

**NATIONAL PERSONAL
TRAINING INSTITUTE®**

NPTI Tampa

2023-2024

**Campus Safety and Security Report
Including Emergency Preparedness Guidelines**

A Shared Commitment to a Safe School

Thank you for taking the time to review this year's annual crime report. This report will provide you with important information about safety both on and off campus. When you review the statistics, you will notice that NPTI Tampa is a relatively safe campus, which is due to the collaborative efforts of our staff, faculty and students.

As in any neighborhood, it is important that all students, faculty and staff realize that they should take every possible precaution to prevent assault and crime against themselves and others. The administration of NPTI Tampa recognizes that our campus is a part of the community, and we experience the risks and threats of society as a whole.

NPTI Tampa has established programs and systems involving personnel and procedural methods, in order to provide as safe and secure an environment on campus as possible. The school provides information and assistance on self-protection to students. However, each individual must also take action to utilize those crime prevention techniques that can help lessen their vulnerability to crime.

The information provided in this annual report is designed to inform, advise and alert campus occupants about NPTI Tampa's policies and procedures on crime awareness and reporting. As members of the school community, each of us has a role in keeping our campus safe.

NPTI Tampa asks that all students, staff members and employees immediately report any suspicious individuals or activity.

Regardless of your association with the school, please feel free to directly contact me with any questions, concerns, or comments.

Pat Sherman
President

The National Personal Training Institute of Tampa provides campus safety and security information for its school via this report. This information is provided in accordance with the Clery Act, the Jeanne Clery Disclosure of Campus Security Policy, and Campus Crime Statistics Act.

The Jeanne Clery Act requires the University to gather statistical data on specific offenses that occur in specific geographical areas. Attempts are classified as offenses. These offenses are:

- A. Criminal Homicide
 - 1. Murder and Non-negligent manslaughter
 - 2. Negligent manslaughter
- B. Sex Assault
 - 1. Rape
 - 2. Fondling
 - 3. Incest
 - 4. Statutory Rape
- C. Robbery
- D. Aggravated Assault
- E. Burglary
- F. Motor Vehicle Theft
- G. Arson
- H. Domestic Violence
- I. Dating Violence
- J. Stalking

The school must also report statistics for the following categories of arrests or referrals for disciplinary action (if an arrest was not made):

- A. Liquor Law Violations
- B. Drug Law Violations
- C. Illegal Weapons Possession

Hate crimes must be reported by category of prejudice, including race, gender, religion, sexual orientation, ethnicity, national origin, gender identity, and disability. Statistics are also required for four additional crime categories if the crime committed is classified as a hate crime:

- A. Larceny/Theft
- B. Simple Assault
- C. Intimidation
- D. Destruction/Damage/Vandalism of Property

In addition, the school must report the location of each of the offenses listed above. The Clery Act geographical reporting definitions are:

A. Campus:

1. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institutions educational purposes, including residence halls; and
2. Any building or property that is within or reasonably contiguous to the area identified in paragraph (a) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

B. Non-Campus Building or Property

1. Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
2. Any building or property owned or controlled by an institution that is used in direct support of, or in relation, to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

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

This report includes statistics for the previous three years, concerning reported crimes that occurred on-campus and on public property within or immediately adjacent to and accessible from the campuses. The report also includes institutional policies concerning campus security and safety. The data was collected from the Winter Park Police Department, as well as from internal school records by the school director. NPTI-Tampa does not employ security personnel, but all on-site staff may be considered campus security authorities.

The NPTI Tampa Crime Report is distributed to students, faculty and staff via <https://nptiflorida.edu/admissions>

A copy of the report may also be obtained by contacting the school director.

Annual Fire Safety Report and Missing Student Policy

NPTI Tampa is a nonresidential institution of higher education. Therefore, NPTI Tampa is not required to maintain a fire safety report or to have a missing student policy.

