

**Annual Security  
and Fire Safety Report**

**2021**

October 1, 2021



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## A Message from the Director of Campus Safety



DEPARTMENT OF CAMPUS SAFETY

Thank you for reading this year's *Annual Security and Fire Safety Report*. It is designed to provide you with important information about your safety on campus.

The Department of Campus Safety is committed to providing a safe environment conducive to the University's educational mission. Safety is a shared responsibility. We rely on every UT community member's participation and our work with community partners to fulfill our responsibilities.

We hope that you find this report informative and helpful. Please feel free to contact us at [CampusSafety@ut.edu](mailto:CampusSafety@ut.edu) or by visiting the office located in the ICB, first floor, directly across from the entrance to the Thomas Parking Garage. Our campus extension is x7777, and you can dial (813) 257-7777 from your cell phone or off-campus.

Kevin A. Howell  
Director, Campus Safety

SYMBOL OF EDUCATIONAL EXCELLENCE

The University of Tampa | 401 W. Kennedy Blvd. | Box 17F | Tampa, FL 33606-1490 | (813) 257-7777 | [CampusSafety@ut.edu](mailto:CampusSafety@ut.edu) | [ut.edu](http://ut.edu)



## Department of Campus Safety

The Department of Campus Safety is located in the Innovation and Collaboration Building, 1st floor, 820 West North A Street. The department employs 39 security personnel. Officers are qualified through State of Florida certified instructors for licensing. They undergo continued training to upgrade their skills and have been trained in first aid and CPR. Tampa Police Department cooperates with Campus Safety to respond and investigate crimes reported on all campus properties.

Officers conduct foot, bike, golf cart and vehicular patrols on campus 24 hours a day. They have the authority to ask persons for identification, to determine whether individuals have lawful business on campus, to maintain University standards and to issue campus parking tickets. Officers are also responsible for reporting and investigating crimes and traffic accidents, responding to medical emergencies, enforcing state laws and local ordinances and responding to all other incidents requiring attention.

Campus Safety officers carry firearms. They do not possess arrest power. Criminal incidents are referred to the Tampa Police Department, who has jurisdiction on campus, or to the Hillsborough County Sheriff's Office for those students who live outside the City of Tampa. The University maintains a good relationship with Tampa Police Department, Hillsborough County Sheriff's Office and Tampa Fire Rescue.

All crime victims and witnesses are strongly encouraged to immediately report the crime to the Department of Campus Safety by calling x7777 from on campus, dialing (813) 257-7777 from a cell phone or off-campus or electronically via:

**CampusSafety@ut.edu, SilentWitness@ut.edu or ut.edu/SilentWitness.**

## Security of and Access to Campus Facilities

The security of and access to campus facilities is an important component of the University's safety program. Both users of facilities and the Department of Campus Safety closely monitor access to campus facilities. Security considerations are key in making decisions on the maintenance and planning of all campus facilities.

**Academic buildings** are open during the day and evening hours to allow students and faculty access. These facilities are patrolled by Campus Safety officers during the evening hours and locked as scheduled each evening. The facilities are unlocked according to schedule each morning. On weekends, access is limited to authorized individuals, i.e., faculty members, University staff, maintenance workers, etc.

**Residence halls** provide on-campus housing for more than 4,200 students. Security safeguards within the residence halls include restricted access and external door prop alarm systems. Crime prevention programs include orientation programs, individual floor meetings, residential community-wide presentations and other educational programs. Access to University housing facilities is limited to residents, escorted guests and University staff. Entry is monitored on a 24-hour basis through a combination of restricted entrance, elevator cameras, key-card security systems, conventional keys and on-duty Residence Life personnel.

On-campus residential facilities are locked 24 hours a day, seven days a week. Only building residents are issued key-card access and are cautioned not to allow anyone to follow them into the building. Doors are monitored periodically by Campus Safety as a part of their patrols 24 hours a day to ensure that doors are not being propped open by residents and that the locking mechanisms are fully functional. Security cameras are also located in strategic public areas.

Professional residence hall assistant directors, area coordinators and student resident assistants, who are all members of the University's Residence Life staff, live on campus and provide staff coverage. Student room doors should be locked at all times, even when occupied. Residents are reminded to observe building security procedures and to notify Residence Life or the Department of Campus Safety of any unfamiliar persons or unusual incidents within the residence halls.

All Residence Life staff members undergo comprehensive training each semester for both prevention of and response to safety and security issues. Both students and professional staff participate in lectures and seminars associated with topics such as substance abuse, prevention of sexual assault and community security.

**Other campus buildings and facilities** are open during scheduled operating hours and locked at the end of these hours. Routine checks are made by Campus Safety officers to ensure security.

Campus Safety officers continually patrol all buildings, including residence halls, in an effort to prevent crime and monitor any potential security risks. These risks, such as burned out light bulbs, overgrown shrubbery or malfunctioning

doors, are reported to Facilities Management so that the problem may be corrected as soon as possible. Officers also take appropriate action when unauthorized persons are encountered.

Trespass warnings may be issued to subjects who have no verifiable business on campus. Subjects who violate trespass warnings are subject to arrest for "Trespassing After Warning." Every effort is made to ensure that all buildings are free from uninvited visitors.

### **Safety Escort Service**

The safety escort service is provided by the Student Government's LASER Team (Law Abiding Students Ever Ready) during fall and spring semesters for the safety of anyone walking alone on campus at night or during peak hours. Upon request, a student will be assigned escorts to the requested on-campus destination. In addition, the escort service, when not en route to a destination, is on motorized patrol and will offer escort service to pedestrians who are walking alone at night on campus. Students can request escort services by calling (813) 257-4515, or x4515 during LASER Team's hours of operation. Evening Hours: Sunday–Wednesday, 7 p.m.–1 a.m., and Thursday–Saturday, 7 p.m.–2 a.m. Morning Hours: Monday–Friday, 9 a.m.–7 p.m.

### **Off-Campus Residences**

The University provides for student housing in off-campus hotel properties when demand for University campus housing exceeds available on-campus space. In this instance, UT's Department of Campus Safety works cooperatively with the hotel security staff to ensure students' safety and security.

The Department of Campus Safety does patrol and provide security services at Barrymore Hotel Tampa Riverwalk in conjunction with Residence Life and hotel staff. All emergencies and crimes in progress should be reported to the Tampa Police Department at 911 or (813) 231-6130. As a follow-up to the reporting action with TPD, UT's Department of Campus Safety should be notified to assist in accurately compiling the University's annual crime statistics.

Off-campus residential facilities in the Barrymore Hotel Tampa Riverwalk are staffed in a pattern consistent with on-campus housing units. Student resident assistants, who are all members of the University's Residence Life staff, live in the facility. Professional residence hall area coordinators provide 24-hour staff coverage.

Access to residential floors is monitored by hotel front desk staff during the day with resident assistants and Campus Safety monitoring access in the night hours. Student room doors should be locked at all times, even when occupied. Residents are reminded to observe building security procedures and to notify Residence Life, hotel security or the Department of Campus Safety of any unfamiliar persons or unusual incidents within the residential floors.

The University has one off-campus housing site, The Barrymore Hotel Tampa Riverwalk. The Tampa Police Department and the Hillsborough County Sheriff's Office have primary jurisdiction in all off-campus situations. Off-campus crime information is available at [ut.edu/residencelife/offcampus](https://ut.edu/residencelife/offcampus).

### **Non-Campus Buildings and Property**

A complete list of University owned or controlled property can be obtained from UT's Department of Campus Safety. A campus properties map is also included in this publication.

### **Procedures for Reporting Emergencies**

Any emergency on campus, including medical and fire emergencies, should be reported directly to the Department of Campus Safety by dialing x7777, (813) 257-7777, the Spartan SOS app or by using one of the courtesy telephones located throughout campus. A list of all courtesy phones is available at [ut.edu/safety/telephones](https://ut.edu/safety/telephones).

Prompt reporting of all emergencies is vital. Upon receipt of the call, a Campus Safety officer will be dispatched immediately to the site of the call or will ask the victim to report to the Department of Campus Safety to file an incident report.

### **Reporting Criminal Offenses to University Officials and Campus Safety Authorities (CSAs)**

Students, faculty and staff are encouraged to report any problems with the campus environment directly to the Department of Campus Safety, but they may also report criminal offenses to designated campus officials. These officials include but are not limited to Residence Life staff, student conduct officers, selected Student Affairs staff, advisors to students/student organizations, Campus Safety officers, human resource staff and athletic coaches. An exhaustive list of CSAs is available at [ut.edu/safety/csareporting/](https://ut.edu/safety/csareporting/) and those staff members have the option to receive training. CSAs have a specific form for their use, if desired, for reporting campus crimes. All reports must be received by the director of Campus Safety.

Crimes or incidents may be reported in person, by phone, as stated above or via [CampusSafety@ut.edu](mailto:CampusSafety@ut.edu), [SilentWitness@ut.edu](mailto:SilentWitness@ut.edu) or [ut.edu/SilentWitness](http://ut.edu/SilentWitness). Prompt reporting will assure timely warning notices on campus and accurate disclosure of crime statistics. Department of Campus Safety, Counseling Services, Victim Advocacy and the Division of Student Affairs will also accept, within legal limitations, anonymous reports of crimes for inclusion in the annual statistical report.

All student-related incident reports are forwarded to the Dean of Students and other campus officials as appropriate. They are reviewed for potential action by the Office of Student Conduct. When conduct involves a crime of violence or sex offense, FERPA permits the University, at its discretion, to disclose to the complainant the final results of a disciplinary proceeding against the alleged perpetrator.

Counseling sessions are considered privileged, and the holder of the privilege is the client. Crime information can be forwarded anonymously at the request of the client. The counselors do not disclose information to the public without the consent of the client, unless there is an immediate threat to safety. Crimes reported to victim advocates will be forwarded anonymously to Campus Safety for counting purposes.

Community members reporting crimes to the University will also be strongly encouraged to report to the appropriate local law enforcement agency as well. Students will be assisted in reporting by Campus Safety or Victim Advocacy, if requested.

### **Emergency Response and Evacuation Procedure**

UT will notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

#### **Basics**

In a timely manner, The University of Tampa will notify the campus community upon confirmation of an emergency or dangerous situation. Examples of events that the University considers an immediate threat to the campus community are: armed robbery, bomb threat, civil disorder, fire, hazardous materials, hostages, terrorist activity or weapons. A variety of communication methods can be used which may include but are not limited to SMART emergency text messages, desktop alerts, text to voice classroom messages, Blackboard announcements, Thor Guard, global emails and/or voicemail messages, web alerts, UT website postings, displays on campus electronic boards, residence hall public address systems, posted fliers, organized meetings, local news and radio stations and various forms of social media. Messages will provide appropriate safety information and/or direct affected campus community members to safe locations. Communications will be initiated by the President or designee and delivered through members of the UT Emergency Communications Group. More specific information may be found at [ut.edu/emergency](http://ut.edu/emergency).

The University maintains relationships with Hillsborough County to provide evacuation sites in case it is necessary to remove students and/or staff from the campus. The University is also designated as a StormReady campus through the National Weather Service.

#### **Emergency Notification Process**

**Confirmation of emergency.** In potential or developing emergency situations (e.g., hurricane, tornado) any member of the Emergency Operations Team (EOT) may be contacted. The University President or the senior University administrator in charge, serving as the EOT leader, will assess the severity of the situation and determine if the EOT should be assembled.

**Determination of affected population.** The evaluation of the threat will determine which segments of the campus community are notified. This determination will be made in conjunction with the initial identification of the immediate threat and will continue to be monitored.

**Establishment of content.** The notification will include basic information about the threat including location, date/time and potential implication for the community. The specific content will be determined by the VP for Operations and Planning or designee, in conjunction with the Director of Campus Safety and other members of the Emergency Operations Team as appropriate.

**Initiation of the notification system(s).** The VP for Operations and Planning or designee, in conjunction with the UT Emergency Communications Group, will initiate the appropriate notification system(s) and monitor the threat to determine if and when subsequent notifications are needed.



**Exception for compromising efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.** The University of Tampa is committed to the safety of its campus community. As such, it will evaluate any immediate threat in light of the danger to the community, determine what information can be released about the threat and begin the notification process to affected area(s) of the campus community. The University may not immediately issue a notification if to do so would compromise assistance to victims, efforts to contain and respond to the emergency or other steps taken to mitigate the emergency. The decision when and if to notify the community rests with the President or designee, using their best professional judgment.

### Communication with the Larger Community

The institution will primarily use the UT website to communicate with parents and families. In communicating with the local community, the Office of Public Information and Publications may utilize press releases, prepared statements and/or interviews with local media agencies.

### Test of Emergency Systems

The UT Emergency Communications Group (ECG) performs annual tests of each communication system. These systems are ThorGuard, SMART emergency text messages, desktop alerts, text to voice classroom messages, Blackboard announcements, global emails and/or voicemail messages, web alerts, UT website postings, displays on campus electronic boards, social media postings and residence hall public address systems. Residence halls practice evacuations once each semester. These tests are documented, recorded and maintained by the ECG for five years. The entire UT Emergency Operations Team meets annually for training and updating of the UT Emergency Operations manual occurs biennially.

### Persons/Groups Responsible for Emergency Operations

President of The University of Tampa	UT Emergency Operations Team	Director of Campus Safety
Vice President for Operations and Planning	UT Emergency Communications Group	

### Timely Warning/Safety Alerts Policy

To help prevent crimes or serious incidents at The University of Tampa, Timely Warnings/Safety Alerts are issued by the Department of Campus Safety when the Vice President for Operations and Planning, Vice President of Student Affairs, the Dean of Students, and/or the Director of Campus Safety or designee determine that, after the report of a serious crime, there is a continuing threat to the University community. A serious crime includes: criminal homicide, murder, manslaughter, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, hate crimes and similar criminal conduct.

Timely Warnings/Safety Alerts include basic information about the alleged crime, posting and expiration dates and recommended safety prevention measures. Information about methods to report crime is noted, along with basic contact information for the Department of Campus Safety.

Whenever it is determined that there is an ongoing danger to the safety of students, faculty and/or staff, a Timely Warning/Safety Alert will be issued using appropriate notification methods by the vice president for Operations and Planning, the director of Campus Safety or their designee.

Other communication methods that may be deployed are global email and/or voice mails, text messaging, Blackboard postings, flyer postings, residence hall building/floor meetings, contacting the media and similar means as appropriate. These modes of communication will be coordinated by the Emergency Communications Group which has representatives from the departments of Campus Safety, Residence Life, Business Services, Information Technology, Facilities, Public Information and Publications, Operations and Planning, Dean of Students and other departments as necessary.

UT community members who know of a crime or other serious incident should report that incident as soon as possible to the Department of Campus Safety so that, if warranted, a Timely Warning/Safety Alert can be issued. If community members report crimes or serious incidents to other University administrators designated as CSAs, those administrators will notify the Department of Campus Safety.

Every attempt will be made to distribute the Timely Warning/Safety Alert as soon as is reasonably possible after the incident is reported. However, the release is subject to the availability of accurate facts concerning the incident.

The University of Tampa works closely with local law enforcement agencies to communicate incidents of concern to the campus community.

## Student Life Information

### Alcohol, Drugs and Weapons Policies

#### Alcohol Policy

The University of Tampa is committed to providing an environment that includes policies and educational elements to encourage low risk, healthy and safe choices for the use or non-use of alcohol for those of legal age. Further, the University believes in the importance of alcohol education programs for all members of the University community. It is upon this education-oriented philosophy of the University that the following alcohol policy is based.

