hearing panel following the end of the investigation. The hearing panel determines whether the respondent is responsible or not responsible for a violation of the Policy.

The hearing panel will consist of one to three members as determined by the Title IX Coordinator. The Title IX Coordinator will designate the members of the hearing panel but will not serve as a panel member. The investigator responsible for J-Tech’s investigation of the formal complaint may not serve as a panel member. The hearing panel members may include administrators, officers, lawyers or other individuals with relevant experience and special training. Panel members may participate remotely so long as J-Tech utilizes technology enabling the panel members and parties to simultaneously see and hear the party or witness answering questions. All panelists will receive training from experts in the field at least once a year. In addition to training on how the adjudicatory process works, the training will include specific instruction about how to approach students about sensitive issues that may arise in the context of sexual harassment. The complainant and respondent will be informed of the panel’s membership before the hearing process begins. A complainant and/or respondent may challenge the participation of a panel member because of perceived conflict of interest, bias, or prejudice. Such challenges, including rationale, must be made to the Title IX Coordinator at least three days prior to the commencement of the hearing. At its discretion, the Title IX Coordinator will determine whether such a conflict of interest exists and whether a panel member should be replaced. Postponement of a hearing may occur if a replacement panelist cannot be immediately identified.

### **Advisors**

Both the complainant and the respondent are entitled to be accompanied to any meeting or proceeding relating to the allegation of sexual harassment by an advisor or support person of their choice, provided the involvement of such advisor or support person does not result in the postponement or delay of such meeting as scheduled.

### **Written Submissions**

Both the complainant and respondent will have the opportunity to submit written responses to the investigation report and other relevant information to the hearing panel. Each of the complainant and respondent will have the opportunity to review any written submissions by the other. The hearing panel may set reasonable parameters for these written submissions. The hearing panel will review the investigation report and written submissions.

### **Hearing Procedures**

The Title IX Coordinator will give the complainant and respondent at least 10 days’ advance notice of the hearing. The Title IX Coordinator may arrange to hold the hearing at an off-campus location. The hearing is a closed proceeding, meaning that no one other than the panel members, the complainant and respondent, their respective advisors, witnesses (when called), and necessary school personnel may be present during the proceeding. The Vice President will work with school staff so that any student whose presence is required may participate in the hearing.

In general, hearings will proceed as follows:

- The Title IX Coordinator may set reasonable time limits for any part of the hearing. Each of the complainant and respondent will have the opportunity to present witnesses and other information consistent with the Policy and these Procedures. The panel may determine the relevance of, place restrictions on, or exclude any witnesses or information. When the complainant and

respondent are not able to be present for the hearing panel, arrangements will be made for participation virtually, with technology enabling the participants simultaneously to see and hear each other.

- In cases where either the complainant or respondent opts not to participate in the hearing, the panel may still hear from the other.
- Additional hearing rules include:
  - Cross Examination. At the hearing, the hearing panel shall permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.
  - At the request of either party, J-Tech will provide for the hearing to occur with the parties located in separate rooms with technology enabling the hearing panel members and parties to simultaneously see and hear the party or the witness answering questions.
  - Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the hearing panel must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.
  - If a party does not have an advisor present at the live hearing, J-Tech will provide without fee or charge to that party, an advisor of J-Tech's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.
  - Information Regarding Romantic or Sexual History. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The existence of a prior consensual dating or sexual relationship between the complainant and respondent by itself does not support an inference of consent to alleged sexual harassment.
  - Prior Conduct Violations. The hearing panel will not consider the respondent's prior conduct violations, unless the investigator provided that information to the hearing panel because the respondent was previously found to be responsible, and the previous incident was substantially similar to the present allegation(s) and/or the information indicates a pattern of behavior by the respondent.
  - The hearing panel may consider statements made by parties or witnesses, even if those parties or witnesses do not participate in cross-examination at the live hearing, in reaching a determination regarding responsibility.
  - J-Tech will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
  - Live hearings may be conducted with all parties physically present in the same geographic location or, at J-Tech's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

J-Tech will create an audio or audiovisual recording, or transcript, of any hearing and make it available to the parties for inspection and review. The panelists may request a copy or transcript of the recording. Cell phones and recording devices may not be used in the hearing room(s) unless approved by the panel in advance.