Crime Prevention and Safety Initiatives

NPTI Tampa students and staff must assume responsibility for their own personal safety and the security of their personal property. The following precautions help provide guidance:

- Avoid walking alone at night
- Carry only small amounts of cash
- Never leave valuables unattended
- Check the back seats of your car before you get in
- Never take personal safety and security for granted
- Close windows and lock doors when leaving your car
- Keep a record of serial numbers for laptops, electronic devices, etc.
- Report all suspicious activity to an NPTI Tampa staff member immediately
- Do not leave valuables in your car, especially if they can be easily noticed

Crime Alert Notices

A crime alert may be issued by the school director to assist in gathering information, to inform the campus community of criminal or suspicious activity or crime trends and to facilitate crime prevention. They are distributed to the campus community via group email.

Timely Warnings

When the school director or his/her designee, in conjunction with the Hillsborough County Police Department, determine that a crime represents a serious or continuing threat to students and employees, a crime alert will be sent to students and staff.

The Clery Act requires NPTI Tampa to issue timely warnings for serious crimes such as murder, robbery, aggravated assault, burglary, motor vehicle theft, rape and certain hate crimes if the crime occurred on campus, on property owned or controlled by the school or on public property that is immediately adjacent to campus.

The school director or his/her designate will determine on a case by case basis whether a timely warning will be issued via a crime alert. Timely warnings will generally contain the following information:

- Suspect(s)
- Date and time of issue
- Location of the incident
- Specific safety response
- Date and time of the incident
- Type of criminal activity reported
- A brief description of the offense
- Police and emergency telephone numbers

Emergency Notification

An emergency notification is different than a timely warning or crime alert. Emergency notifications will be issued immediately upon confirmation that any significant emergency or dangerous situation exists that involves the immediate threat to the health or safety of students or employees on campus. An emergency notification will be issued via email. Emergency notifications are typically more immediate, shorter and contain less information than timely warnings due to the fast-evolving nature of emergency situations. Updates or follow-ups to emergency notifications will be given as necessary when information becomes available. An emergency notification may also serve as a timely warning depending on the circumstances and the information available.

NPTI Tampa will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or otherwise mitigate the emergency.

Emergency Response and Evacuation Procedures

The following procedures are utilized when the school director or other designated campus security authority is notified about a potentially serious situation that affects the NPTI Tampa campus, its students or its faculty and staff:

- Perceived fire, medical or criminal activity
 - Call emergency response at 911
- Minor medical situations
 - Handle in the manner deemed most appropriate by the first responder. First Aid kits are located in the Director's office, if required.
- Other non-specified emergencies not automatically requiring a call to 911 (electrical issues, gas leaks etc.)
 - The security authority will contact the appropriate agency and the school director.

All incidents should be reported to the school director as soon as possible. Employees or students who are injured at NPTI Tampa are required to report the injury to the school director within 24 hours of the occurrence.

The school director or his/her designee will send an "All Clear" message when the situation is over, if applicable. Information will not be shared with the campus community when the Winter Park Police Department, in conjunction with the school director or designee, determine that doing so would compromise the efforts of assisting those in peril.

Additional means of providing on-going information concerning a potential life safety situation and its resolution include:

- Local Media
- Emails to students, faculty and staff at the involved campuses
- Communication with the Winter Park Police Department

The veracity of student email addresses is confirmed and tested during a student's enrollment through the review of initial student enrollment paperwork and via on-going e-mails sent to all students.

Evacuation Plan

Evacuation routes and directional equipment are provided in accordance with any existing local fire and city ordinances and all personnel are instructed to become familiar with them at new students or staff orientations. In the case of an evacuation:

- Exit through the door nearest you
- Meet at the south end of the parking lot
- Staff in attendance will determine if all have safely evacuated the building.
- Report the situation to the school or on-site director who will then coordinate with emergency response units

Emergency Procedures - Lockdown Procedures

If there is a need to restrict access to a specific area on the campus as a precaution or a protective measure, please follow these steps:

- Remain calm and communicate with others in a clear and concise manner. Tell others exactly what the situation is and what you need them to do.
- Faculty, Staff or Management personnel will lock all the exterior doors to the building. Remain in classrooms or offices. If you are in a common area, stay away from windows and all doors (solid and glass).
- Do not allow access once the doors are locked, as this will compromise the safety of those inside. Do not allow anyone to talk their way inside, as they may be the suspect or they are being coerced by the suspect, outside of your view.
- Wait for further instructions and do not allow anyone to leave until NPTI Management personnel or other Emergency Responders releases the building/give an “ALL CLEAR” signal or message.