To promote responsible alcohol use, all students, regardless of any individual student's age and time spent in the presence of alcohol, will be held responsible for the following alcohol policy that is available at:

**[ut.edu/rightsandresponsibilities](https://www.ut.edu/rightsandresponsibilities)**.

The alcohol policy at The University of Tampa is based on compliance with Florida State Statute 562.111, chapter 562, Tampa City Ordinance Chapter 3, and the federal Drug Free Schools and Communities Act. This policy applies to all organizations and those groups holding events on University property or in association with the University including off-campus events.

In the case of visitors/guests violating the policy, the host may be held responsible and depending on the violation, the visitor is also subject to arrest.

#### Drugs

The drug policy at The University of Tampa is based on compliance with Florida State Statute 893, Tampa City Ordinance Chapter 14, Article II, Division 3, and the federal Drug Free Schools and Communities Act. The drug policy may be found at **[ut.edu/rightsandresponsibilities](https://www.ut.edu/rightsandresponsibilities)**

In the case of visitors/guests violating the policy, the host may be held responsible and depending on the violation, the visitor is also subject to arrest.

#### Weapons

The weapons policy at The University of Tampa is based on compliance with Florida State Statute 790, Tampa City Ordinance Chapter 14, Article II, Division 6, and other relevant federal regulations. The weapons policy may be found at **[ut.edu/rightsandresponsibilities](https://www.ut.edu/rightsandresponsibilities)**.

In the case of visitors/guests violating the policy, the host may be held responsible and depending on the violation, the visitor is also subject to arrest.

# UT Employee Weapons Policy

## Policy:

No University of Tampa employee, vendor or visitor shall carry, possess or store a weapon or firearm while on property owned or controlled by the University. (See Definitions/Clarifications.)

## Exemptions:

- Chemical agents are permitted, but may only be used as a defensive weapon.
- Certified law enforcement officers may wear a service firearm in accordance with their department policy and federal, state and local laws.
- UT Campus Safety officers may carry firearms.
- Reserve Officer Training Corps or University-recognized ROTC drill team members may possess firearms or weapons when training or performing official duties to the extent they are legally permitted to do so.
- Campus Safety officials have the discretion to grant written permission regarding the possession, use or display of firearms or weapons for special circumstances or educational purposes. Questions and requests must be satisfactorily addressed before bringing such items to campus. (See Exemption Requests.)

## Exemption Requests:

Anyone seeking a firearms or weapons policy exemption must submit a written request to the Campus Safety officials and their University supervisor at least two weeks prior to needing the exemption. The written request must contain the following:

- a) Requesting person's name and contact information;
- b) Specific reason for requesting the exemption;
- c) Detailed firearm or weapon description;
- d) Firearm or weapon location while on campus;
- e) Time frame of exemption request; and
- f) Safety measures to be taken.

Once a decision is rendered, written notification will be issued to the requesting party(ies). When exemptions are granted, under no circumstances may a weapon or firearm contain ammunition while on University property.

## Reporting Violations:

Potential or suspected weapons policy violations should be reported immediately to Campus Safety officials. Non-emergency reports may be submitted via the silent witness program at [ut.edu/silentwitness](https://ut.edu/silentwitness) or [silentwitness@ut.edu](mailto:silentwitness@ut.edu).

Individuals violating the weapons policy or making a false report of any kind, with the intent to deceive, mislead or otherwise misinform, may result in University disciplinary action and/or criminal prosecution.

## Enforcement:

University officials will seize any unauthorized firearms or weapons. Seized items may be secured in the Campus Safety office or turned over to the appropriate law enforcement agency. If the owner is legally permitted to possess the firearm or weapon, and it is returned, it must immediately be taken off campus.

**Definitions/Clarifications:****Firearms:**

Any pistol, rifle, antique firearm, starter pistol, BB gun, simulated firearm, toy gun or any item that is designed in appearance to resemble a firearm. Concealed Carry Weapons Permit (CCW) holders **are not** exempt.

**Weapons:**

Knives used to invoke fear or intimidation, brass knuckles, swords, slingshots or any item that may cause bodily injury or harm.

**Electrical Weapons:**

Any non-lethal device that is designed to deliver an electrical current whether by impact and/or by the firing of a dart or projectile that, upon contact, will deliver a specified electrical current to its target.

**Ammunition:**

Any item or material that enables a weapon to be operational and capable of propelling a projectile.

**Chemical Weapons:**

Any device that has the ability to disperse a chemical agent, either through aerosol or foam spray, is permitted as long as it complies with Florida Law (790.001 (b) FSS) in its size, chemical solution and delivery mechanism.

**Fireworks or Other Explosives:**

Any material that will render an explosion.

**Firearms and Weapons Possession:**

The University considers employees in possession of firearms or weapons if such items are in a vehicle, office, lab, classroom or common space.

June 22, 2010

## Sexual Assault, Domestic Violence, Dating Violence and Stalking Information

The University of Tampa prohibits the crimes of sexual assault, domestic violence, dating violence and stalking.

### Definitions – State of Florida

The state of Florida has specific definitions for each of the crimes identified above as well as consent in reference to sexual activity. They are:

- 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. For the complete statute, please visit [leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0700-0799/0794/Sections/0794.011.html](http://leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0700-0799/0794/Sections/0794.011.html)
- 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. For the complete statute, please visit [leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0700-0799/0794/Sections/0794.011.html](http://leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0700-0799/0794/Sections/0794.011.html)
- 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. For the complete statute, please visit [leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0700-0799/0741/Sections/0741.28.html](http://leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0700-0799/0741/Sections/0741.28.html).
- 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.

For the complete statute, please visit [leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0700-0799/0784/Sections/0784.046.html](http://leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0700-0799/0784/Sections/0784.046.html).

- Stalking – A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of stalking, a misdemeanor of the first degree. For the complete statute, please visit [leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0700-0799/0784/Sections/0784.048.html](http://leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0700-0799/0784/Sections/0784.048.html).

### Prevention Programs and Strategies

#### Students

To set a tone of positive relationship building and violence reduction, all new students entering the University are required to participate in different programs providing vital prevention information. EverFi is an online program containing information on sexual assault, domestic violence, dating violence and stalking as well as alcohol and other drugs that is required by all new students prior to matriculation. During the new student orientation, there is also a mandatory safety program which outlines again the University’s expectations around consent, sexual and relationship behaviors, on-campus resources for prevention and response and how to report incidents of violence.

Other programs offered during the academic year aimed at sexual assault and relationship violence prevention include but are not limited to:

- Relate
- Take Back the Night
- RAD self-defense classes for women

- Don't Cancel Class programs
- Greek Life trainings
- Academic programs through the Sociology, Public Health and Criminology departments

## Employees

All new employees are required to complete the Title IX and Sexual Harassment Prevention course which includes information related to dating violence, domestic violence, sexual assault and stalking. Course description: Informed faculty and staff are vital to the effective response to and prevention of sexual harassment on campus. This course is designed to provide essential knowledge on Title IX regulations so you can assist students or colleagues when they reach out for help and to give you background on recent laws to help guide your response. Topics covered include why people commit sexual harassment, primary prevention methods, federal requirements, reporting obligations, trauma-informed response and campus policies and resources.

The University of Tampa is proud to participate in an evidence-based bystander intervention program called Bringing in the Bystander. All students and employees are encouraged to be active bystanders on campus and do their part to create a healthy and safe campus environment. Students and employees are also encouraged to employ risk reduction strategies which increase their personal safety.

More information about these strategies is available at:

[cultureofrespect.org/program/bringing-in-the-bystander/](http://cultureofrespect.org/program/bringing-in-the-bystander/)  
[web.mit.edu/bystanders/definition/index.html](http://web.mit.edu/bystanders/definition/index.html)  
[stepupprogram.org/topics/](http://stepupprogram.org/topics/)  
[campushealth.tulane.edu/well/sexual-violence-prevention](http://campushealth.tulane.edu/well/sexual-violence-prevention)  
[sexualviolence.ucdavis.edu/put-end-sexual-violence-uc-davis](http://sexualviolence.ucdavis.edu/put-end-sexual-violence-uc-davis)

## Reporting Incidents

### Preserving Evidence

Following an incident of sexual assault, dating violence, domestic violence or stalking, it is important to preserve evidence of any offense – it may be necessary proof to obtain a protection order or to prosecute the offender.

#### 1. Sexual Assault

- Forensic evidence collection is best done within 72 hours of the assault and best collected immediately following an assault. The state of Florida will collect evidence up to 120 hours following an assault; however, it is important to remember that the more time passes between the sexual assault and collecting the evidence, the less likely it will be to collect physical evidence that may be very important to the prosecution of a criminal case.
- To preserve evidence in the case of sexual assault, it is recommended that you do not shower or bathe, wash your hands, use the toilet, douche, eat, drink, smoke, brush your teeth, change clothing or wash clothing or bedding before a medical exam. Even if you have already taken any of these actions, evidence may still be collected and you are encouraged to have prompt medical care.
- If you wish to make a report to the police, or if you wish to have evidence collected so you can make this decision later, you may seek services by calling the Tampa Police Department (813) 231-6130, Campus Safety (813) 257-7777, and requesting transportation to the Crisis Center or contacting the Crisis Center of Tampa Bay directly (813) 964-1964. The Crisis Center facilitates sexual assault forensic examinations for the City of Tampa.
- It is preferred that a police department facilitates the collection of forensic evidence on site. However, if you are not sure if you would like to report to the police or if it has been longer than 72 hours after the assault, you may wish to gather all clothing and bedding that may be used for evidence and place them into a clean paper bag or clean sheet. Items should be stored at room temperature that will not damage evidence. The Victim Advocate program at UT can provide replacement bedding by calling the hotline at (813) 257-3900.

#### 2. Dating or Domestic Violence

In the case of dating violence and domestic violence, the resource you choose to report the crime to (a doctor, the police, an advocate, etc.) may recommend ways to preserve evidence such as logging incidents, photographing injuries, seeking medical care, etc.

### 3. Stalking

- a. Stalking is demonstrated through a pattern of unwanted contact. Information on how to document stalking can be found here: [familyjusticecenter.org/resources/stalking-incident-log/](https://familyjusticecenter.org/resources/stalking-incident-log/)
- b. In addition to logging unwanted contact, an advocate or police officer may recommend you save and photograph unwanted text messages, emails, letters and gifts and store them in a secure location.

*Adapted from: [womenscenter.boisestate.edu/support-2/get-help-for-sexual-assault/reporting-sexual-assault/](https://womenscenter.boisestate.edu/support-2/get-help-for-sexual-assault/reporting-sexual-assault/)*

### **Reports to Law Enforcement/Agencies**

The University also encourages anyone who believes they are a victim of sexual misconduct and/or relationship violence (or any other crime) to make a report to Campus Safety if the misconduct occurred on campus, or to local law enforcement, for misconduct occurring off-campus. Collection and preservation of evidence relating to the reported sexual misconduct and relationship violence is essential for law enforcement investigations, so prompt reporting of the incident to law enforcement is especially critical. Designated University staff will, upon request, assist an individual in making a report to Campus Safety and/or law enforcement. For reports relating to off-campus sexual misconduct and/or relationship violence, Campus Safety can assist in identifying the appropriate law enforcement agency to which to make the report. In addition, upon being notified of potential sexual misconduct and/or relationship violence that may also constitute a crime, the Title IX coordinator or designee will notify Campus Safety to ensure appropriate distribution of University-wide warnings, if needed, and maintenance of accurate statistics. Please note victims also may decline to make a report to a law enforcement agency.

### **Assumption of Good Faith Reporting**

The University presumes that reports of sexual misconduct and relationship violence are made in good faith. A finding that the behavior at issue does not constitute a violation of University of Tampa policies, or that there is insufficient evidence to conclude that the incident occurred as reported, does not mean that the report was made in bad faith. The University encourages all individuals who have experienced or witnessed behavior they believe violates University policies to report the matter so that it may be addressed, without fear of consequences from the University.

### **Victim Safety**

Personal safety is always a priority but is particularly important after being a victim of a crime. The University offers many options for students who have concerns for their safety, regardless of making any type of formal report. These options will also be provided to victims in a written format.

1. A no-contact order between students may be issued by the Offices of Student Conduct or Residence Life.
2. On-campus housing assignments may be changed or an individual's access to certain halls may be restricted.
3. A student's course sections may be changed.
4. The student escort service, the LASER team, is available for escorts in the evening hours around campus.
5. The University can assist students in filing orders for protection through the court system, when appropriate.
6. The University can assist employees with work assignment changes, if requested.

Students and employees are encouraged to contact Campus Safety and/or a campus victim advocate to discuss specific safety planning.

The University will provide written notification to students and employees in cases of alleged dating violence, domestic violence, sexual assault or stalking about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and student financial aid services both on campus and within the community. How to request academic, living, transportation and working situation modifications, as well as information about protective measures both on and off campus will also be included.

### **Victim Confidentiality**

The University of Tampa has processes in place for the protection of a victim's identity who has been the victim of a crime of sexual or relationship violence. No personal identifying information will be disclosed either in the Annual Security and Fire Safety Report crime statistics or in the Daily Crime Logs maintained by the Department of Campus Safety.

Every effort will be made by the University to preserve a victim's confidentiality recognizing that information may need to be disclosed to provide necessary accommodations or protective measures. These disclosures will only be made



when necessary and the decision to disclose this information will be made by the director of Campus Safety, the Title IX coordinator or deputy coordinator, or the victim advocate working with the student. The victim will be informed of the information disclosure and the purpose thereof.

### **University Investigative Procedures**

#### **Services**

Upon notice of alleged sexual misconduct and/or relationship violence, the University will take prompt and effective steps to end and eliminate any sexual misconduct and/or relationship violence, prevent its recurrence and remedy its effects on the complainant and/or University community. Once the University is notified of possible sexual misconduct and/or relationship violence, the complainant will be offered appropriate confidential support and other resources. The University will take appropriate steps to prevent and/or address retaliation as prohibited by the Student Code of Conduct, University Title IX policies and the Employee Handbook. The respondent will also be offered appropriate confidential support and other resources and notified of applicable institutional policies. If needed, the Title IX coordinator or designee will help to coordinate the services provided for the complainant and/or respondent by various University offices. Students and/or employees who report violations are entitled to a written explanation of rights and options. Students may receive these written rights and options within the Office of Student Conduct. Employees may contact Human Resources directly for information regarding rights and options related to faculty and staff.

#### **Sex Offender Registry**

The federal Campus Sex Crimes Prevention Act, Clery Act and the Florida Violent Crime Control and Law Enforcement Act of 1994 mandate that higher education institutions inform their campus communities where information is available concerning registered sexual offenders.

The Florida Department of Law Enforcement (FDLE) maintains a system for making certain registry information on violent sex offenders publicly available by means of the internet. Any member of the campus community who wishes to obtain further information regarding sexual offenders/predators in this area may refer to the FDLE website at [fdle.state.fl.us](http://fdle.state.fl.us) or call (888) FL-PREDATOR ((888) 357-7332). There is also a link from the Campus Safety website at [ut.edu/about-ut/university-services/campus-safety/security-reports](http://ut.edu/about-ut/university-services/campus-safety/security-reports)

Notifications of all sexual offenders employed or enrolled at The University of Tampa are provided by local and state law enforcement to the Department of Campus Safety.