#### **Panel Determinations/Standard of Proof**

The hearing panel will issue a written determination regarding responsibility. The panel will use "preponderance of the evidence" as the standard of proof to determine whether a violation of the Policy occurred. Preponderance of the evidence means that a panel must be convinced based on the information it considers that the respondent was more likely than not to have engaged in the conduct at

issue in order to find the respondent responsible for violating the Policy. The panel will find a student responsible, or not responsible, based on a majority vote. The panel will generally render a written determination within 10 days after the conclusion of a hearing.

The panel's written determination will include:

- a) Identification of the allegations potentially constituting sexual harassment;
- b) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- c) Findings of fact supporting the determination;
- d) Conclusions regarding the application of J-Tech's code of conduct to the facts;
- e) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions J-Tech imposes on the respondent, and whether remedies designed to restore or preserve equal access to J-Tech's education program or activity will be provided by J-Tech to the complainant; and
- f) J-Tech's procedures and permissible bases for the complainant and respondent to appeal.

The parties will be informed of the results of the adjudication hearing by simultaneous written notice to both parties of the outcome of the formal complaint. The determination regarding responsibility becomes final either on the date that J-Tech provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

#### **10. Sanctions and Other Remedies**

The hearing panel shall be responsible for imposing sanctions that are:

- Fair and appropriate given the facts of the particular case;
- Consistent with J-Tech's handling of similar cases;
- Adequate to protect the safety of the campus community; and
- Reflective of the seriousness of sexual harassment.

No disciplinary sanctions or other actions that are not supportive measures will be imposed against a respondent until the completion of J-Tech's grievance procedures, including any applicable appeal.

The hearing panel will consider relevant factors, including if applicable: (1) the specific sexual harassment at issue (such as penetration, touching under clothing, touching over clothing, unauthorized recording, etc.); (2) the circumstances accompanying the lack of consent (such as force, threat, coercion, intentional incapacitation, etc.); (3) the respondent's state of mind (intentional, knowing, bias-motivated, reckless, negligent, etc.); (4) the impact of the offense on the complainant; (5) the respondent's prior disciplinary history; (6) the safety of the J-Tech community; and (7) the respondent's conduct during the disciplinary process. The sanctioning decision will be communicated in writing to the complainant and the respondent as part of the hearing panel's written determination.

J-Tech may impose any one or more of the following sanctions on a student determined to have violated the Policy:

- Reprimand/warning
- Changing the respondent's academic schedule
- Disciplinary probation
- Restricting access to School facilities or activities
- Community service
- Issuing a "no contact" order to the respondent or requiring that such an order remain in place
- Dismissal or restriction from School employment
- Suspension (limited time or indefinite)
- Expulsion

In addition to any other sanction (except where the sanction is expulsion), J-Tech may require any student determined to be responsible for a violation of the Policy to receive appropriate education and/or training related to the sexual harassment violation at issue. J-Tech may also recommend counseling or other support services for the student.

Whatever the outcome of the hearing process, a complainant may request ongoing or additional supportive measures and the Title IX Coordinator will determine whether such supportive measures are appropriate. Potential ongoing supportive measures include:

- Providing an escort for the complainant
- Changing the complainant's academic schedule
- Allowing the complainant to withdraw from or retake a class without penalty
- Providing access to tutoring or other academic support, such as extra time to complete or re-take a class

J-Tech may also determine that additional measures are appropriate to respond to the effects of the incident on the. Additional responses for the benefit of the J-Tech community may include:

- Increased monitoring, supervision, or security at locations or activities where the harassment occurred
- Additional training and educational materials for students and employees
- Revision of J-Tech's policies relating to sexual harassment
- Climate surveys regarding sexual harassment

## **11. Appeals**

Either the respondent or the complainant or both may appeal from a determination regarding responsibility, and from a recipient's dismissal of a formal complaint or any allegations therein, on the following bases:

1. A procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time of the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, investigator(s), or hearing panel member(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Disagreement with the finding or sanctions is not, by itself, grounds for appeals.

The decision maker(s) for the appeal may not be the same person as the hearing panel members, the investigator(s), or the Title IX Coordinator. The appealing party must submit the appeal in writing to J-Tech within seven days after receiving the written determination regarding responsibility. If either the complainant or respondent submits an appeal, the Title IX Coordinator will notify the other that an appeal has been filed and the grounds of the appeal. The non-appealing party may submit a written response within seven days after notice of an appeal.

If the decision-maker concludes that a change in the hearing panel's determination is warranted, J-Tech may enter a revised determination, reconvene the panel to reconsider the determination, or return the matter for additional investigation. If both the complainant and respondent appeal, the appeals will be considered concurrently.