Individuals, who may be on the outside of buildings during a lockout of all campus buildings, should move away from the affected area (indicated by the presence of emergency personnel and equipment).

Hurricane Plan

In the event a hurricane threatens the Tampa area, NPTI’s Management Personnel will activate the Hurricane Plan. Based upon a storm’s intensity and predicted point of landfall, NPTI will decide about the cancellation of classes and whether students will be permitted to remain on campus or be ordered to evacuate.

In most cases, NPTI Tampa will align with Hillsborough County Public Schools in determining the need to close the campus during a hurricane and when the school will reopen once the hurricane has passed. Students will be notified by text and email for all emergencies. Up to date information will also be posted on the NPTI Florida Facebook Page.

Crime Geographic Definitions per the Clery Act

On Campus

- Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Non-Campus Building or Property

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

Public Property

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

Key Terms and Definitions

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. Effective consent is the basis of the analysis applied to unwelcome sexual contact. Lack of consent is the critical factor in any incident of sexual misconduct. NPTI Tampa further defines "Consent" to mean:

- Consent is informed, freely and actively given and requires clear communication between all persons involved in the sexual encounter.
- Consent is active, not passive. Consent can be communicated verbally or by actions. But in whatever way consent is communicated, it must be mutually understandable. Silence, in and of itself, cannot be interpreted as consent.
- It is the responsibility of the initiator of sexual contact to make sure they understand fully what the person with whom they are involved wants and does not want sexually.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Previous relationships or consent does not imply consent to future sexual acts.
- Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another.
- Effective consent cannot be given by minors, mentally disabled individuals or person's incapacitated as a result of drugs or alcohol.
- If you have sexual activity with someone you know to be, or should know to be, mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), you are in violation of this policy.

- Incapacitation is a state where one cannot make a rational, reasonable decision because they lack the ability to understand the who, what, when, where, why or how of their sexual interaction.
- This policy also covers someone whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of a so called “date rape” drug. Possession, use and/or distribution of any of these substances, including but not limited to Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another person for the purpose of inducing incapacity is a violation of this policy and applicable state laws.

Dating Violence – means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature.

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.

Sexual Assault - means an offense classified as a forcible or non-forcible sex offense as defined under the Federal Bureau of Investigation’s Uniform Crime Reporting Program. It includes any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Stalking – according to the Violence Against Women Act (VAWA), stalking means “engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- fear for his or her safety or the safety of others; or
- suffer substantial emotional distress.

Various courts have ruled that inappropriate Facebook or Twitter posts may be considered cyberstalking.

Definitions of Reportable Crimes

Criminal Homicide

- Murder and non-negligent manslaughter. The willful (non-negligent) killing of one human being by another
- Negligent manslaughter. The killing of another person through gross negligence

Forcible Sex Offenses

- Forcible rape. The carnal knowledge of a person, forcibly and/or against that person’s will; or not forcibly or against the person’s will, where the victim is incapable of giving consent because of his or her temporary or permanent mental or physical incapacity (or because of his or her youth)
- Forcible sodomy. Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not forcibly against the person’s will where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity

- Sexual assault with an object. The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body or another person, forcibly and/or against that person's will; or not forcibly or against the person's will, where the victim is incapable of giving consent because of his or her youth or because of her or her temporary or permanent mental or physical capacity
- Forcible fondling. The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or not forcibly or against the person's will, where the victim is incapable of giving consent because of his or her youth or because of his or her temporary or permanent mental or physical incapacity

Non-forcible sex offenses

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

Robbery

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

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 a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary

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

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle. Motor vehicle theft is classified as any case where an automobile is taken by a person not having lawful access, even if the vehicle is later abandoned, including joy riding

Hate Crimes

Crimes that manifest evidence the victim was intentionally selected because of the victim's bias as described by the Hate Crimes Statistics Act and Campus Safety Act. Categories of bias are:

- **Race.** A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind
- **Gender.** A preformed negative opinion or attitude toward a group of persons because those persons are male or female. Gender bias is also a Clery Act specific term, not found in the FBI's Hate Crime Data Collection Guidelines

- **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
- **Sexual orientation.** A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex
- **Ethnicity/national origin.** A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions
- **Disability.** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness

Weapon Law Violations

The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: the manufacture, sale, or possession of deadly weapons; the carrying of deadly weapons, concealed or openly; the furnishing of deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned acts

Drug Abuse Violations

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

Liquor Law Violations

The violation of state and local laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using vehicles for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities.

Reporting Crimes

NPTI Tampa encourages accurate and prompt reporting of all crimes to either the school director or any on-site staff member. All criminal activity and/or emergencies, including sexual assault, should be reported immediately to the school director or any available staff member. All crimes reported to these persons will be kept confidential to the extent of the law and the school director will notify the proper authorities. Report all emergencies involving a crime in process, a medical emergency, and/or fire to 911 immediately. After calling 911, contact the school director or any available staff member.

Tampa Campus

- On-Campus contact number
 - Director: 813-374-2017
- Off-campus contact numbers
 - Emergency: 911
 - Hillsborough County Police Department: 813-247-8200

Reporting Sexual Misconduct

NPTI takes seriously all complaints of sexual discrimination, sexual harassment, and Sexual Misconduct. This section explains the various reporting, complaint, and confidential disclosure options available to enable individuals to make informed choices about where to turn should they experience sexual discrimination, sexual harassment, or Sexual Misconduct.

A. Reporting Confidentially

NPTI encourages victims of Sexual Misconduct to talk to someone about what happened, whether they want their report to be investigated or not. NPTI will offer Complainants someone to talk to confidentially, so that they can get the support they need. NPTI policy shall explain that some resources are confidential and should be considered if the Complainant does not want NPTI to investigate the matter.

B. Filing an Institutional Complaint

NPTI takes seriously all complaints of sexual discrimination, sexual harassment, and Sexual Misconduct. This section explains the various reporting, complaint, and confidential disclosure options available to enable individuals to make informed choices about where to turn should they experience sexual discrimination, sexual harassment, or Sexual Misconduct

- 1.** College policy shall explain how to report Sexual Misconduct to the Title IX Coordinator. Such a report can be made at any time, including during non-business hours, by using the telephone number or electronic mail address, or office mail address listed for the Title IX Coordinator.
- 2.** NPTI recommends that reports and complaints of all Sexual Misconduct be made to the Title IX Coordinator so that NPTI can respond appropriately. Although reports and complaints of Sexual Misconduct may be made at any time, reports should be made as soon as possible so that the institution is best able to address the allegation.
- 3.** NPTI encourages anyone who witnesses, experiences, or has information about possible Sexual Misconduct to take reasonable actions to prevent or stop such actions. This may include speaking up while the behavior is taking place or immediately afterwards, reporting the behavior (in accordance with the reporting options outlined in this policy), directly intervening when it is safe and reasonable to do so, contacting law enforcement, or other means. A person who has been subjected to any type of Sexual Misconduct need not confront the other Party. The appropriate process to address the conduct is through this or other applicable policy
- 4.** Any person alleging to be a victim of Sexual Misconduct that took place within an education program or activity of NPTI in the United States may file a Formal Complaint under this policy.
- 5.** A Complainant who wants NPTI to conduct an investigation and take action in accordance with this policy must file a Formal Complaint alleging Sexual Misconduct.
- 6.** A Complainant must submit a written Formal Complaint in person, by mail, or via electronic mail to the Title IX Coordinator. The document must contain the Complainant's physical signature or a "digital signature." A Formal Complaint cannot be submitted anonymously. Only the Title IX Coordinator can submit a Formal Complaint on behalf of another person.
- 7.** Although NPTI will attempt to consider the wishes of Complainants, including that no investigation be conducted, NPTI will also consider its obligations under both TBR policy and applicable law, including Title VII of the Civil Rights Act of 1964. Thus, when the Title IX Coordinator receives a report of Sexual Misconduct, and especially when the complaint involves an employee, the Title IX Coordinator may decide to investigate the matter.