Anyone requiring additional information may contact Kevin Howell, Director of Campus Safety, at (813) 257-7777 or [khowell@ut.edu](mailto:khowell@ut.edu).



## University Policies and Grievance Procedures – Title IX, Employee Handbook and Student Code of Conduct

An incident of sexual harassment, sexual misconduct and/or relationship violence that is reported or known to the University, and occurred on or after August 14, 2020, is reviewed according to the Title IX Policy and Grievance Procedure, as outlined below. Incidents of prohibited sexual harassment, sexual misconduct and/or relationship violence known by the University, which occurred prior to August 14, 2020, would have applied the Student Code of Conduct - Sexual Misconduct and Relationship Violence Policy and/or Employee Handbook - Harassment in the Workplace Policy.

### Title IX Sexual Harassment Policy and Grievance Procedure

#### (Student and Employee Incidents of Sexual Harassment that occurred on or after August 14, 2020)

The University of Tampa strongly encourages the reporting of discrimination, sexual misconduct, relationship violence and stalking and will take prompt and effective steps to stop the discrimination, prevent its recurrence and remedy its effects. UT is committed to promptly responding to all complaints of discrimination or harassment and to dealing fairly with complaining and responding parties alike. Detailed information about this fair and equitable process, including the University's response and investigation procedures, sanctioning and decision review can be found below. Reporting may help in overall recovery, feelings of personal safety and to protect others in the future.

Incidents falling within the definition of sexual harassment as set forth in UT's Title IX Policy will be investigated under this grievance procedure and, if appropriate, brought to a live hearing through the Title IX Grievance Procedure defined below.

However, this Title IX policy is not the only policy of the University prohibiting sexual misconduct or other forms of harassment, discrimination and misconduct. UT holds its community to a higher standard than the minimum requirements under the law, and it remains committed to addressing any violations of its policies. Specifically, UT has enacted the following policies that include provisions prohibiting a broader array of conduct, including harassment, discrimination and sexual misconduct:

- a. A Student Code of Conduct that defines certain behavior as a violation of campus policy, including sexual harassment, sexual assault, domestic violence, dating violence, stalking and related sex-based offenses that are not covered under the Title IX Policy.
- b. An Employee Handbook which includes a policy on harassment in the workplace and other prohibited behaviors that are not covered under the Title IX Policy.

To the extent that alleged misconduct falls outside the Title IX Policy, or misconduct falling outside the Title IX Policy is discovered during the course of investigating an allegation covered by the Title IX Policy, the institution retains authority to investigate and adjudicate the allegations under the policies and procedures defined within the Student Code of Conduct and the Employee Handbook through a separate grievance proceeding.

### Title IX Definitions

**Sexual Harassment** – For the purposes of this Title IX Policy, “sexual harassment” includes any conduct on the basis of sex that satisfies one or more of the following:

- a. An employee of UT conditioning the provisioning of any educational benefit, aid or service on an individual's participation in unwelcome sexual conduct (i.e., quid pro quo);
- b. Unwelcome conduct that a reasonable person would determine is so severe, pervasive and objectively offensive that it effectively denies a person equal access to UT's education program or activity;
- c. Sexual assault (as defined in the Clery Act), which includes any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent; the Clery Act defines the following prohibited behaviors as:
  - i. Rape – 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.
  - ii. Fondling – 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.

- iii. Incest – sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- iv. Statutory Rape – sexual intercourse with a person who is under the statutory age of consent.

Note: Any individual who knows, or has reasonable cause to suspect, that a child or minor is abused by a person responsible for the child's welfare is required to report that information as a mandatory reporter, as defined in §39.201(1)(a), Florida Statutes.

- d. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), is any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship.
  - i. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - ii. Dating violence does not include acts covered under the definition of domestic violence.
- e. Domestic violence (as defined in the VAWA amendments to the Clery Act), which includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under Florida domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Florida.
- f. Stalking (as defined in the VAWA amendments to the Clery Act), is engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

For the purposes of this definition—

- i. Course of conduct means two or more acts, including, but not limited to, acts in which the 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.
- ii. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- iii. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

To meet the definition of sexual harassment, the conduct must have occurred in UT's education program or activity.

Conduct that does not meet one or more of these criteria may still be prohibited under the Student Code of Conduct and/or the Employee Handbook and may be addressed under the procedures set forth therein.

## Consent

For the purposes of this Title IX Policy, consent is defined as an informed, voluntary and mutual agreement. Consent can be withdrawn at any time and there is no consent when there is force, expressed or implied, or when coercion, intimidation or duress is used. Consent cannot be given by a person who is incapacitated.

## Education Program or Activity

For the purposes of this Title IX Policy, The University of Tampa's education program or activity includes:

- a. Any on-campus premises.
- b. Any off-campus premise, event or circumstance where UT has exercised substantial control over both the respondent and the context in which the sexual harassment has occurred. This definition includes buildings or property owned or controlled by a registered student organization.
- c. Any activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of UT's programs and activities over which UT has substantial control.

## Formal Complaint

For the purposes of this Title IX Policy, formal complaint means a document, including an electronic submission, filed by a complainant with a signature, or other indicia that the complainant is the person filing the formal complaint or signed by the Title IX coordinator, alleging sexual harassment against a respondent about conduct within UT's education program or activity and requesting UT to investigate the allegation of sexual harassment. At the time of filing the formal complaint, the complainant must be participating in or attempting to participate in UT's education program or activity.

## Complainant

For the purposes of this Title IX Policy, complainant means any individual who has reported being or is alleged to be the victim of conduct that could constitute sexual harassment as defined under this policy.

## Respondent

For the purposes of this Title IX Policy, respondent means any individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment as defined under this policy.

## Other Florida Laws

It should be noted that the state of Florida defines prohibited sexual acts in Chapter 794:

- a. Sexual Battery – In Florida, "rape" is called "sexual battery." Sexual battery, defined in the Florida Statutes, Chapter 794, 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.
- b. Consent – In Florida, 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.

## Reporting Sexual Harassment to the Institution

Any individual (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or harassment) may report discrimination based on sex, sexual harassment, sexual misconduct, stalking and relationship violence. Reports may be made at any time by telephone, email or mail to the Title IX coordinator using the contact information set forth below. Reports also may be made in-person to the Title IX coordinator during regular business hours.

Title IX Coordinator  
Kelsey San Antonio  
Office of Human Resources  
(813) 257-3748  
Southard Family Building, Room 272  
**ksanantonio@ut.edu**

\*All incidents, including those involving faculty and staff

Reports may also be submitted through UT's electronic Title IX reporting system at: **ut.edu/titleixreport** or can be made to any of the following deputy Title IX coordinators listed below by telephone, email, mail or in-person during regular business hours.

Title IX Deputy Coordinator for Students  
Tim Nelson, Assistant Dean of Students  
and Director of Student Conduct  
Office of Student Conduct  
(813) 258-7228  
Vaughn Center, Room 202  
**tnelson@ut.edu**

\*Incidents involving students only

Title IX Deputy Coordinator for  
Athletics Affairs  
Jennifer Alger, Assistant Athletic Director, Academic and  
Student Services/Senior Woman Administrator  
Athletics  
(813) 257-3808  
Martinez Athletics Center, Room 126  
[jalger@ut.edu](mailto:jalger@ut.edu)  
\*Incidents involving student athletes, coaches and athletic staff

Title IX Deputy Coordinator for  
Academic Services  
C. Jay Pendleton, Associate Provost and  
Dean of Academic Services  
(813) 257-3147  
Plant Hall, Room 202  
[cpendleton@ut.edu](mailto:cpendleton@ut.edu)  
\*Incidents involving faculty

Reports may also be made to Responsible Employees, such as University faculty or staff, who then have the duty to provide that information to the Title IX coordinator or a Title IX deputy coordinator. The Title IX deputy coordinators listed above are also considered responsible employees and are therefore obligated to take the appropriate steps to address reported incidents of sexual misconduct and relationship violence. To the extent possible, report information will be handled in a private and discreet manner.

If you are not ready to make a report to a responsible employee, the University encourages you to contact a confidential resource who may assist you in understanding your options and the resources available before making a Title IX report.

### Confidential Reporting

The following officials will provide privacy, which means sharing information only on a need to know basis, but cannot provide complete confidentiality, upon receiving a report of conduct prohibited under this policy:

- a. Title IX coordinator or designee
- b. Employees, faculty and staff, who are considered responsible employees

The following officials may provide confidentiality, which means they will not share the information you provide without your permission, unless an immediate physical threat of harm or emergency situation arises:

- a. Victim Advocates – [victimadvocacy@ut.edu](mailto:victimadvocacy@ut.edu), phone: (813) 257-3900
- b. Counselors at the University Counseling Center – [counselingservices@ut.edu](mailto:counselingservices@ut.edu), phone: (813) 253-6250
- c. Medical Professionals, while treating a related medical issue, at the Dickey Health and Wellness Center – [healthcenter@ut.edu](mailto:healthcenter@ut.edu), phone: (813) 253-6250

### Retaliation

It is the responsibility of all UT employees to report violations of the Title IX Policy. In an effort to support an environment for open communication, the University will not tolerate any retaliation or retaliatory behavior against any employee or student who, in good faith, files a grievance, report or concern under the Title IX Policy. For purposes of this policy, a good faith filing means an honest belief with absence of malice, intent to defraud or seek to disadvantage another.

Retaliatory acts may include intentional acts or threats of action toward another because they reported a violation of policy and/or because of their participation in the Title IX Grievance Procedure. Prohibited retaliatory behavior may include direct and indirect actions.

### Information Session

After receipt of a report of sexual harassment as defined under this policy, the Title IX coordinator and/or designee will review the Title IX report and promptly initiate communication based on the information provided, as deemed appropriate. This process typically involves a request by the Title IX coordinator and/or designee to meet with the complainant – the individual identified in the Title IX report who is alleged to be the victim of conduct that could constitute discrimination based on sex. This initial meeting is called an Information Session. At the Title IX information session, the Title IX coordinator and/or designee will review the report with the complainant and provide information regarding, at a minimum:

- a. Title IX jurisdiction,
- b. The Title IX process and grievance procedures,
- c. Title IX resolution options,

- d. Any applicable University policies,
- e. Filing a formal complaint under the Title IX Policy,
- f. Supportive measures available, with or without filing a formal complaint, to include discussion about any supportive measures needed to be in place immediately and consideration of the complainant's wishes with respect to supportive measures, and,
- g. University and community resources and services available to assist the complainant.

It is the complainant's choice whether he or she would like to meet for the information session. A complainant may still request resources and services and/or file a formal complaint under the Title IX Policy without an information session. The complainant has the right to bring an advisor of choice to the information session. If the complainant decides to seek a formal Title IX resolution process, the complainant may file a formal complaint with the Title IX coordinator for review. The grievance procedure set forth below, which requires the filing of a formal complaint, will be followed before UT will impose any disciplinary sanctions or other actions that are not supportive measures against a respondent.

## **Non-Investigatory Measures Available Under the Title IX Policy and Interim Actions**

### **Supportive Measures**

Supportive measures are non-disciplinary and 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. The Title IX coordinator or designee is responsible for implementing supportive measures, as deemed appropriate and as reasonably available. Such measures are designed to restore or preserve equal access to UT's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties, UT's educational environment or deter sexual harassment. Therefore, complainants who report allegations that could constitute covered sexual harassment under this policy, have the right to receive supportive measures from the University regardless of whether they desire to file a formal complaint. Supportive measures may include restrictions on contact, work or class adjustments, and referral to services, such as counseling or victim advocacy, as appropriate. UT will confidentially maintain any supportive measures provided to the complainant or respondent to the extent that maintaining such confidentiality would not impair UT's ability to provide the supportive measures.

Supportive measures may include, but are not be limited to:

- a. counseling,
- b. extensions of deadlines or other course-related adjustments,
- c. modifications of work or class schedules,
- d. campus escort services,
- e. mutual restrictions on contact between the parties (no-contact orders),
- f. changes in work or housing locations,
- g. leaves of absence, or,
- h. increased security and monitoring of certain areas of the campus.

The Title IX coordinator and/or designee will continuously review the supportive measures and adjust the individualized services as appropriate.

### **Emergency Removal**

The University retains the authority to remove a respondent from UT's educational program or activity on an emergency basis, where the University (i) undertakes an individualized safety and risk analysis and (ii) 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.

If the University determines such removal is necessary, the respondent will be provided notice and an opportunity to challenge the decision immediately following the removal.

In addition, for conduct that does not fall within the definition of sexual harassment or is not otherwise covered under this policy, the University retains the right to take any other action, including interim, temporary or emergency actions, as provided in the Student Code of Conduct and/or the Employee Handbook.

### **Administrative Leave**

The University retains the authority to place a non-student employee respondent on administrative leave during the Title IX Grievance Procedure, consistent with the Employee Handbook.

### **Title IX Grievance Procedure**

#### **Filing a Formal Complaint**

A formal complaint is a document filed by a complainant or signed by the Title IX coordinator requesting that the university investigate one or more allegations of sexual harassment by a respondent. The formal complaint document should include identifying information about the respondent, if known, and information about the alleged prohibited conduct, such as the date, time and place of the incident.

At the time of filing a formal complaint, the complainant must be participating in or attempting to participate in, an educational program or activity of The University of Tampa. For complainants who do not meet this criteria, the University will utilize existing policy and procedures in the Student Code of Conduct or the Employee Handbook to investigate and address, if appropriate, the reported conduct.

If a complainant does not wish to make a formal complaint, the Title IX coordinator may determine a formal complaint is necessary and will sign the formal complaint. In these limited situations, where the safety of the University community necessitates this type of action, the Title IX coordinator will inform the complainant of this decision in writing, and the complainant need not participate in the process further but will receive all notices issued under this Procedure.

Nothing in the Title IX Policy, the Student Code of Conduct or the Employee Handbook prevents a complainant from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process.

The timeframe for the grievance procedure begins with the filing of a formal complaint. The grievance procedure, including the timeframe for resolving any appeal, will be concluded within a reasonably prompt manner, and may be extended in limited circumstances for good cause, including but not limited to the absence of a party, a party's advisor or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. When the timeframe has been extended, written notice will be provided to the complainant and respondent of the delay or extension as well as the reason for such delay or extension.

A Title IX formal complaint may be filed at any time with the Title IX coordinator in person, by mail or by electronic mail to:

Kelsey San Antonio, Title IX Coordinator  
Office of Human Resources  
(813) 257-3748  
Southard Family Building, Room 272  
[ksanantonio@ut.edu](mailto:ksanantonio@ut.edu)

Once a formal complaint is received by the Title IX coordinator, the Title IX coordinator and/or designated Title IX deputy coordinator will review the formal complaint to ensure Title IX jurisdictional requirements are met.

#### **Determining Title IX Jurisdiction**

A determination on Title IX jurisdiction is required before the initiation of any Title IX formal resolution options. Title IX jurisdiction is determined by the Title IX coordinator and/or designee. The Title IX coordinator and/or designee will determine jurisdiction and whether a Title IX formal complaint and alleged prohibited conduct is within the scope of the Title IX Policy based on the following factors:

- a. Whether the alleged prohibited conduct, if proven, meets the definition of prohibited sexual harassment within the Title IX Policy;
- b. Whether the alleged conduct occurred in the University's education program or activity; and,
- c. Whether the alleged conduct occurred against a person in the United States of America.

If all of the elements are met, UT will investigate the allegations according to the Title IX Grievance Procedure.