The decision maker will issue a written decision describing the result of the appeal and the rationale for the result, and provide the written decision simultaneously to both parties. Appeals decisions will be rendered within 15 days after the receipt of the written appeal. All appeal decisions are final.

## **12. Records Disclosure & Recordkeeping**

Disciplinary proceedings conducted by J-Tech are subject to the Family Educational Records and Privacy Act (FERPA), a federal law governing the privacy of student information. FERPA generally limits disclosure of student information outside J-Tech without the student's consent, but it does provide for release of student disciplinary information without a student's consent in certain circumstances.

Any information gathered in the course of an investigation may be subpoenaed by law enforcement authorities as part of a parallel investigation into the same conduct or required to be produced through other compulsory legal process.

Additional information about FERPA can be found on J-Tech's website at [www.jtech.org](http://www.jtech.org).

J-Tech will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by J-Tech against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

J-Tech will maintain for a period of not less than seven years records of –

- a) Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript from a hearing conducted in response to a formal complaint, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to J-Tech's education programs or activities;
- b) Any appeal and the result therefrom;
- c) Any informal resolution and the result therefrom; and
- d) All materials used to train Title IX Coordinators, investigators, hearing panel members, decision-makers, and any person who facilitates an informal resolution process. J-Tech will make these training materials publicly available on its website.

J-Tech will create and maintain for a period of not less than seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, J-Tech will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to J-Tech's education program or activity. If a School does not provide a complainant with supportive measures, then J-Tech will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit J-Tech in the future from providing additional explanations or detailing additional measures taken.

## **13. Education and Prevention Programs**

As set forth in Section 3 of this Policy statement, Sexual Assault, Sexual Harassment, Dating Violence, Domestic Violence, and Stalking are all forms of Prohibited Conduct.

J-Tech is committed to offering educational programs to promote awareness and prevention of Prohibited Conduct. Educational programs include an overview of J-Tech's policies and procedures; relevant definitions, including prohibited conduct; discussion of the impact of alcohol and illegal drug use; consent; safe and positive options for bystander intervention; review of resources and reporting options available for students, faculty, and staff; and information about risk reduction. Incoming students and new employees will receive primary prevention and awareness programming as part of their orientation.

As part of J-Tech's commitment to provide an educational and work environment free from Prohibited Conduct, this Policy will be disseminated widely to the J-Tech community through e-mail communication, publications, websites, new employee orientations, student orientations, and other appropriate channels of communication.

The Title IX Coordinator, investigators, hearing panel members, and anyone else who is involved in responding to, investigating, or adjudicating sexual harassment will receive annual training from experts in the field. In addition to training on how the adjudicatory process works, the training will include specific instruction about how to approach students about sensitive issues that may arise in the context of sexual harassment.

## Definitions of Sexual Misconduct under Florida Law

*Sexual Assault is any unwanted physical contact of a sexual nature that occurs either without the consent of each participant or when a participant is unable to give consent freely. Sexual assault can occur either forcibly and/or against a person's will, or when a person is unable to give consent freely. Non-consensual sexual intercourse is any form of sexual intercourse (vaginal, anal or oral) with any object without consent. Non-consensual sexual contact is any intentional sexual touching, however slight, with any object without a person's consent.*

*Florida law provides the following definitions with respect to incidents of sexual assault:*

*Fla. Stat. § 794.011 Sexual battery.—*

*(1) As used in this chapter:*

*(a) "Consent" means intelligent, knowing, and voluntary consent and does not include coerced submission.*

*"Consent" shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender.*

*(b) "Mentally defective" means a mental disease or defect which renders a person temporarily or permanently incapable of appraising the nature of his or her conduct.*

*(c) "Mentally incapacitated" means temporarily incapable of appraising or controlling a person's own conduct due to the influence of a narcotic, anesthetic, or intoxicating substance administered without his or her consent or due to any other act committed upon that person without his or her consent.*

*(d) "Offender" means a person accused of a sexual offense in violation of a provision of this chapter.*

*(e) "Physically helpless" means unconscious, asleep, or for any other reason physically unable to communicate unwillingness to an act.*

*(f) "Retaliation" includes, but is not limited to, threats of future physical punishment, kidnapping, false imprisonment or forcible confinement, or extortion.*

*(g) "Serious personal injury" means great bodily harm or pain, permanent disability, or permanent disfigurement.*

*(h) "Sexual battery" means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.*