8. Complainants should provide as much of the following information as possible: what happened, where, and when; names of all people involved, including witnesses (if any); supporting documentation (if any); and contact information. NPTI encourages reporting of Sexual Misconduct even if some or all information is unavailable or cannot be provided. The Title IX Coordinator will explain their role, the options for reporting an incident, potential available Interim/Supportive Measures, and the available resources for assistance.

C. Filing a Criminal Complaint

Contact local law enforcement where the assault occurred. The local law enforcement agency will determine the subsequent steps.

NPTI will, to the extent possible, maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures. **34 CFR §668.46(b)(11)(iii)(B)**

Institutional Hearing [34 CFR §668.46(k)]

A. NPTI will conduct a hearing of Formal Complaints not dismissed pursuant to this policy in order to make a Determination whether this policy has been violated. The decision-maker appointed by the Title IX Coordinator has the authority to maintain order at the hearing and make all decisions necessary for the fair, orderly, and expeditious conduct of the hearing. The decision-maker shall be the final decider concerning all aspects of the hearing, including prehearing matters and at the hearing, how evidence is examined and the order of witnesses.

B. At the request of either Party, NPTI will provide for the hearing to be conducted with the Parties located in separate rooms with technology enabling the decision-maker and Parties to simultaneously see and hear the Party or the witness answering questions.

C. In cases involving more than one Respondent, any Party may request separate hearings by submitting a request at least five (5) business days before the hearing. The Title IX Coordinator will decide whether to grant the request.

D. Live hearings may be conducted with all Parties physically present in the same geographic location or, at NPTI's discretion, any or all Parties, witnesses and other participants may appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other.

E. At least ten (10) business days prior to a live hearing, NPTI will provide both Parties with written notice of the following:

1. The time, place, date of the hearing, and electronic access information, if applicable;
2. The name of each witness NPTI expects to present or be present at the hearing and those NPTI may present if the need arises;
3. The right to request a copy of the investigative file (other than portions that are protected by law or privilege), which includes all of the evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint;
4. The right to request copies of all documents, copies of electronically stored information, and access to tangible evidence that NPTI has in its possession, custody, or control and may use to support claims or defenses;

5. The right to have an advisor of the Party's choice, who may be, but is not required to be an attorney, and that if the Party does not have an advisor present at the hearing, NPTI will provide an advisor of NPTI's choice, without fee or charge, to ask the other Party and any witnesses all relevant questions and follow-up questions on behalf of that Party;

6. Any Party in need of a College-provided advisor must inform the Title IX Coordinator at least five (5) business days before the hearing;

7. Any cross-examination of any other Party or witness must be conducted by the advisor; and

8. Additional information may be included in the notice of hearing.

F. When notice is sent by U.S. mail or courier service, the notice is effective on the date the notice is mailed or delivered to the courier service. When notice is hand delivered by NPTI, notice is effective on the date that the notice is delivered to the Parties. When notice is sent by email, the notice is effective on the date that the email is sent to the Parties' College-provided email account.

G. The decision-maker may conduct a pre-hearing meeting or conference with the Parties and their advisors to discuss pre-hearing issues, including any technology to be used at the hearing and the general rules governing the hearing.

H. The decision-maker may allow a temporary delay of the process or the limited extension of time frames for good cause with written notice to the Parties of the delay or extension and the reasons for the action. Good cause may include, but is not limited to, considerations such as 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.

I. If a Party fails to attend a hearing, the decision-maker may proceed without that Party's participation.

J. During the hearing, the decision-maker will make evidence subject to review and inspection during the investigation phase available to give each Party equal opportunity to refer to that evidence, including for purposes of cross-examination.

K. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant's prior sexual behavior are offered to provide that someone other than the Respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent.