## **Mandatory Dismissal**

If any of the above factors is not met, the Title IX coordinator and/or designee must dismiss the formal complaint. Each party may appeal a mandatory dismissal using the procedure outlined in the “Appeals,” section below.

## **Discretionary Dismissal**

The Title IX coordinator or designee may also choose, in their discretion and at any time during the investigation or hearing, to dismiss the formal complaint or any allegation therein if it is determined that the allegations or circumstances meet one of the following criteria:

- a. The complainant withdraws his or her formal complaint or any allegation therein by notifying the Title IX coordinator in writing;
- b. The respondent no longer is enrolled at or employed by the University;
- c. There are specific circumstances that prevent the University from gathering sufficient evidence to reach a determination as to the formal complaint or the allegations therein

Each party may appeal a discretionary dismissal using the procedure outlined in the “Appeals,” section below.

## **Allegations Potentially Falling Under Two Policies and Consolidation of Formal Complaints**

If the alleged conduct, if true, includes conduct that would constitute sexual harassment under this policy as well as conduct that would not constitute sexual harassment under this policy, the grievance procedure will be applied to the investigation and adjudication of only the allegations that constitute sexual harassment under this policy. The University may still address the alleged conduct that falls outside of sexual harassment under this policy, through other University policies or procedures, including the Student Code of Conduct and the Employee Handbook. In that instance, the information and allegations will be referred to the appropriate University office responsible for review of the alleged prohibited behavior and that conduct will be addressed in accordance with the process set forth in the applicable policy.

The University may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

## **Notice of Dismissal**

Upon reaching a decision that the formal complaint or any allegations therein will be dismissed under either the mandatory or discretionary dismissal provisions, the University will promptly send written notice of the dismissal and the reason for the dismissal simultaneously to the parties through their University email accounts if they are a student or employee, and by other reasonable means if they are neither. It is the responsibility of parties to maintain and regularly check their email accounts.

Even if the University dismisses the formal complaint under the mandatory or discretionary dismissal provisions above, it may still address the alleged conduct through other University policies or procedures, including the Student Code of Conduct and the Employee Handbook. In that instance, the information and allegations will be referred to the appropriate University office responsible for review of the alleged prohibited behavior and that conduct will be addressed in accordance with the process set forth in the applicable policy.

## **Title IX Formal Resolutions: Title IX Investigations**

Once a formal complaint requesting a Title IX investigation is received and is determined by the Title IX coordinator or designee to meet the jurisdictional requirements, the University will begin a Title IX investigation in accordance with University policy. The University will investigate all allegations made in a formal complaint that have been accepted by the Title IX coordinator. All investigations will be conducted by a trained University investigator(s) who will be free of any bias or conflict of interest. The Title IX coordinator and/or designee will send written notice to the complainant and respondent indicating receipt of a formal complaint and the commencement of the formal University grievance procedure. Such notice will occur as soon as practicable, after the institution receives the formal complaint and the jurisdictional determination is made, if there are no extenuating circumstances.

The parties will be notified through their University email accounts if they are a student or employee, and by other reasonable means if they are neither.

## Notice of Allegations

This notice, which is sent to both complainant and respondent, will include at a minimum:

- a. Notice of the allegations potentially constituting Title IX sexual harassment, and sufficient details known at the time the notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the alleged conduct constituting sexual harassment; and the date and location of the alleged incident, if known.
- b. A copy of the complaint and any other reports or evidence obtained by the Title IX coordinator at the initiation of the case.
- c. Notice of UT's Title IX Policy and Grievance Procedure and a hyperlink to a copy of the procedure.
- d. 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 procedure.
- e. A statement that the burden of gathering evidence sufficient to reach a determination and the burden of proving a violation of the Title IX Policy is on the University and not on the complainant or respondent.
- f. A statement that the University will not restrict the ability of parties to discuss the allegations or gather and present relevant evidence. The complainant and respondent will have an equal opportunity to present fact or expert witnesses and other evidence.
- g. A statement that the complainant and respondent parties have the right to an advisor of their choice, including an attorney, who may accompany them during any meetings in relation to the complaint.
- h. A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or another source.
- i. A statement on the University's retaliation policy.
- j. A statement providing the respondent five (5) business days from receipt of the notice to provide a written response to the allegations to the Title IX coordinator and/or designated individual listed in the notice.
- k. A statement providing both the complainant and the respondent the opportunity to meet with the Title IX investigator(s) for a pre-investigative meeting to discuss the Title IX formal resolution process. This meeting is not an investigative interview.

The University will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview is scheduled.

The Title IX coordinator and/or designee may again determine at this point that the formal complaint must be dismissed on the mandatory grounds identified above, and will issue a notice of dismissal, if applicable. If such a determination is made, any party to the allegations of sexual harassment identified in the formal complaint will receive the notice of dismissal in conjunction with, or in separate correspondence after, the notice of allegations.

## Ongoing Notice

If, in the course of an investigation, the University decides to investigate allegations about the complainant or respondent that are not included in the notice of allegations and are otherwise sexual harassment as defined in the Title IX Policy, the University will notify the parties whose identities are known of the additional allegations through their University email accounts or other reasonable means if they are not a student or employee of the University.

The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional allegations.

## Investigation

The University of Tampa has developed an investigative process to review formal complaints alleging prohibited Title IX sexual harassment. Complaints will be assigned to a trained University investigator(s) by the Title IX coordinator and/or designee. Title IX administrators and active Title IX investigators are required to maintain ongoing and relevant



training throughout their service. The University provides opportunities throughout the year to ensure administrators and volunteers involved in Title IX grievance procedures are trained on policy, procedures, best practices and receive skillset development for advising, investigating and decision making in Title IX matters.

Both the investigator(s) and Title IX coordinator or designee will be free of bias or any conflict of interest. The investigator(s) will perform an investigation under a reasonably prompt timeframe of the conduct alleged to constitute as Title IX sexual harassment after issuing the notice of allegations. The University investigator(s) will be responsible for conducting a thorough, impartial and fact-finding investigative process in accordance with outlined University policies and procedures.

### **Evidence**

The University and not the parties, has the burden of proof and the burden of gathering evidence sufficient to reach a determination, i.e. the responsibility of showing a violation of this Policy has occurred. This burden does not rest with either party, and either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from the University and does not indicate responsibility.

The University cannot access, consider or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information. The University will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e. evidence that tends to prove and disprove the allegations) as described below.

During the University investigation, evidence may also be collected in the form of investigative interviews.

### **Complainant and Respondent Investigative Interviews**

The complainant and respondent each will be contacted for an investigative interview by the case's assigned Title IX investigator(s) to provide information regarding the formal complaint and the alleged Title IX policy violation(s). During the investigative interview, the complainant and the respondent may be accompanied by an advisor of their choice who may be, but is not required to be, an attorney. The advisor may assist in providing information to the University investigator(s). During the investigation, the University may set restrictions on the role of the advisor, which will apply equally to complainant and respondent. During this initial interview, the complainant and respondent may provide additional inculpatory and exculpatory evidence to the investigator(s). Inculpatory evidence is evidence that may be favorable to the complainant. Exculpatory evidence is evidence that may be favorable to the respondent. Additionally, parties may identify and supply contact information for relevant witnesses to the University investigator(s). Investigator(s) may, at their discretion, meet with the complainant and the respondent for follow-up meetings as they determine necessary.

When a party is expected or invited to participate in a meeting, the investigator(s) will provide the date, time, location, participants and an explanation of the purpose of the meeting in sufficient time for the party to prepare for the meeting.

### **Interview Review for Complainant and Respondent Parties**

The complainant and respondent will be provided an opportunity to review the interview statements obtained by the Title IX investigator during the interview that they provided. University investigators will provide a summary of their respective interview to each party for review. The complainant and respondent parties will have two (2) business days to review their initial interview summaries and provide feedback to the investigator(s).

### **Investigative Interviews with Relevant Witnesses**

The University investigator(s) may conduct other interviews with relevant witnesses. Witnesses and other relevant parties are not permitted to have advisors during their meetings with the investigator(s). University investigators will provide a summary of their witness interview to each relevant witness for review. Witnesses will have two (2) business days to review their interview summaries and provide feedback to investigators.

### **Inspection and Review of Evidence**

Prior to the completion of the investigation, and after the University investigator(s) have completed their initial investigation and interviews, the University investigator(s) will submit a preliminary report to the complainant and respondent. The parties will have an equal opportunity to inspect and review the evidence obtained through the investigation, which will be provided to the parties and their advisors, if any, in electronic form or hard copy. The purpose

of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation. As provided below, the complainant and respondent will have ten (10) business days to inspect, review and respond to the preliminary report.

### **Preliminary Investigative Report**

This report will include the following at a minimum:

- a. A summary of the formal complaint;
- b. A summary of the statements made by the complainant and respondent;
- c. A summary of the statements made by other relevant witnesses;
- d. All expert witness and/or inculpatory and exculpatory evidence provided by the complainant, respondent or any other individuals;
- e. All other information relevant to the investigation as determined by the University investigator; and,
- f. A summary of relevant evidence provided during the investigation.

The investigator will provide the complainant and respondent either a hard copy or electronic version of the report where appropriate.

### **Preliminary Investigative Report Response**

The complainant and respondent will have ten (10) business days to inspect, review and respond to the preliminary report and evidence. The complainant and respondent must submit their responses to the preliminary investigative report and evidence to their assigned University investigator(s) in writing within the allotted ten (10) business days, for the investigator(s) to consider the response prior to the completion of the final investigative report.

Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination. It should be noted that statements made by a party or witness may not be considered in making a determination at the hearing, if the party or witness is not available at the hearing for cross-examination.

### **Investigative Report**

Upon timely receipt of the complainant and respondent responses, which will be considered by the investigator(s), the University investigator(s) will complete a final investigative report. This report will include the following at a minimum:

- a. A summary of the formal complaint;
- b. All summary of the statements made by the complainant and respondent;
- c. All summary of the statements made by other relevant witnesses;
- d. All expert witness and/or inculpatory and exculpatory evidence provided by the complainant, respondent or any other individuals;
- e. All other information relevant to the investigation as determined by the University investigator;
- f. A summary of relevant evidence provided during the investigation; and,
- g. All timely written responses provided by the complainant and respondent.

This final investigative report will be submitted along with the formal complaint to the Title IX hearing board in charge of determining violations of the Title IX policy. The complainant and respondent will have at least (10) business days to inspect, review and respond to any information contained within the final investigative report before appearing before a hearing panel.

Disclaimer: If at any time during the investigatory process it is determined that the alleged conduct does not meet the definition of sexual harassment or did not occur in UT's educational program or activity against a person in the United States, the University must dismiss the formal complaint. However, the University may address the alleged conduct through other appropriate University policies and processes.

### **Hearing**

#### **General Rules of Hearings**

The University will not issue a disciplinary sanction arising from an allegation of Title IX sexual harassment without holding a live hearing. Complainants and respondents may not waive the right to a hearing.

The live hearing may be conducted with all parties physically present in the same geographic location, or, at the University's discretion, any or all parties, witnesses and other participants may appear at the live hearing virtually through videoconferencing, if available. This technology will enable participants simultaneously to see and hear each other.

### **Continuances or Granting Extensions**

In limited and extenuating circumstances, the University may determine that multiple sessions, or a continuance (i.e. a pause on the continuation of the hearing until a later date or time), is needed to complete a hearing. If so, the University will notify all participants, endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

### **Participants in the Hearing**

Title IX hearings are not public. The individuals permitted to participate in the hearing are the complainant and the respondent, a hearing advisor for the complainant, a hearing advisor for the respondent, investigator(s), witnesses and the hearing board. While hearings are not public, individuals who are not members of the University community may be present if they serve in the capacity of a witness, hearing advisor or other individual permitted to participate in the hearing.

It should be noted that the University may still proceed with the hearing in the absence of a party, and may reach a determination of responsibility in his or her absence, including through any evidence gathered that does not constitute a "statement" by that party. The University may also proceed with the hearing in the absence of a witness.

### **The Hearing Board**

The hearing board will be responsible for conducting an objective evaluation of all relevant information provided by the complainant, respondent, investigator(s) and witnesses during the hearing. The hearing board will also be responsible for reviewing all information contained within the investigative report. While the hearing board may make credibility determinations, those determinations will not be made based on a person's status as complainant, respondent or witness. After review of the information provided in the investigative report and during the hearing, the hearing board will determine whether a respondent is found responsible for violating University policy. This determination will be made by utilizing the preponderance of the evidence standard, which will apply to the determination of all formal complaints regardless of whether the parties are students or employees.

### **Hearing Board Members**

The hearing board will consist of trained University faculty and/or staff members, or trained designees. The hearing board members assigned to a Title IX case must be free from conflict and/or bias in relation to the complainant and the respondent and their Title IX case either generally or specifically.

### **Hearing Board Chairperson**

Each hearing board will have a designated chairperson whose responsibilities include responding to any procedural questions that may arise during a Title IX hearing. Additionally, the chairperson will be responsible for making determinations regarding the relevancy of questions and information provided during the hearing.

### **Hearing Advisor (for the Complainant or the Respondent Parties)**

To facilitate aspects of the University hearing board, the complainant and respondent will be required to have an advisor present during the Title IX hearing. The complainant and respondent may choose to select their own advisor or request the University provide one for the hearing, which will be provided without charge. All requests for advisors must be made at least five (5) business days prior to the scheduled hearing. The purpose of the advisor will be to assist their advisee (the complainant or the respondent) and to facilitate any questioning and requests for information on behalf of their advisee. The advisor may speak when recognized during the hearing, however; the advisor may not unduly disrupt the hearing process. If the advisors' behavior is determined by the hearing board chairperson to be an impediment to the hearing board process, the hearing may be adjourned or delayed until a time the party can select a new advisor or an advisor can be appointed by the University at the request of the party. Hearing advisors, along with the party they represent, may participate in a pre-hearing management meeting with the Title IX coordinator and/or designee to address any hearing board rules and for further information on what to expect during the hearing.

## Hearing Board Meeting Procedure

The complainant and respondent will have the opportunity to appear before a University hearing board prior to determination of responsibility for the alleged university prohibited conduct in the formal complaint. The hearing board will have at least ten (10) business days to review the investigator(s) final report prior to Title IX hearing. Each hearing board at a minimum will consist of three (3) trained individuals who are free from conflict and/or bias in relation to the complainant and respondent, the complainant and respondent (if participating), their chosen or assigned advisors, the University investigator(s) and any applicable witness(es). The University reserves the right to proceed with a hearing in absence of the complainant and/or respondent if all procedural notifications were met as determined by the hearing board chairperson.

The hearing board will review all submitted information by all parties. This includes information submitted within the University investigation report and presented by investigator(s), parties and witnesses during the hearing. The hearing board will have the ability to ask relevant questions to all parties making statements during the hearing. While the hearing board may review the final investigative report information, when making a determination of responsibility the hearing board may not rely on statements made by a witness or party within the final investigative report if the witness and/or party to the case is not present during the hearing. Any cross-examination of a witness or party must be done by the advisor for the party, not by the party, and it must be done directly, orally and in real time. Before any question is answered on cross-examination, the hearing board chairperson must decide whether the question is relevant. If the question is excluded, the hearing board chairperson must explain the basis for the decision.

Hearing board meetings are closed to the public. Upon request of the respondent or complainant, the live hearing may occur with the parties in separate rooms and the use of technology to allow the participants to see and hear each other. In addition, other accommodations may be made, at the discretion of the University, to hold meetings virtually in part, or entirely, as determined necessary by the hearing board chairperson.