*(i) "Victim" means a person who has been the object of a sexual offense.*

*(j) "Physically incapacitated" means bodily impaired or handicapped and substantially limited in ability to resist or flee.*

*(2)(a) A person 18 years of age or older who commits sexual battery upon, or in an attempt to commit sexual battery injures the sexual organs of, a person less than 12 years of age commits a capital felony \* \* \*.*

*(b) A person less than 18 years of age who commits sexual battery upon, or in an attempt to commit sexual battery injures the sexual organs of, a person less than 12 years of age commits a life felony, \* \* \*.*

*(3) A person who commits sexual battery upon a person 12 years of age or older, without that person's consent, and in the process thereof uses or threatens to use a deadly weapon or uses actual physical force likely to cause serious personal injury commits a life felony \* \* \*.*

*(4)(a) A person 18 years of age or older who commits sexual battery upon a person 12 years of age or older but younger than 18 years of age without that person's consent, under any of the circumstances listed in paragraph (e), commits a felony of the first degree \* \* \*.*

*(b) A person 18 years of age or older who commits sexual battery upon a person 18 years of age or older without that person's consent, under any of the circumstances listed in paragraph (e), commits a felony of the first degree \* \* \*.*

*(c) A person younger than 18 years of age who commits sexual battery upon a person 12 years of age or older without that person's consent, under any of the circumstances listed in paragraph (e), commits a felony of the first degree \* \* \*.*

*(e) The following circumstances apply to paragraphs (a)-(d):*

*1. The victim is physically helpless to resist.*

*2. The offender coerces the victim to submit by threatening to use force or violence likely to cause serious personal injury on the victim, and the victim reasonably believes that the offender has the present ability to execute the threat.*

*3. The offender coerces the victim to submit by threatening to retaliate against the victim, or any other person, and the victim reasonably believes that the offender has the ability to execute the threat in the future.*

*4. The offender, without the prior knowledge or consent of the victim, administers or has knowledge of someone else administering to the victim any narcotic, anesthetic, or other intoxicating substance that mentally or physically incapacitates the victim.*

*5. The victim is mentally defective, and the offender has*

reason to believe this or has actual knowledge of this fact.

6. The victim is physically incapacitated.

7. The offender is a law enforcement officer, correctional officer, or correctional probation officer as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9), who is certified under s. 943.1395 or is an elected official exempt from such certification by virtue of s. 943.253, or any other person in a position of control or authority in a probation, community control, controlled release, detention, custodial, or similar setting, and such officer, official, or person is acting in such a manner as to lead the victim to reasonably believe that the offender is in a position of control or authority as an agent or employee of government.

(5)(a) A person 18 years of age or older who commits sexual battery upon a person 12 years of age or older but younger than 18 years of age, without that person's consent, and in the process does not use physical force and violence likely to cause serious personal injury commits a felony of the first degree \* \* \*.

(b) A person 18 years of age or older who commits sexual battery upon a person 18 years of age or older, without that person's consent, and in the process does not use physical force and violence likely to cause serious personal injury commits a felony of the second degree \* \* \*.

(c) A person younger than 18 years of age who commits sexual battery upon a person 12 years of age or older, without that person's consent, and in the process does not use physical force and violence likely to cause serious personal injury commits a felony of the second degree \* \* \*.

(8) Without regard to the willingness or consent of the victim, which is not a defense to prosecution under this subsection, a person who is in a position of familial or custodial authority to a person less than 18 years of age and who:

(a) Solicits that person to engage in any act which would constitute sexual battery under paragraph (1)(h) commits a felony of the third degree \* \* \*.

(b) Engages in any act with that person while the person is 12 years of age or older but younger than 18 years of age which constitutes sexual battery under paragraph (1)(h) commits a felony of the first degree \* \* \*.

(c) Engages in any act with that person while the person is less than 12 years of age which constitutes sexual battery under paragraph (1)(h), or in an attempt to commit sexual battery injures the sexual organs of such person commits a capital or life felony \* \* \*.

(9) For prosecution under paragraph (4)(a), paragraph (4)(b), paragraph (4)(c), or paragraph (4)(d) which involves an offense committed under any of the circumstances listed in subparagraph (4)(e)7., acquiescence to a person reasonably believed by the victim to be in a position of authority or control does not constitute consent, and it is not a defense that the perpetrator was not actually in a

position of control or authority if the circumstances were such as to lead the victim to reasonably believe that the person was in such a position.