L. Only relevant cross-examination and other questions may be asked of a Party or witness. Before a Complainant, Respondent, or witness answers a cross examination or question from someone other than the decision-maker, the decision maker will first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

M. The decision-maker will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding the privilege has waived the privilege.

N. The decision-maker will permit each Party's advisor to ask the other Party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination at the live hearing will be conducted directly, orally, and in real time by the Party's advisor and never by a Party personally. Conducting cross-examination will be the advisor's only opportunity to

speaking. Advisors will not engage in other presentation of arguments or evidence, including opening statements, closing arguments, or direct examinations.

O. If a Party does not have an advisor at the live hearing, NPTI will provide without fee or charge to that Party an advisor. NPTI will choose the advisor.

P. If a Party or witness does not submit to cross-examination at the live hearing, the decision-maker will not rely on any statement of that Party or witness in reaching a Determination regarding responsibility; provided however, that the decision-maker cannot draw an inference about the Determination regarding responsibility based solely on a Party's or witness's absence from the live hearing or refusal to answer cross examination or other questions.

Q. For good cause shown, a decision-maker may permit the participation of witnesses who were not identified by the Party to the investigator, or the inclusion of evidence not provided by the Party to the investigator.

R. NPTI will create an audio or audiovisual recording, or transcript, of a live hearing and make it available to the Parties for inspection and review.

S. The decision-maker may dismiss the Formal Complaint or any allegations therein, if at any time during the hearing a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw a Formal Complaint or any allegations therein, the Respondent is no longer enrolled or employed by NPTI, or specific circumstances prevent NPTI from gathering evidence sufficient to reach a Determination as to the Formal Complaint or allegations therein.

T. If the decision maker dismisses the Formal Complaint during the grievance process, the decision-maker will promptly notify the Title IX Coordinator, who will promptly send written notice of the dismissal and reasons therefor simultaneously to the Parties.

Confidentiality Statement

NPTI Tampa may not promise confidentiality to those who report crimes to anyone on campus. Due to the public records law, NPTI Tampa does not have a policy that permits the confidential reporting of crimes for inclusion in the annual crime statistics report.

Campus Access

NPTI Tampa campus facilities are for the use of current students, prospective students attending an open house or an individual appointment to tour the school, and employees only.

Drug and Alcohol Policies

Information related to the school's policies on drug and alcohol use and abuse may be found as an addendum to this document.

Counseling, Treatment and Rehabilitation Programs

The Campus Director assists students and/or employees by providing information on surrounding area treatment resources, and by assisting individuals make initial contact with treatment providers.

Education Programs

At the beginning of each course, Student Services distributes the Drug and Alcohol Policy to all students along with the Campus Safety and Security Report. This serves to notify all students about applicable College Policies

This Drug Free Workplace and Campus Policy prohibits the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees on the College's property or as part of any of the College's activities.

The Drug Free Workplace and Campus Policy also includes a description of the legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs or alcohol, and includes a cursory description of the health risks associated with the use of beverage alcohol and illicit drugs.

The policy states that the Campus Director will assist students and/or employees who now have or have had a drug and/or alcohol problem. The procedures are:

- To encourage the individual with a problem to seek the assistance of a qualified drug/alcohol therapist or seek treatment from a drug treatment center or mental health center.
- To provide information to the individual regarding treatment resources in the surrounding area, and how to secure their services. When available, materials detailing the facility, length of stay, cost, etc. are provided

Sexual Assault Prevention Policies

School employees and students are expected to abide by all local, state, and federal criminal laws as related to sexual assault and sexual harassment. Student conduct policies require that students not engage in any sexual harassment on school premises. Sexual harassment is defined as unwelcome advances, requests for sexual favor, or other verbal, visual, or physical actions of a sexual nature.

Sexual Misconduct Risk Reduction Tips

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment.

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you do not know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably is not the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.