Admission of any person to the hearing shall be at the sole discretion of the hearing board chairperson. Hearings may not be disrupted by any party. The hearing board chairperson has the authority to remove any individual who is disruptive to the hearing board process and postpone or delay any proceeding until an appropriate level of decorum is restored. Each hearing will have a sole verbatim record of the proceeding, which will be available for review or inspection by the parties. All procedural questions are resolved by a final decision of the hearing board chairperson.

The hearing board will determine responsibility by a majority vote by using the preponderance of the evidence standard. This means that the investigation and hearing will determine whether it is more likely than not that a violation of the Title IX Policy occurred.

## Outcome and Sanctioning

After the hearing board renders a decision, if the decision is one of no responsibility, then a written determination consistent with the content and timeline identified below, will be simultaneously provided to the complainant and respondent through their University email accounts or other reasonable means if they are not a student or employee of the University.

Any decision of responsibility found by a majority vote of the hearing board will be referred to the appropriate sanctioning process. The University will initiate its applicable sanctioning process, designed to eliminate the misconduct, prevent its recurrence and remedy its effects, while supporting the University educational mission and Title IX obligations. The sanctioning officer and appropriate disciplinary sanctions will be determined by the respondent's status as a student or employee, consistent with the Student Code of Conduct or Employee Handbook, as applicable.

Sanctions and remedies for a finding of responsibility for prohibited Title IX sexual harassment may range from a disciplinary reprimand to expulsion or termination of student status or employee appointment. The sanctions also may include supportive measures.

A written determination, consistent with the content and timeline identified below, will be simultaneously provided to the complainant and respondent through their University email accounts or other reasonable means if they are not a student or employee of the University.

## Components of the Written Determination

The written determination will be issued simultaneously to all parties through their University email account, or other reasonable means as necessary. The determination letter will include:

- a. Identification of the allegations potentially constituting Title IX sexual harassment;
- b. Description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with the parties and witnesses, site visits, methods used to gather other evidence and hearings held;
- c. Findings of fact supporting the determination;
- d. Conclusions regarding which section of the Title IX Policy, if any, the respondent has or has not violated;
- e. For each allegation, a statement of, and rationale for, the result including a determination regarding responsibility, any disciplinary sanction imposed on the respondent and an explanation of whether remedies designed to restore or preserve equal access to UT's education program or activity will be provided by the University to the complainant;
- f. The recipient's procedures and the permitted reasons for the complainant and respondent to appeal (described below in "Appeal").

### **Timeline of the Determination and Sanction Letter**

If there are no extenuating circumstances, the written determination will be communicated to the complainant and respondent in an official determination and sanction letter sent simultaneously to all parties through their University email account, or other reasonable means of contact, if a third party, within fourteen (14) business days of the conclusion of the hearing.

The hearing board and sanctioning officer must also communicate the determination of responsibility and sanction to the Title IX coordinator. The determination and sanctions will become final upon the written determination from the appeal or, if there was no appeal, the date on which the appeal is no longer timely.

### **Appeals**

The complainant and respondent may appeal a decision by the Title IX coordinator and/or designee to dismiss a Title IX formal complaint or any allegation therein. The complainant and respondent may also appeal a determination of responsibility by the hearing board.

The submission of an appeal of a determination of responsibility by a hearing board stays any sanctions for the pendency of an appeal. Supportive measures and remote learning opportunities remain available during the pendency of the appeal. If a party appeals, the University will as soon as practicable notify the other party in writing of the appeal.

Appeals are limited on the following bases:

- a. A procedural irregularity that affected the outcome of the matter;
- b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- c. The Title IX coordinator, investigator(s) or decision-maker(s) had a conflict of interest or bias for or against the complainant or respondent generally, or the individual complainant or respondent that affected the outcome of the matter.

Appeals must be submitted in either electronic copy or handwritten copy to the appellate officer or designee contained within the Title IX dismissal letter or hearing board outcome letter. The appeal must be submitted within five (5) business days of the date the Title IX dismissal letter or hearing board outcome letter was submitted to the parties. The appeal must articulate on which of the limited bases the party is basing the appeal.

Once an appeal is received, the appellate officer shall notify the other party of the receipt of the appeal as soon as practicable, but no longer than five (5) business days of receipt of the appeal. The other party shall have the opportunity to respond in writing in support of, or in opposition to, the appeal within two (2) days of receipt of the appeal from the appellate officer.

The appeal will be decided by a trained appellate officer or designee who will be free of bias or any conflict of interest. The appellate officer or designee will not be the Title IX coordinator, investigator(s) or a member of the hearing board.



The appellate officer or designee has the authority to render the following decisions:

- a. Deny the appeal based on failure to meet established appeal criteria;
- b. Affirm the decision of the Title IX coordinator and/or designee to dismiss the complaint;
- c. Reinstate the formal complaint and direct the grievance process to continue where and as appropriate;
- d. Affirm the decision of the hearing board; or,
- e. Accept the appeal and refer the case to a new hearing board for re-adjudication.

In all appeal cases, the decision of the appellate officer or designee is final. The decision of the appellate officer or designee will be in writing and describe the result of the appeal and the rationale for the result. Parties will be notified simultaneously of the decision of the appellate officer or designee in writing within ten (10) business days after receipt of the appeal.

## **Employee Handbook – Harassment in the Workplace Policy and Procedure**

### **Harassment in the Workplace**

It is the policy of The University of Tampa that, as an educational community we seek a positive learning environment. Harassing and abusive behaviors undermine the integrity of the academic environment, debilitate morale, interfere with the effectiveness of community members' lives and in some cases are illegal. All members of the University community must be allowed to work and study in an environment free from harassment, including unwelcome sexual advances or comments.

Therefore, the University is committed to providing a work and educational environment that is free from unlawful harassment and discrimination. The University maintains a strict policy prohibiting any kind of harassment or discrimination on the basis of sex, race, color, religion, national origin, disability, gender identity or expression, sexual orientation, age, military or veteran status, marital status, genetic information or any other protected characteristic. Likewise, ethnic, religious, age-related, disability, gender or sexual orientation considerations will not be used as the basis for academic or employment decisions affecting any student or employee. In furtherance of the University's commitment, all students and employees participate in mandatory training regarding this policy.

It is the responsibility of all members of the University community to help ensure that our University is free of harassment and the institution provides education to that end.

### **Definitions**

For the purpose of this policy, sexual harassment is defined as unwanted or unwelcome conduct of a sexual nature or with sexual implications that interferes with that person's status, evaluation or performance by creating an intimidating, hostile or offensive environment.

Instances of sexual harassment may include, but are not limited to:

- a. Requesting sexual favors accompanied by implied or overt threats or promises concerning to one's grade, letter(s) of recommendation, promotion or similar measures;
- b. Unwelcome sexual flirtations, advances or propositions;
- c. Unwelcome physical contact (such as touching, patting or pinching);
- d. Subtle and/or blatant pressure for sexual activity;
- e. Remarks or gestures regarding a person's body, clothing or sexual activities;
- f. Sexually degrading words, gestures or images;
- g. Offensive comments of a sexual nature;
- h. Display of sexually suggestive objects, pictures, cartoons or posters;
- i. Making or threatening reprisals after a negative response to sexual advances;
- j. Verbal abuse of a sexual nature; and
- k. Sexual battery. Sexual battery (i.e., rape or attempted rape) is defined by Florida Statute 794.011(1)(f) as: 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, that sexual battery shall not include acts done for bona fide medical purposes.

In cases of sexual battery, the complainant is encouraged to first contact local law enforcement, and the University will assist as requested. The criminal process is separate from the University's disciplinary process. A law enforcement investigation does not take the place of the University's investigation and disciplinary process. Law enforcement investigations may be useful for fact-gathering, but, because the standards for criminal investigation are different, police investigations or reports are not determinative of whether there has been a violation of the University's policy. A complainant may elect to make a report to law enforcement, the University or both.

Counseling is also available for emotional support to victims of sexual battery.

Examples of other types of harassment and prohibited conduct include, but are not limited to:

- a. Nicknames pertaining to any gender, ethnic, religious or age characteristics or stereotypes;
- b. Racial, ethnic, age or religious jokes;
- c. Visual conduct such as derogatory posters, signs, magazines, bulletin board notices, photographs, cartoons, drawings or gestures;
- d. Verbal conduct such as threats, epithets or derogatory comments;
- e. Physical conduct such as assault, unwanted touching or blocking normal movement; and
- f. Use of any racial or ethnic slurs.

### **Procedures**

The University's complaint procedure provides for an immediate, thorough and objective investigation of any claim of unlawful discrimination or harassment, appropriate disciplinary action against one found to have engaged in prohibited harassment or discrimination and appropriate remedies for any victim of discrimination or harassment. When any harassing conduct unreasonably interferes with education or work performance, or creates an intimidating, hostile or offensive education or work environment, the offended individual should immediately notify the executive director of Human Resources. (For the procedures involving complaints of sexual misconduct between students, please see Section XIX of the Student Code of Conduct.) Do not allow an inappropriate situation to continue by not reporting it, regardless of who is creating the situation. No one is exempt from the prohibitions of this policy.

All complaints will be handled in a fashion that protects the identities of those involved to the fullest extent possible without compromising the University's ability to conduct a good faith and thorough investigation. A thorough investigation will be conducted by the executive director of Human Resource or his/her designee. This investigation, hearing outcomes, notification and appeal will be conducted using the procedures described in the Title IX policy.

All supervisors and managers are required to report all complaints of discrimination or harassment involving an employee to the executive director of Human Resources to ensure that they are resolved promptly and effectively. All reported incidents of harassment or discrimination will be promptly and thoroughly investigated. The reporting individual may be asked to prepare a written, signed statement which fully describes the situation in narrative form, as well as identify any individuals who might have knowledge regarding the incident. The investigative process may include interviews of other persons if necessary to ascertain an understanding of the incident.

In addition, prior to or during this investigation, the University may implement interim measures to eliminate the effects of any alleged harassment or discrimination, which may include no contact orders. These interim measures may include re-assignment, transfer, or removal of personnel from the learning or working environment.

When the investigation is complete, a determination regarding the reported harassment or discrimination will be made and communicated to the employee who complained and to the alleged harasser, according to the guidelines contained in the Title IX policy. Any manager, employee or student who is found, after appropriate investigation, to have engaged in discrimination or harassment of another will be subject to disciplinary action, up to and including possible expulsion or termination of employment. Likewise, to the extent that a customer, vendor or other person with whom the University does business engages in unlawful harassment or discrimination, the University will take appropriate corrective action.

### **No Tolerance for Act of Retaliation**

Employees who retaliate against an individual because that individual has, in good faith, made a grievance complaint, testified or assisted in an investigation of harassment will be deemed to be in violation of this policy. Acts of retaliation will not be tolerated and appropriate disciplinary action will be taken up to and including possible expulsion or termination of employment.

Any questions concerning this policy should be directed to the executive director of Human Resources. All employees are responsible for reporting potentially discriminatory and/or harassing conduct in a timely manner. However, The University of Tampa cannot assist a member of its community unless the person comes forth. Treatment of complaints will be guided by the principles of timeliness, confidentiality, fairness to all people involved and sensitivity to the dynamics of harassment.

### **Student Code of Conduct – Sexual Misconduct and Relationship Violence Policy**

The Sexual Misconduct and Relationship Violence policy addresses prohibited behavior that does not meet the defined prohibited conduct under the University Title IX Sexual Harassment Policy (Title IX Policy). Complaints of sexual misconduct and relationship violence are adjudicated under the Sexual Misconduct and Relationship Violence Procedures. All complaints of behavior that are determined to meet the prohibited conduct under the Title IX policy will be addressed within the Title IX Policy and Grievance Procedures. The Title IX policy prohibits actions of sexual misconduct and relationship violence that occur on-campus and acts of sexual misconduct and relationship violence that are associated with educational programs and activities within the University. The determination of the applicable policy regarding the alleged conduct will be made by the Title IX coordinator or designee. If the Title IX coordinator or designee determines that the behavior described in a complaint is not covered by the Title IX policy, the below policy with its definitions and prohibited behaviors will be applied.

#### **Definitions**

- 1) Sexual harassment, which is any unwelcome sexual advance, request for sexual favors or unwanted conduct of a sexual nature, whether verbal or non-verbal. Sexual harassment may include quid pro quo harassment or harassment that creates a hostile environment.
- 2) Nonconsensual sexual contact, which includes any intentional sexual touching of the breasts, buttock, groin or genitals, for the purpose of sexual gratification, however slight, whether clothed or unclothed, with any object or body part by a person against another person that is without consent. This includes but is not limited to:
  - a. Fondling, which includes intentional touching of the breasts, buttock, groin or genitals of another without that person's consent.
  - b. Coercing, forcing or attempting to coerce or force a person to touch the breasts, buttock, groin or genitals without that person's consent.
- 1) Nonconsensual sexual intercourse, which includes any sexual intercourse without consent. This includes penetration, no matter how slight, of (i) the vagina or anus of a person by any body part of another person or by an object or (ii) the mouth of a person by a sex organ of another person, without that person's consent.
- 2) Intimate partner violence, which is defined as a violent or threatening familial or intimate partner relationship that causes one to fear for their safety or causes physical or psychological injury, pain or illness. Intimate partner violence includes but is not limited to:
  - a. Dating violence: A violent act committed by a person against another who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of the relationship and the frequency of interaction between persons involved in the relationship.
  - b. Domestic violence: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, a person with whom the victim shares a child in common, a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, a person similarly situated to a spouse of the victim under the domestic or family violence laws of the University's jurisdiction or any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the University's jurisdiction.
- 1) Stalking, which is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety, the safety of others or suffer substantial emotional distress. Such behavior or activities may include but are not limited to:
  - a. Unwelcomed communication of any type, including but not limited to face-to-face, telephone calls, voice messages, electronic, written letters or notes and unwanted gifts;



- b. Use of threatening words and/or conduct;
  - c. Pursuing, following, observing and/or surveillance.
- 2) Incapacitation is defined as the mental or physical inability to make informed judgments and/or provide consent that could be temporary or permanent. The determination of whether a person is incapacitated is objectively based on what a reasonable person exercising good judgement should have and/or would have known about the condition of the incapacitated party. This includes incapacitation due to alcohol or drug consumption, illness, being asleep or unconscious or any other reason that the individual is physically or mentally unable to form or communicate consent.
- 3) Consent is defined as an informed, voluntary and mutual agreement. Consent can be withdrawn at any time, and there is no consent when there is force, expressed or implied, or when coercion, intimidation or duress is used. Consent cannot be given by a person who is incapacitated.

### **Sexual Misconduct and Relationship Violence Procedures**

The following procedures are utilized to adjudicate sexual misconduct and relationship violence complaints (Section XVIII. Sexual Misconduct and Relationship Violence) listed under University Policies but not covered under the [Title IX Policy](#). For individual student conduct please refer to the Student Code of Conduct Procedures - Individual Student(s). For misconduct by registered student organizations, please refer to the Student Code of Conduct Procedures - Registered Student Organization(s).

### **Complaints of Sexual Misconduct and Relationship Violence**

Anyone may report complaints in writing of sexual misconduct and relationship violence directly to the Office of Student Conduct. Complaints may also be filed on behalf of the University by the Office of Student Conduct. Complaints of misconduct will be reviewed by the director of Student Conduct, or designee, who is responsible for the administration of the student conduct process.