(10) A person who falsely accuses a person listed in subparagraph (4)(e)7. or other person in a position of control or authority as an agent or employee of government of violating paragraph (4)(a), paragraph (4)(b), paragraph (4)(c), or paragraph (4)(d) commits a felony of the third degree \* \* \*.

As described above, in certain circumstances it is an element of the offense that the sexual act was committed without the victim's consent. As set forth in Florida Statute Section 794.011(1)(A), "consent" means intelligent, knowing, and voluntary consent and does not include coerced submission. "Consent" shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender.

Florida law provides the following definitions with respect to Stalking:

Fla. Stat. § 784.048. Stalking; definitions; penalties.

(1) As used in this section, the term:

(a) "Harass" means to engage in a course of conduct directed at a specific person which causes substantial emotional distress to that person and serves no legitimate purpose.

(b) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, which evidences a continuity of purpose. The term does not include constitutionally protected activity such as picketing or other organized protests.

(c) "Credible threat" means a verbal or nonverbal threat, or a combination of the two, including threats delivered by electronic communication or implied by a pattern of conduct, which places the person who is the target of the threat in reasonable fear for his or her safety or the safety of his or her family members or individuals closely associated with the person, and which is made with the apparent ability to carry out the threat to cause such harm. It is not necessary to prove that the person making the threat had the intent to actually carry out the threat. The present incarceration of the person making the threat is not a bar to prosecution under this section.

(d) "Cyberstalk" means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

(2) A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of stalking, a misdemeanor of the first degree \* \* \*.

*(3) A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person and makes a credible threat to that person commits the offense of aggravated stalking, a felony of the third degree \* \* \*.*

*(4) A person who, after an injunction for protection against repeat violence, sexual violence, or dating violence pursuant to s. 784.046, or an injunction for protection against domestic violence pursuant to s. 741.30, or after any other court-imposed prohibition of conduct toward the subject person or that person's property, knowingly, willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of aggravated stalking, a felony of the third degree \* \* \*.*

*(5) A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks a child under 16 years of age commits the offense of aggravated stalking, a felony of the third degree \* \* \*.*

*(6) A law enforcement officer may arrest, without a warrant, any person that he or she has probable cause to believe has violated this section.*

*Florida law provides the following definitions with respect to Domestic Violence:*

*Fla. Stat. § 741.28. Domestic violence; definitions*

*(2) "Domestic violence" means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by*

*another family or household member.*

*(3) "Family or household member" means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.*

*Florida law provides the following definitions with respect to Dating Violence:*

*Fla. Stat. § 784.046(d). "Dating violence" means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:*

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

## **Bystander Intervention**

J-Tech's primary prevention and awareness program includes a description of safe and positive options for bystander intervention. Active bystanders take the initiative to help someone who may be targeted for a sexual assault. They do this in ways that are intended to avoid verbal or physical conflict. Active bystanders also take the initiative to help friends, who are not thinking clearly, from becoming offenders of crime. Intervention does not mean that you directly intervene to stop a crime in progress; rather, these steps are "early intervention" – before a crime begins to occur. There are three important components to consider before taking action that we refer to as the ABCs:

- **Assess for safety.** Ensure that all parties are safe, and whether the situation requires calling authorities. When deciding to intervene, your personal safety should be the #1 priority. When in doubt, call for help.
- **Be with others.** If it is safe to intervene, you are likely to have a greater influence on the parties involved when you work together with someone or several people. Your safety is increased when you stay with a group of friends that you know well.
- **Care for the person.** Ask if the target of the unwanted sexual advance/attention/behavior is okay – does he or she need medical care? Ask if someone they trust can help them get safely home.

## **Risk Reduction**

J-Tech's primary prevention and awareness program includes information on risk reduction. This includes:

*Avoiding Dangerous Situations.* While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted.

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cab money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.

*Safety Planning.* Things to think about:

- How to get away if there is an emergency? Be conscious of exits or other escape routes. Think about options for transportation (car, bus, subway, etc.).
- Who can help? Friends and/or family, or support centers in your area. Please see Section 4 of this Policy for a list of support organizations.
- Where to go? Options may include a friend's house or relative's house, or you may consider going to a domestic violence or homeless shelter. You may also go to the police. **Important Safety Note:** If the dangerous situation involves a partner, go to the police or a shelter first.
- What to bring? This may include important papers and documents such birth certificate, social security card, license, passport, medical records, lease, bills, etc. This will also include house keys, car keys, cash, credit cards, medicine, important numbers, and your cell phone. If you are bringing children with you, remember to bring their important papers and legal documents. You can keep all of these things in an emergency bag. You should hide the bag—it is best if it is not in your house or car. If the bag is discovered, you can call it a "tornado" or "fire" bag.