The director of Student Conduct, or designee, may conduct a preliminary inquiry to determine if the complaint has merit. If the complaint of sexual misconduct and relationship violence is found to have merit, an investigation will be commenced to determine if the conduct has violated University policy. The Office of Student Conduct reserves the right to reopen a preliminary inquiry in the event new information becomes known regarding the alleged conduct that was not known to the Office of Student Conduct at the time of the initial preliminary inquiry.

### **Interim Actions**

The Office of Student Conduct may impose interim actions prior to a sexual misconduct and relationship violence investigation. Interim actions will be imposed in the following circumstances:

- a. To ensure the safety and well-being of members of the University community or preservation of University property;
- b. To ensure a student's and or registered student organization's own physical or emotional safety and well-being;
- c. To ensure the integrity of the investigative and/or student conduct process;
- d. If a student poses a threat of disruption of or interference with the normal operations of the University; or
- e. Any other circumstances where the Office of Student Conduct determines, in its sole discretion, the interim actions to be in the best interest of the University or its community.

The Office of Student Conduct shall have the sole authority within its discretion to make a final determination on the appropriate interim action, and it may select any action from all the available actions that it finds appropriate under the circumstances at issue. Whenever an interim action is imposed, the Office of Student Conduct will convene the formal student conduct process as soon as possible in compliance with the normal due process requirements and upon consideration of the circumstances. Students who have an interim suspension can request a review within two (2) business days of the effective date of the interim suspension, unless circumstances warrant an extension. The assistant vice president for Student Affairs and dean of students and/or designee will conduct a review of any submitted material by the student who has been interim suspended and, within five (5) business days after receipt of the materials, render a determination that the interim suspension is supported, modified or revoked. Interim suspension reviews are not automatic and must be requested in writing by the student by the deadline listed in the interim suspension letter. Registered student organizations do not have the right to have an interim suspension reviewed.

For more information on interim actions please refer to Interim Actions and Sanctioning.

### **Notification of Sexual Misconduct and Relationship Violence Investigation**

The director of Student Conduct, or designee, will notify the complainant party of the alleged sexual misconduct and/or relationship violence policy violation. A meeting will be scheduled with the director of Student Conduct or designee and the complainant party. The complainant party will be notified at least one (1) business day prior to the scheduled meeting. The complainant party may bring an advisor to this meeting. The complainant party may submit a written complaint detailing the allegation of sexual misconduct and relationship violence at the conclusion of this meeting.

The director of Student Conduct, or designee, will notify the responding student of the alleged sexual misconduct and/or relationship violence policy violation. A meeting will be scheduled with the director of Student Conduct or designee and the respondent party. The respondent party will be notified at least one (1) business day prior to the scheduled meeting. The respondent party may bring an advisor to this meeting. At this meeting, the respondent party will be able to review the written complaint of sexual misconduct and relationship violence if provided by the complainant party and any other relevant information surrounding the allegation.

The director of Student Conduct or designee will assign the investigator(s) who will investigate the allegations of sexual misconduct and/or relationship violence. Upon the assignment of investigators to the sexual misconduct and/or relationship violence complaint, the Office of Student Conduct will strive to complete its investigation in a timely manner. If the Office of Student Conduct is unable to complete the investigation within a timely manner, the director of Student Conduct or designee, will provide an update to the complainant(s) and respondent(s) detailing the reasons for the delay.

### **Investigation of Sexual Misconduct and Relationship Violence**

Investigations will consist of a thorough fact-finding investigation. Investigators are required to maintain ongoing and relevant training throughout their service. The University provides training opportunities annually for investigators.

Throughout the process, the complainant(s) and respondent(s) may have an advisor present for all required meetings with investigators. Choice of advisor will not be limited by the University.

University investigators will conduct interviews with appropriate parties that can provide information regarding the alleged violation of the sexual misconduct and relationship violence policy. After initial meetings with the complainant(s) and respondent(s), investigators will provide each party an opportunity to review their own individual statements made to investigators during their individual meetings. The complainant and respondent parties will have two (2) business days from receipt of their initial meeting summary to submit comments on their individualized statements. These statements will not be eligible for editing after the release of the preliminary report.

### **Investigation Report**

The investigator(s) will prepare a preliminary written report at the conclusion of their initial fact-finding and then a final written report at the conclusion of their investigation. The complainant(s) and respondent(s) may review the investigator's preliminary report. The preliminary report will contain all information deemed relevant by investigator(s) during their investigation without the investigator's summary of findings including statements from relevant witnesses. The complainant(s) and respondent(s) will be scheduled for a meeting with the director of Student Conduct or designee, to facilitate the review of the preliminary report. The complainant(s) or respondent(s) must submit any comments including any additional questions for any parties interviewed, within two (2) business days after reviewing the preliminary report.

Following the receipt of any comments submitted, or after the two (2) business day period has lapsed without comment, the investigator(s) will address any relevant questions parties may have, and identify factual inaccuracies or misunderstandings at their discretion and complete a final written report. The investigator(s) will provide a final report that includes a determination regarding whether a sexual misconduct and relationship violence policy violation occurred. Investigator(s) will use the preponderance of the evidence obtained in the investigation to make their determination. This final report will be submitted to the Office of Student Conduct. The complainant(s) and respondent(s) will be scheduled for a meeting with the director of Student Conduct or designee, to facilitate review of the final report.

### **Notification of Determination of Policy Violation and Sanctioning of Sexual Misconduct and Relationship Violence Violations**

The University of Tampa will notify the complainant(s) and respondent(s) of the determination of the policy violations and sanctions (if applicable) simultaneously. In instances where the respondent(s) is determined responsible for sexual misconduct and relationship violence, the University will initiate a sanctioning process.

### Appeal of Determination of Policy Violation

Either party (complainant or respondent) may appeal the determination of responsibility by the investigator(s). Parties may file an appeal to the vice president for Student Affairs within two (2) business days of the determination to their University email account. A party may only seek an appeal within these specific guidelines:

- a. To determine whether the original investigation was conducted in conformity with prescribed procedures. If a procedural error occurred, it needs to be sufficient to alter the determination of the violation(s) of the case.
- b. To consider new information, sufficient to alter a determination of violation(s), that was not available at the time of the original investigation, because information and/or facts could not have been known at the time of the investigation.

The vice president for Student Affairs or designee, in their sole discretion, will determine if the appeal is eligible for review by meeting the criteria outlined above. The vice president for Student Affairs or designee has the authority to render the following determinations based on their limited review:

- a. Deny the appeal based on failure to meet established appeal criteria.
- b. Accept the appeal and affirm the determination of the original investigator(s).
- c. Accept the appeal and refer the case for a re-investigation by a new investigator(s) due to a procedural error during the investigation process. The new investigator(s) will receive all statements given by any parties that were interviewed. This information will be provided to the new investigator(s) by the director of Student Conduct or designee.

All appeal determinations are final. Students will be notified within ten (10) business days of the appeal determination via their University email account.

### Interim Actions

The Office of Student Conduct and/or University of Tampa may also implement interim actions, as may be appropriate for the individuals involved and for the larger University community. A complainant or respondent may request an interim measure to the Title IX coordinator/deputy coordinator, or the University may choose to impose one at its sole discretion to ensure the safety and well-being of all parties and/or the broader University community, the integrity of the investigative and/or resolution process, and/or to serve the best interests of the University or its community. Interim actions are kept in place throughout the investigation of a complaint, review and appeal process and may become permanent.

The Office of Student Conduct and/or Title IX coordinator or designee shall have the sole authority to make a final decision on the appropriate interim action, and he/she may select any interim action from all of the available interim actions that he/she finds appropriate under the circumstances at issue.

Whenever an interim action is imposed, the Office of Student Conduct will convene the formal student conduct process as soon as possible pending the normal due process requirements and upon consideration of the circumstances. Students who have an interim suspension can request a review within two (2) business days of the effective date of the interim suspension, unless circumstances warrant an extension. The assistant vice president for Student Affairs and dean of students and/or designee will conduct a review of any submitted material by the student who has been interim suspended and render a decision of supported, modified or revoked within five (5) business days after receipt of the materials. Please note that interim suspension reviews are not automatic and must be requested in writing by the student by the deadline listed in the interim suspension letter. Please note registered student organizations do not have the right to have an interim suspension reviewed.

Interim actions may include but are not limited to:

- Interim suspension – The Title IX coordinator or designee may impose an interim suspension of a student prior to the beginning of or during the formal student conduct process. In this case, the student may not reside in a residence hall and/or attend classes at the University until the interim suspension has been removed. This interim measure may include an interim no trespass order.
- Interim no contact order – The Title IX coordinator or designee may impose an interim no contact order between students or any other member of the University community.

- Interim no trespass order – The Title IX coordinator or designee, Campus Safety, or director of Residence Life or designee may impose an interim no trespass order which may limit access to a specific area or place including but not limited to buildings, events and the University.
- Interim student employment removal – The Title IX coordinator or designee, the student’s department supervisor or designee may impose a temporary removal of student employment.
- Interim residence hall restrictions – The Title IX coordinator or designee or the director of Residence Life or designee may impose a residence hall suspension, housing room reassignment or other restrictions prior to the beginning of or during the formal student conduct process.

Additional interim actions may include but are not limited to:

- Providing academic accommodations such as rescheduling exams and assignments, adjusting class schedules and providing academic support services;
- Changing work schedules or job assignments;
- Facilitating a voluntary leave of absence; or
- Providing other remedies that can be tailored to the involved individuals to achieve the goals of these procedures.

### **Decision to Proceed with Investigation**

If the reporting party and/or complainant is willing to participate in the review of the complaint and requests an investigation process, the University will proceed with an investigation of the complaint. The reporting party or complainant will be asked to submit a detailed complaint to the Title IX coordinator or designee. If the complainant asks that the report of sexual misconduct and relationship violence not be pursued, the University will honor that request as long as there is no additional information that indicates there is a threat to the University community. The Title IX coordinator or designee in their sole discretion reserves the right to move a complaint forward without consent of the reporting and/or complainant parties if they deem it necessary to protect the educational environment and University community. Requests for confidentiality for reporting and/or complainant parties will be considered by the Title IX coordinator or designee.

### **Meeting with the Title IX Coordinator**

The complainant and respondent are required to meet with the Title IX coordinator or designated deputy coordinator, who is free of any conflict of interest or bias, to review the rights and responsibilities within the sexual misconduct and relationship violence process.

### **Investigation**

In all cases, the University will respond to the complaint in a prompt, thorough, procedurally fair and effective manner. Upon receipt of a complaint, the University will strive to complete its review within sixty (60) calendar days. If the University is unable to complete the process within sixty (60) calendar days, the University will provide an update to the complainant and respondent.

Investigations will consist of a thorough fact-finding investigation, which includes meeting separately with the complainant (if participating), respondent (if participating), reporter (if applicable) and pertinent witnesses (if participating), and reviewing other relevant information. Throughout the process, the complainant and respondent may have an advisor present for all meetings they attend.

### **Investigation Report**

The investigator(s) will prepare a preliminary written report at the conclusion of their initial investigation and then a final written report at the conclusion of their investigation. Before the preliminary report is finalized, the complainant and respondent will be given the opportunity to finalize their individualized statements. These statements will not be eligible for editing after the release of the preliminary report. The complainant and respondent may review the investigator’s preliminary report without the investigator’s summary of findings, which will be provided to both the complainant and respondent concurrently. A complainant or respondent must submit any comments about the preliminary report within two (2) business days after that report was available to them for review.

The investigator’s preliminary written report will generally contain:

- A summary of the investigation;
- The complainant and respondent statements; and
- A summary of witness statements.

Following the receipt of any comments submitted, or after the two (2) business day period has lapsed without comment, the investigator will address any identified factual inaccuracies or misunderstandings as appropriate in his/her sole discretion and complete a final written report.

The investigator's final written report will generally contain:

- A summary of the investigation;
- The complainant and respondent statements;
- A summary of witness statements;
- A summary of material facts; and
- A conclusion and finding, based on the preponderance of evidence, regarding the allegations of sexual misconduct, including whether a Sexual Misconduct Policy violation occurred.

The Title IX coordinator or designated Title IX deputy reserves the right to reassign any dismissed violations if new information becomes known regarding the alleged misconduct that was not known to the investigator or the Title IX coordinator or designated Title IX deputy at the time of the investigation.

### **Standard of Proof**

The investigator's finding will be made using the preponderance of the evidence standard. This standard requires that, upon consideration of all of the evidence, it is more likely than not sexual misconduct and/or relationship violence was committed. Under this standard, individuals are presumed not to have engaged in sexual misconduct and/or relationship violence unless a preponderance of the evidence supports a finding that sexual misconduct and/or relationship violence occurred.

### **Outcome and Sanctioning**

If the respondent is found responsible for sexual misconduct, the University will initiate a sanctioning process designed to eliminate the misconduct, prevent its recurrence and remedy its effects, while supporting the University's educational mission and Title IX obligations. Sanctions will be determined by the assistant vice president for Student Affairs and dean of students or designee who is free of any conflict of interest or bias.

Disciplinary sanctions for a violation of sexual misconduct and relationship violence may range from a disciplinary reprimand to expulsion.

If a respondent is not found responsible for sexual misconduct, the University will not initiate a sanctioning process. Both the complainant and respondent will be notified of the outcome concurrently in writing to their University email account.

### **Review of Decision**

Either party (complainant or respondent) may appeal the outcome of the investigation(s). Parties may file an appeal of the outcome in the investigator's final written report to the vice president for Student Affairs within two (2) business days of delivery of the report to their University email account. A party may only seek an appeal within these specific guidelines. All appeals are reviewed by the vice president for Student Affairs or designee who is free of any conflict of interest or bias.

Appeals shall be limited to a review of the investigator's final report and supporting documents provided with the appeal for one of the following purposes:

- To determine whether the original investigation was conducted in conformity with prescribed procedures. If a procedural error occurred, it needs to be sufficient to alter the decision of the case.
- To consider new information, sufficient to alter an outcome, that was not available at the time of the original investigation, because information and/or facts could not have been known to the complainant or respondent at the time of the investigation.

The vice president for Student Affairs or designee, shall conduct this review and it shall be limited to these two purposes. The vice president for Student Affairs or designee has the authority to render the following decisions based on his/her limited review:

- Affirm the decision of the original investigator; or
- Refer the case for a re-investigation by a new investigator. The new investigator will receive all statements given by any parties that were interviewed. This information will be provided to the new investigator by the Title IX deputy or designee. The new investigator will not receive any conclusions or findings from the original report.

All appeal decisions are final. The complainant and respondent will be notified of the decision within 10 business days of the appeal decision via their University email account.



## Educational Programming

### Violence Prevention in the Workplace

The Department of Campus Safety has established a team to respond and provide training to prevent or recognize early warning signs of potential violence. The team consists of members of the Departments of Campus Safety, the Dickey Health and Wellness Center and Operations and Planning. Individual consultations, counseling, presentations and workshops are offered on a consistent basis. Requests can be made by calling the Department of Campus Safety at x7777 or (813) 257-7777.

Established University faculty, staff and Department of Campus Safety procedures serve as the mechanism for resolving situations of violence or threats of violence. Each allegation of violence is taken seriously. Individuals are encouraged to report acts of violence, threats of violence, or any other behavior, which by intent, act or outcome harms another person by calling x7777 or (813) 257-7777, or 911 in an emergency.

### Crime Prevention Presentations

As part of UT's educational philosophy, the Departments of Campus Safety, Residence Life, Student Leadership and Engagement, and the Dickey Health and Wellness Center hold crime prevention sessions each term. Each academic year, presentations and initiatives are provided on topics including personal safety awareness, sexual assault prevention, property protection strategies, workplace violence prevention, drug and alcohol abuse, drunk driving prevention and combating underage drinking, among others. Workshops, group presentations and written materials are provided to on-campus housing residents each term, focusing on community responsibilities and needs within the student living environment. Information on safety and security is provided to students and employees regularly through seminars, crime alerts, posters, brochures, the University student newspaper and social norm campaigns.

### Educational Programs

The Departments of Campus Safety, the Dickey Health and Wellness Center, Human Resources, Students Affairs and other areas cooperate to offer programs throughout the academic year on topics related to crime and safety awareness for the entire campus community. Resident Assistants and Live Well UT members along with Fraternity and Sorority Life and other campus organizations host programs throughout the year aimed at educating their members and the campus community on general safety as well as the issues of sexual assault, relationship violence and stalking.

All community members are encouraged to participate in crime prevention programs. The following is a list of key programs and services offered:

- **Alcohol and Drug Abuse Prevention Programs.** CEDARS (Coalition for the Enhancement of Drug and Alcohol Research and Study), Live Well UT and many student affairs departments provide a variety of ongoing alcohol and other drug abuse prevention programs for the campus community.
- **Spring Break Safety Events.** Live Well UT peer educators collaborate with campus and community organizations to provide fun and informational events focusing on spring break safety.
- **Athletics.** Educational programs are required for all student athletes and coaches on variety of topics which may include:
  - A. Hazing and sexual harassment
  - B. Lightning detection and avoidance
  - C. Alcohol and tobacco (smoke and non-smoke) education on the problems and effects associated with each
  - D. Drug education and our testing program
  - E. Nutrition for life as well as athletic performance
  - F. Traffic safety regarding driving 9, 12 and 15 passenger vans
  - G. Weight training seminars on proper lifting techniques
  - H. First Aid training and CPR (required for all staff and select students from each team)
  - I. Personal awareness and street safety

- **CPR, AED and First Aid Training.** This course helps participants identify and eliminate potentially hazardous conditions in their environment, recognize emergencies and make appropriate decisions for first aid care. The instructors teach the knowledge and skills that individuals in the workplace need to know to give immediate care to an ill or injured person until more advanced medical care arrives. Trainings are held, as needed, for Campus Safety officers, select Campus Recreation and Vaughn Center staff, and by request.
- **Crime Prevention Presentations.** Presentations are made annually to various campus groups and organizations, including transfer students, international students, faculty, staff, student government, specific campus departments, registered student organizations and intercollegiate athletes.
- **Crime Prevention Materials.** Brochures, posters, bookmarks and other printed material on motor vehicle safety, bicycle safety, residence hall security, the LASER Team escort service, vandalism and rape awareness are distributed at crime prevention presentations and at various locations throughout campus.
- **Emergency and Escort Phones.** Telephones for emergency and escort requests are located on the exterior front entrance of each residence hall. There is no charge for the use of these telephones. Other security, access and courtesy telephones are located throughout the campus.
- **EVERFI.** This program is mandatory for all new undergraduate students entering the University. It provides comprehensive information and resources around the topics of alcohol, drugs, sexual violence, relationship violence and stalking.
- **Fraternity and Sorority Life Programs.** Alcohol/drug awareness, hazing awareness and sexual assault awareness programs are offered every semester through various partnerships on and off campus. All new students joining the Fraternity and Sorority Life (FSL) community are provided with a printed copy of the UT hazing and amnesty policies, and all students in the FSL community are informed of risk management policies through presentations and printed materials. All materials are routinely made available to all organization members.
- **Lost and Found.** These items are recorded and stored for one year in the Department of Campus Safety or until claimed by the owner.
- **Motorist Assistance Program.** Campus Safety officers refer UT community members to “Tampa Downtown Guides” who will assist motorists. Their phone number is (813) 267-2220.
- **New Student Orientation.** Crime prevention presentations and materials are made available to new students.
- **Operation Identification.** This nationwide crime prevention program that discourages burglary and theft by permanently marking and identifying valuables is available at the Department of Campus Safety.
- **Pirate Fest.** This event is held each January to assist students in safety planning for the Gasparilla Parade.
- **R.A.D.** The national standard in self-defense, R.A.D. balances the need of women to acquire self-defense education in a relatively short period of time with the lifelong commitment required for physical skill mastery by providing short-term training opportunities in a progressive building block format and combining that with R.A.D.’s trademark Lifetime Return and Practice Policy. The R.A.D. Systems of Self Defense programs include educational components comprised of lecture, discussion and physical resistive strategies, all of which are facilitated by certified R.A.D. instructors.
- **RAIVEN** is a group charged with helping the UT community understand why sexual assault and interpersonal violence occur on our campus, what actions we can take together to prevent it and how the institution can increase reporting, knowledge of resources, and trust in our policies and procedures.
- **Relate.** A student-led initiative that provides healthy relationship education and promotes a bystander intervention model.
- **Residence Hall Security and Safety Programs.** Crime prevention presentations and educational materials routinely are made available to residence hall students.
- **SafeColleges.** This program is mandatory for all new employees entering the University. The training provides information and resources on discrimination and harassment in the workplace, discrimination based on sex and information on how to report these incidents to the University.
- **Safe Escort Service.** The University’s safe escort service is provided by Student Government’s LASER Team (Law Abiding Students Ever Ready) for the safety of anyone walking alone on campus at night. By calling (813) 257-4515,

a student will be assigned an escort to the requested on-campus destination. Campus Safety is also available to transport individuals.

- **Secured Bicycle Storage.** The Thomas Parking Garage and Delaware Parking Garage have a second area for bicycle storage.
- **Security/Safety Patrols and Reports.** Campus Safety officers continually patrol all buildings, including residence halls, in an effort to prevent crime and monitor any potential security risks. These risks, such as burned out light bulbs, overgrown shrubbery or malfunctioning doors are reported to Facilities Management so the problem may be corrected as soon as possible. The officers also take appropriate action when unauthorized persons are encountered. Comprehensive surveys of exterior and interior lighting, emergency equipment, exterior doors, trees and shrubbery are conducted at various intervals during the year by Campus Safety officers.
- **Social Norm Campaigns.** Ongoing media campaigns focusing on actual behavioral norms regarding alcohol and other drug issues are regularly developed and disseminated to the UT community.
- **Spartan Mobile AleRT (SMART).** An emergency alert text messaging service is available to students, faculty and staff. This service is only used in potential or developing emergency circumstances.
- **Spartan SOS.** The mobile phone application seamlessly connects any UT community member with the Department of Campus Safety. Users can also anonymously send tips, contact the LASER team and view campus emergency resources.
- **Storm Ready Designation.** UT has received the designation from NOAA as a Storm Ready institution which recognizes the special operations the University has in place to monitor and react to severe weather.

The most complete and up-to-date list of educational programming may be found in the Office of Student Affairs. It is located in Plant Hall 124 and may be contacted by phone at (813) 253-6204 or via email at [studentaffairs@ut.edu](mailto:studentaffairs@ut.edu).

### Counseling and Psychological Services

The Department of Campus Safety works closely with the Dickey Health and Wellness Center in handling sensitive situations. Students are referred to the Wellness Center on a regular basis. Both officers and counselors have received training on threat assessments, and the counselors consistently encourage their clients to report crimes to the Department of Campus Safety to prevent future crimes.

Counseling sessions are considered privileged and the holder of the privilege is the client. Crime information can be forwarded anonymously at the request of the client. The counselors do not disclose information to the public without the consent of the client, unless there is an immediate threat to safety. Any reporting of statistics to comply with federal mandates is done by reporting numbers and not names so the information provided by clients is confidential.

Counseling services are available to full-time undergraduate students at no cost. The staff consists of professionally trained and licensed counselors. Counselors are also available for consultations regarding distressed or potentially violent students and can be reached at (813) 253-6250. After hours, a crisis counselor may be contacted by calling Campus Safety at (813) 257-7777.

## Missing Student Policy

The following protocol has been established to assist in locating students residing in on-campus housing whom the Department of Campus Safety determines missing for 24 hours based upon existing information and circumstances.

### Procedures

All residential staff members should be sensitive to extended absences of residents from the residence hall. If a student fails to return to their place of residence and there is a concern that the student is missing:

1. The student's resident assistant should be notified. Residents may also report the student missing to the Department of Campus Safety or by completing the Spartan Support Program online form on the Office of Student Affairs website. Resident assistants should attempt to locate the student by:
  - a. Performing a wellness check for the student's assigned residence hall space and
  - b. Checking with roommates, suitemates and friends in the residence hall.



2. If the student cannot be located, the resident assistant should contact the residence life professional staff member on-call and the Department of Campus Safety.
3. Residence Life professional staff members may take any of the following measures to locate the student:
  - a. Attempt to contact the student directly through the student personal phone number indicated in Workday;
  - b. Check student social networking sites;
  - c. Contact student organizations of which the student is a member;
  - d. Check building card access and meal plan usage by contacting the Spartan Card office and Sodexo;
  - e. Check class attendance by contacting the Associate Vice President of Operations and Planning.
4. The Department of Campus Safety may be contacted by the Residence Life professional staff member for assistance with:
  - a. Conducting an interior and perimeter check of the residential building as well as public locations;
  - b. Contacting local law enforcement for possible arrest and city hospitals;
  - c. Verifying vehicle registration to determine vehicle location on campus;
  - d. Contacting known friends, family or faculty/staff members for last sighting or additional contact information;
  - e. Contacting Information Technology and Security to confirm use of network resources.

If the above measures do not result in contact with the student, the emergency contact person should be notified. For students under the age of 18 and not emancipated, the institution must notify a custodial parent or guardian in addition to the identified emergency contact person(s). If the student has not indicated an emergency contact person, the parent or guardian should be notified. In all cases, the institution will notify local law enforcement within 24 hours of the determination that a student is missing. If unusual circumstances are brought to the attention of the staff or if there is sufficient reason to contact the parent or legal guardian, the decision and outreach will be made by a Residence Life professional staff member.

### **Establishing a Designated Emergency Contact Person**

Students may document emergency contact information in Workday under Contact, then in the Friends and Family tab. This information is confidential and will be accessible only by authorized campus officials and may not be disclosed, except to law enforcement personnel working on a missing person investigation. For students under the age of 18 and not emancipated, the institution must notify a custodial parent or guardian in addition to any other identified emergency contact persons.

## **Campus Crime Reporting**

### **Policy for Reporting the Annual Disclosure of Crime Statistics**

The Department of Campus Safety prepares the annual *Crime Statistics Report* to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act). The full text of this report can be located on the UT Web site at [ut.edu/safety](http://ut.edu/safety). This report is prepared in cooperation with local law enforcement agencies surrounding UT's main campus, Residence Life, the Office of Student Conduct and the Division of Student Affairs. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrest and referral statistics include those reported to the Department of Campus Safety, designated campus officials (including but not limited to directors, deans, department heads, designated Residence Life staff, Office of Student Conduct, advisors to students/student organizations, and athletic coaches), and local law enforcement agencies. The Dickey Health and Wellness Center staff members inform their clients of the procedures to report crime to the Department of Campus Safety on a voluntary or confidential basis, should they feel it is in the best interest of the client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

Each year, an email notification will be issued to all enrolled students, faculty and staff regarding how and where to

access this report. Copies of the report may also be obtained at the Department of Campus Safety or by calling x7777 on campus or (813) 257-7777. All prospective employees may obtain a copy of the report from the Office of Human Resources in Southard Family Building, Room 266 or by calling (813) 253-6237. The website address is attached to the employment applications. Copies of the report may also be obtained from the Office of Student Affairs, Plant Hall 124, or by calling (813) 253-6204.

### **Crime Statistics Submission Information**

The *Crime Statistics Report* data submission occurs annually by October 1 of each year and *reflects the three prior calendar year's statistics*. For example, in October 2021, data for the 2020, 2019 and 2018 calendar years is provided.

### **Types of Criminal Offenses**

#### **Criminal Homicide**

Murder and Non-negligent Manslaughter is defined as the willful (non-negligent) killing of one human being by another. Manslaughter by Negligence is defined as the killing of another person through gross negligence.

#### **Sexual Assault (Sex Offenses)**

**Rape** is 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. This offense includes the rape of both males and females.

**Fondling** is 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** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape** is sexual intercourse with a person who is under the statutory age of consent.

#### **Robbery**

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

#### **Aggravated Assault**

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

#### **Burglary**

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

#### **Motor Vehicle Theft**

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

#### **Arson**

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

#### **Hate Crimes**

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

1. Race – A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
2. Religion – A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
3. Sexual Orientation – A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.

4. Gender – A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
5. Gender Identity – A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.
6. Ethnicity – A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.
7. National Origin – A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
8. Disability – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

### **VAWA Offenses**

Dating Violence is defined as 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.

Domestic Violence is defined as a felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- 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;
- 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.

Stalking is defined as 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.

### **Arrests and Disciplinary Referrals for Violation of Weapons, Drug Abuse and Liquor Laws**

Arrest for Clery Act purposes is defined as persons processed by arrest, citation or summons.

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

1. Weapons: Carrying, Possessing, Etc., is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.
2. Drug Abuse Violations are defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.
3. Liquor Law Violations are defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

Crime Statistics Report 2018-2020

Crime	Year	UT Campus Property	Residential Facilities*	Non-Campus Property	Public Property	Totals
Murder / Non-Negligent Manslaughter	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
Negligent Manslaughter	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
Incest	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
Statutory Rape	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	2	2	0	0	2
Rape	2020	2	2	0	0	2
	2019	7	6	1	0	8
	2018	7	7	0	0	7
Fondling	2020	3	3	0	0	3
	2019	1	1	0	0	1
	2018	6	5	0	0	6
Robbery	2020	3	0	0	3	6
	2019	1	0	0	0	1
	2018	2	0	0	2	4
Aggravated Assault	2020	0	0	0	0	0
	2019	4	1	0	0	4
	2018	3	1	0	1	4
Burglary	2020	14	4	0	0	14
	2019	13	7	0	0	13
	2018	5	4	1	0	6
Motor Vehicle Theft	2020	4	0	0	0	4
	2019	2	0	0	0	2
	2018	2	0	0	0	2
Arson	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	1	1	0	0	1
Liquor Law Arrests	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	1	1
Liquor Law Referrals	2020	686	550	0	0	686
	2019	887	808	0	3	890
	2018	768	707	0	1	769
Drug Law Arrests	2020	2	2	0	0	2
	2019	16	13	2	0	18
	2018	12	7	1	5	18
Drug Law Referrals	2020	208	183	0	0	208
	2019	280	235	0	0	280
	2018	356	306	0	4	360
Illegal Weapons Arrests	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
Illegal Weapons Referrals	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
Domestic Violence	2020	0	0	0	0	0
	2019	0	0	0	0	0
	2018	0	0	0	0	0
Dating Violence	2020	2	2	0	0	2
	2019	6	5	0	0	6
	2018	10	8	0	0	10
Stalking*	2020	2	2	0	0	2
	2019	9	6	0	0	9
	2018	0	0	0	0	0

Hate Crimes

2020: No Hate Crimes reported.

2019: One on-campus larceny incident characterized by racial bias. One on-campus intimidation incident characterized by sexuality bias.