*Protecting Your Friends.* You have a crucial role to play in keeping your friends safe. No matter what the setting, if you see something that doesn't feel quite right or see someone who might be in trouble, there are some simple things you can do to help out a friend.

- Distract. If you see a friend in a situation that doesn't feel quite right, create a distraction to get your friend to safety. This can be as simple as joining or redirecting the conversation: suggest to your friend that you leave the party, or ask them to walk you home. Try asking questions like: "Do you want to head to the bathroom with me?" or "Do you want to head to another party – or grab pizza?"
- Step in. If you see someone who looks uncomfortable or is at risk, step in. If you feel safe, find a way to de-escalate the situation and separate all parties involved. Don't be shy about directly asking the person if they need help or if they feel uncomfortable.
- Enlist others. You don't have to go it alone. Call in friends or other people in the area as reinforcements to help defuse a dangerous situation and get the at-risk person home safely. There is safety in numbers.
- Keep an eye out. Use your eyes and ears to observe your surroundings. If you see someone who has had too much to drink or could be vulnerable, try to get them to a safe place. Enlist friends to help you. Even if you weren't around when the assault occurred, you can still support a friend in the aftermath.

*Social Situations.* While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted in social situations.

- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately.

- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

*Information on Risk Reduction was provided by RAINN: Rape, Abuse & Incest National Network: [www.rainn.org](http://www.rainn.org).*

#### **14. Amendments**

J-Tech may amend the Policy or the Procedures from time to time. Nothing in the Policy or Procedures shall affect the inherent authority of J-Tech to take such actions as it deems appropriate to further the educational mission or to protect the safety and security of the J-Tech community.

**Jones Technical Institute**  
**Sexual Harassment Policies & Grievance Procedures**

**Definitions of Key Terms**

- Sexual Harassment - means conduct on the basis of sex that satisfies one or more of the following:
  - 1) An employee of J-Tech conditioning the provision of an aid, benefit, or service of J-Tech on an individual's participation in unwelcome sexual conduct;
  - 2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to J-Tech's education programs or activities; or
  - 3) "Sexual assault," "dating violence," "domestic violence," or "stalking" as defined herein.
- Sexual Assault - An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Unified Crime Reporting ("UCR") program.
  - Rape - The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
  - Sex Offenses - Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
    - Fondling—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
    - Incest—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
    - Statutory Rape—Sexual intercourse with a person who is under the statutory age of consent.
- Domestic Violence - A felony or misdemeanor crime of violence committed (i) by a current or former spouse or intimate partner of the victim; (ii) by a person with whom the victim shares a child in common; (iii) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (iv) 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 (v) by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- Dating Violence - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purpose of this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.
- "Education program or activity" includes locations, events, or circumstances over which J-Tech exercises substantial control over both the respondent and the context in which the sexual harassment occurs. It includes all of the academic, educational, extra-curricular, and other programs of J-Tech, whether they take place in the facilities of J-Tech, at a class or training program sponsored by J-Tech at another location, or elsewhere. An instructor's alleged sexual harassment of a student would likely constitute sexual harassment in J-Tech's education programs or activities even if the alleged harassment occurs off campus. J-Tech's education programs and activities may also include computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of, J-Tech.

- Prohibited Conduct – J-Tech prohibits Sexual Assault, Sexual Harassment, Dating Violence, Domestic Violence, and Stalking as defined in these Definitions of Key Terms.
- Stalking - Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Retaliation – J-Tech shall not, and no individual shall, intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under Title IX and/or this Policy. The exercise of rights protected under the First Amendment does not constitute retaliation. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation; provided, however, that a determination regarding responsibility alone is not sufficient to conclude that any party made a materially false statement in bad faith.
- Consent is a voluntary agreement to engage in sexual activity.
  - Past consent does not imply future consent.
  - Silence or an absence of resistance does not imply consent.
  - Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
  - Consent can be withdrawn at any time.
  - Coercion, force, or threat of either invalidates consent.

Someone who is incapacitated cannot consent. Incapacitation refers to a situation in which a person is not capable of providing consent because the person lacks the ability to understand her or his decision. This situation may occur due to the use of drugs or alcohol, when a person is asleep or unconscious, or because of an intellectual or other disability that prevents the student from having the capacity to give consent.
- Complainant – means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
- Respondent – means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.