2018: No Hate Crimes reported.

\*Residential Facilities statistics are also included in the UT Campus Property categories. The Residential Facilities category does not include the contracted off-campus residential facility. Information on that facility is recorded in the Non-Campus category.

\* Each report of stalking is represented as occurring at the first location in the Clery designated geography.

## Fire Safety

### On-campus Student Housing Facility Fire Safety System

UT maintains the following residential facilities. Elements of the fire safety systems are noted in the table below, as well as the number of evacuation drills that we conducted in the previous calendar year.

Facility	Fire Alarms	Sprinkler Systems	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans and Placards	# of evacuation drills each calendar year
Austin Hall	X	X	X	X	X	2
Boathouse	X	X	X	X	X	2
Brevard Hall	X	X	X	X	X	2
Barrymore Hotel	X	X	X	X	X	2
McKay Hall	X	X	X	X	X	2
Morsani Hall	X	X	X	X	X	2
Smiley Hall	X	X	X	X	X	2
Straz Hall	X	X	X	X	X	2
Urso Hall	X	X	X	X	X	2
Vaughn Center	X	X	X	X	X	2
Jenkins Hall	X	X	X	X	X	2
Palm Apartments	X	X	X	X	X	2

### Residential Fire Safety Policies

Applicable policies governing residential fire safety are listed below. Residence Life Guidelines specify three different categories of potential fire safety issues. The policies in their entirety can be found at [ut.edu/residencelife/policies/](http://ut.edu/residencelife/policies/).

#### Care of Room and Facilities

Students are prohibited from access to and entry in unauthorized areas on University property.

The prohibited conduct includes but is not limited to:

- Accessing roofs of University buildings, fire escapes, ledges, minarets, service elevators, balconies, fountains, athletic fields and other areas that are designated closed.
- Breaking into or entering an office, residence hall building/room, meeting space or other University facility without authorization or permission of the rightful occupant.

#### Fire Safety

Fire drills are conducted periodically to familiarize students with emergency evacuation procedures. Any student requiring special assistance or any accommodation during fire alarms or emergencies is requested to notify their residence hall staff at the beginning of the academic year or as soon as the student becomes aware of the need for assistance.

Students are prohibited from taking any action that would be considered a fire safety violation. These prohibited actions include but are not limited to:

1. Unauthorized, negligent, careless or improper handling of or tampering with any fire safety or emergency equipment or fixtures.

2. Failing to evacuate any building during a fire alarm.
  - University staff members may enter rooms during fire drills to ensure cooperation.
3. Tampering with any fire safety signs and/or instructions.
4. Hanging, adhering or affixing any items to any fire equipment or ceiling, including sprinkler systems.
  - Care should be taken to avoid anything touching fire equipment and sprinkler systems.
5. No items inside a student room, suite, apartment or common space shall obstruct the doorway or impede entering or exiting the room. A clear view from the doorway into the room, suite, apartment or common space is required. No items are permitted to block clear view into or out of a room, suite, apartment or common space.

### Prohibited Items

1. Alcohol containers (empty or full) or displays of any kind if the student is not at least 21 years of age;
2. Vaping products of any kind if the student is not at least 21 years of age;
3. Animals (alive or dead) except approved emotional support animals, service animals, service animals in training and fish kept as pets in a 10-gallon or smaller aquarium;
4. Candles (with or without wicks), candle/wax melt warmers and incense;
5. Halogen lamps, lava lamps and incandescent bulbs. Permitted lamps are those using low heat emitting light bulbs, compact fluorescent lighting (CFL) or light emitting diode (LED) lighting;
6. Combustible materials, including charcoal and lighter fluid, may not be stored or utilized inside residence halls. Barbecuing is permitted only in designated outdoor areas. No barbecue grills may be stored in residence hall rooms, apartments, patios or balconies.
7. No heat-emitting devices for cooking, including but not limited to George Foreman-type grills, hot plates and cooktop burners are allowed in the residence hall rooms. If these items are found, they will be removed and disposed of immediately. However, pop-up toasters (not toaster ovens), blenders, can openers, coffee makers and juicers are permitted. These regulations may vary in Urso Hall, Palm Apartments and Straz Hall, where kitchen areas are available. Students living in these halls should check with their resident assistant for additional details.
8. Devices or other equipment intended for the moving of persons medically issued, including but not limited to Segways and self-balancing scooters, must be approved by Student Disability Services. Approved medical devices or equipment must adhere to a respectable and reasonable speed limit when operated indoors. Skateboards, bicycles and approved medical devices or equipment may be stored in rooms as long as a clear exit emergency path is maintained. Bicycles must be registered with Campus Safety and should be stored in bike racks/storage areas when stored outside. Skateboards and bicycles are not permitted for use indoors.
9. Motorcycles, motor scooters, mopeds and other fuel or electric-powered vehicles are prohibited in residence halls (unless approved as a medical device), and must be parked in accordance with University parking regulations;
10. Extension cords (unless multiple outlet-type with built-in fuses and/or surge protector). Additionally, electrical outlets must not be overloaded;
11. Holiday decorations are permitted only if City of Tampa fire codes and the Office of Residence Life guidelines are followed;
12. Live cut trees, cornstalks, leaves and hay;
13. Space heaters;
14. Items obstructing egress/exit paths in rooms or hallways;
15. Lofts are not permitted in residence hall rooms unless issued by the University;
16. Outside antennas/satellite dishes;
17. Overstuffed or inflatable furniture including waterbeds and indoor pools;
18. Signs considered to be University, government or another's property.



## **Procedures for Student Housing Evacuation in the Case of a Fire**

In the event of a fire, the University expects that all campus community members will evacuate by the nearest exit, closing doors and activating the fire alarm system (if available) as they leave. At no time should closing doors or activating an alarm delay one from exiting a building. The only duty of a community member is to evacuate safely and quickly.

Once safely outside a building, the community member should call 911 and Campus Safety at (813) 257-7777. Students, staff and faculty are informed of where to relocate by Campus Safety if circumstances permit.

Once safety officials provide an all-clear signal, then community members may re-enter the building.

## **Policies Regarding Fire Safety Education and Training Programs Provided to Students and Employees**

Fire safety education programs are provided for residential students at the beginning of each academic year in the mandatory first floor meeting. Students are instructed on building-specific fire safety equipment, the location of building evacuation plans, how to activate fire alarms and safety equipment and expectations regarding mandatory evacuations in case of any alarm. Disabled students are requested to make individual arrangements with their resident assistant/ area coordinator to accommodate their evacuations.

All residential staff members are trained in fire safety matters by the Director of Residence Life, who has extensive experience and training in safety and emergency response issues.

If a fire is detected, students should begin evacuating immediately. Once outside, 911 should be notified as well as Campus Safety at (813) 257-7777. Students should comply with all requests from Residence Life staff members, Campus Safety officers and fire department officials with respect to the time of evacuation and distance from the building. Students may re-enter the building when an "all-clear" has been given by a Campus Safety officer.

## **Reporting a Fire**

Per federal law, the University is required to annually disclose statistical information on all fires that occur in University-sponsored housing. If you are unsure if a specific residential fire has been recorded, please contact the Department of Campus Safety at (813) 257-7777 to report that residential fire for statistical collection.

## **Plans for Future Improvements in Fire Safety**

At the time of publication, the University is executing a comprehensive fire/safety plan for all non-residential buildings.

**Fire Statistics**

<b>Residential Facilities</b>	<b>Total Fires in Each Building</b>	<b>Fire Number</b>	<b>Cause of Fire</b>	<b>Number of Injuries That Required Treatment at a Medical Facility</b>	<b>Number of Deaths Related to a Fire</b>	<b>Value of Property Damage Caused by Fire (in US dollars)</b>
<b>CALENDAR YEAR 2020</b>						
Austin Hall	1	1	A/C Unit	0	0	< \$1,000.00
Palm Apartments	1	1	Cooking	0	0	< \$99.00
<b>CALENDAR YEAR 2019</b>						
Palm Apartments	3	1	Cooking	0	0	< \$99.00
Palm Apartments	3	2	Cooking	0	0	< \$99.00
Palm Apartments	3	3	Cooking	0	0	< \$99.00
<b>CALENDAR YEAR 2018</b>						
Brevard Hall	1	1	Arson	0	0	< \$99.00
Vaughn Hall	1	1	Cooking	0	0	< \$99.00
Urso	1	1	Cooking	0	0	< \$99.00

If you have any questions regarding these statistics, or if you would like additional information about other security-related incidents, services or policies, please contact the Director of Campus Safety at (813) 257-7777.

Paper copies of the *Annual Security and Fire Safety Report* are available at the Offices of Campus Safety, Dean of Students, and Human Resources.

# The University of Tampa Smoking and Tobacco Policy

## As of Aug. 1, 2016, The University of Tampa Smoking and Tobacco Policy is as follows:

The University of Tampa finds and declares that the purposes of this policy are (1) to protect the public health and welfare by prohibiting smoking and the use of tobacco products, including electronic cigarettes, on The University of Tampa campus; (2) to guarantee the right of nonsmokers to breathe smoke-free air, while recognizing that the need to breathe smoke-free air shall have priority over the desire to smoke; and (3) to encourage a healthier, more productive living/learning environment for all members of our campus community.

The Tobacco-Free Policy applies to all University of Tampa facilities, property and vehicles, owned or leased, regardless of location. Smoking and the use of tobacco products shall not be permitted in any enclosed place, including, but not limited to, all offices, classrooms, hallways, waiting rooms, restrooms, meeting rooms, community areas, performance venues and private residential space within University of Tampa housing. Smoking and the use of tobacco products shall also be prohibited outdoors on all University of Tampa campus property, including, but not limited to, parking lots, paths, fields, sports/recreational areas and stadiums. This policy applies to all students, faculty, staff and other persons on campus, regardless of the purpose for their visit.

In accordance with the Hillsborough County Ordinance, The University of Tampa prohibits the use, sale and possession of any vaporizer or electronic cigarette device for those persons under the age of 21. Please refer to Hillsborough County Ordinance 19-24 for more information.

## Smoking and tobacco products prohibited are defined as follows:

**“Electronic Smoking Device”** means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person to simulate smoking through inhalation of vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, marketed or sold as an e-cigarette, e-cigar, e-pipe, e-hookah or vape pen, or under any other product name or descriptor.

**“Hookah”** means a water pipe and any associated products and devices which are used to produce fumes, smoke and/or vapor from the burning of material including, but not limited to, tobacco, shisha or other plant matter.

**“Smoking”** means inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. “Smoking” also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this Article.

**“Tobacco Product”** means any substance containing tobacco leaf, including but not limited to, cigarettes, cigars, pipe tobacco, hookah tobacco, snuff, chewing tobacco, dipping tobacco, bidis, blunts, clove cigarettes or any other preparation of tobacco; and any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, offered for sale or otherwise distributed with the expectation that the product or matter will be introduced into the human body by inhalation; but does not include any cessation product specifically approved by the U.S. Food and Drug Administration for use in treating nicotine or tobacco dependence.

\*\*Please be aware that citations will be given to people using tobacco/nicotine products on campus.\*\*

The University of Tampa Properties Map

# THE UNIVERSITY OF TAMPA

### CAMPUS PROPERTIES KEY

- Academic/Administrative
- Administrative
- Administrative/Residential
- Athletic
- Residential
- Parks
- Construction
- Campus-owned Properties

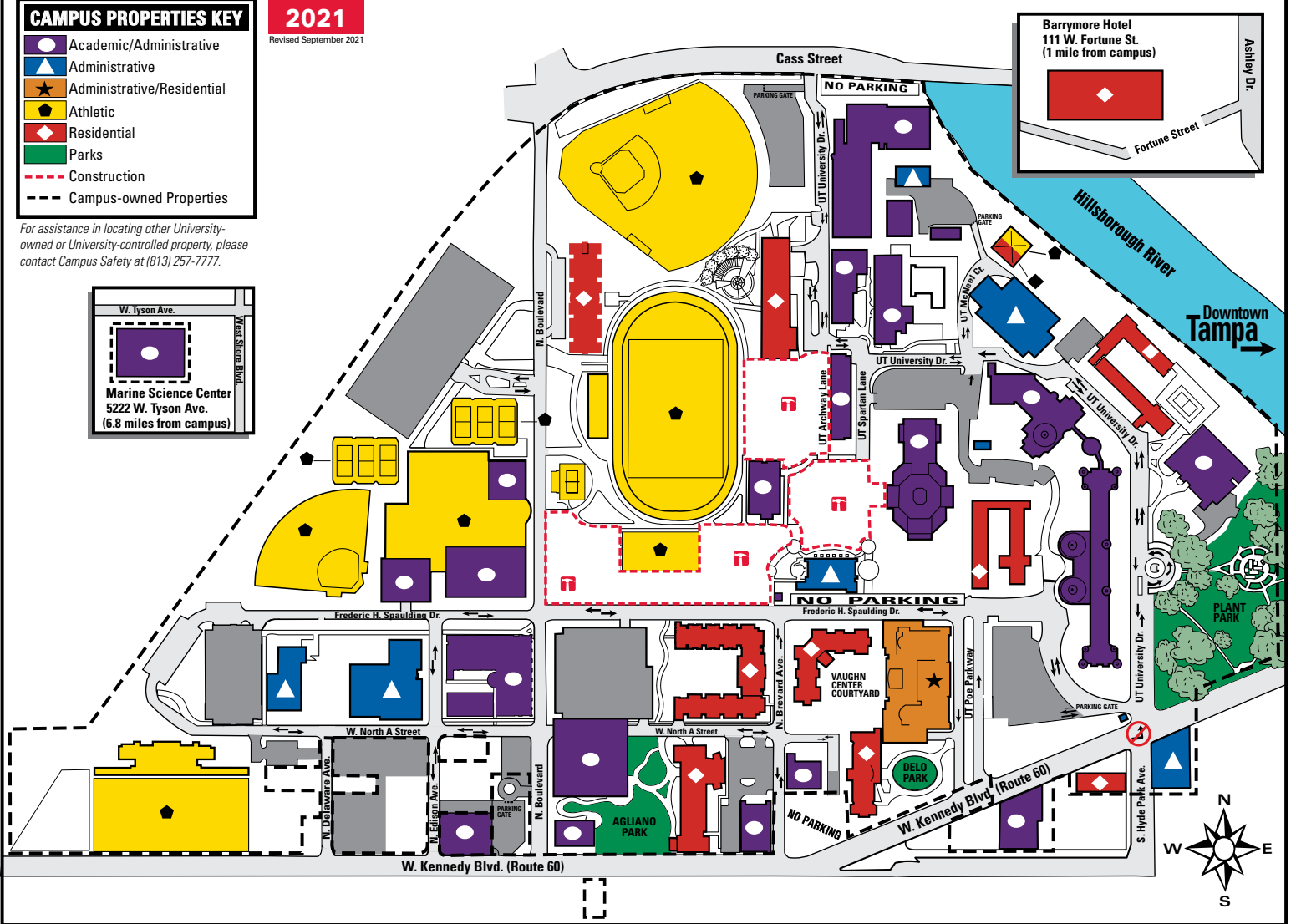
**2021**

Revised September 2021

For assistance in locating other University-owned or University-controlled property, please contact Campus Safety at (813) 257-7777.

**Marine Science Center**  
5222 W. Tyson Ave.  
(6.8 miles from campus)

**Barrymore Hotel**  
111 W. Fortune St.  
(1 mile from campus)



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