- Make sure your cell phone is with you and charged.
- Do not allow yourself to be isolated with someone you do not trust or someone you do not know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 9-1-1).
- Do not leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, get a new one.
- Do not accept drinks from people you do not know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, do not drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they have had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 9-1-1). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

If you need to get out of an uncomfortable or scary situation here are some things that you can try:

- Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
- Be true to yourself. Do not feel obligated to do anything you do not want to do. "I do not want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
- Have a code word with your friends or family so that if you do not feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
- Lie. If you do not want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing

Criminal Sanctions/Disciplinary Actions

The state of Florida provides legal definitions and categories for sexual offenses. These include sexual assault, sexual contact, sexual conduct, public indecency, voyeurism, sexual imposition, gross sexual imposition, sexual battery and rape. In addition to criminal sanctions and possible liability under such laws, acts of sexual assault and non- consensual sexual contact will subject a student to institutional disciplinary action. Violation of school policies for students may result in written reprimand, suspension, probation or dismissal and employees will be subject to warning, suspension or

termination from employment.

Seeking Assistance

If you are a victim of a sexual assault on the campus of NPTI Tampa, you should:

- Call 911
- Get to a safe place
- Notify the school director or any available staff member
- Get medical assistance and maintain evidence
- Get Emotional Support/Crisis Intervention
- File a police report with the local police.

Students can receive assistance from:

- On-Campus contact number
 - Director: 813-374-2017
 - Hillsborough County Police Department: 813-247-8200

Off-campus sexual assaults should be reported to the local police emergency line at 911.

Academic Issues

Sexual assaults can affect a victim's academic performance. Students may seek assistance with academic issues by speaking with the school director.

Legal Issues

The student who states that a sex offense has occurred has the right to pursue prosecution in a court of law. Even if a victim initially chooses not to prosecute, it can be helpful to report an assault to police immediately and to seek medical care so that prosecution can be pursued at a later date if the victim so chooses. A sexual assault reported to school staff member will be reported to the local police.

Registered Sex Offenders

Students may find information regarding registered sex offenders at <http://www.nsopw.gov>. Students may also contact the local police department or the regional state police for information regarding sexual predators.

Anti-Harassment Policy

It is the policy of NPTI Tampa that all students, employees and visitors enjoy a positive, respectful and productive learning and work environment that is free from behavior, actions, or language constituting harassment, including sexual harassment while on school or related property during school or related events. NPTI Tampa will not tolerate harassment among its faculty, staff, or student body or by persons conducting business with or visiting the school. Any employee found to have engaged in harassment will be subject to disciplinary action up to and including dismissal. If an employee is subject to harassment or witnessed harassment, he or she should report it immediately to the Director.

Reporting

Any employee or student who becomes aware of, or believes that he or she has witnessed an incident of harassment, violent or threatening behavior, or who is the recipient of harassment, violent or threatening behavior, should immediately report such incident(s) to an available staff member. If the employee or student believes that someone may be in imminent danger or if the incident in question has resulted in anyone being physically harmed, the employee or student should immediately contact local emergency response by dialing 911.

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another, and it is not safe for you to interrupt.

- Watch out for your friends and fellow students. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Safety Orientation

All students will review this document and receive a Student Safety Orientation on the first day of class. All faculty and staff have reviewed this document and receive regular training in Campus Safety procedures.

Crime Statistics

Campus Safety and Security Report 2019 Tampa Location – National Personal Training Institute

Offense	On Campus 2022	Off Campus 2022	On Campus 2023	Off Campus 2023
Murder/Manslaughter	0	0	0	0
Manslaughter by negligence	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0
Hate Crimes				
Murder/Manslaughter	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0
Simple Assault	0	0	0	0
Larceny-theft	0	0	0	0
Intimidation	0	0	0	0
Destruction/damage/vandalism of property	0	0	0	0
VAWA Offenses				
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Stalking	0	0	0	0
Arrests and Disciplinary Actions				
Weapons: Carrying, possessing, etc	0	0	0	0
Drug abuse violations	0	0	0	0
Liquor Law Violations	0	0	0	0
Unfounded Crimes				
Total Unfounded Crimes	0	0	0	0

ADDENDUM A

NPTI Drug & Alcohol Abuse Prevention Program & Policy



National Personal Training Institute
8411 Sunstate Street
Tampa, FL 33611
Phone: 813-374-2017

NPTI Drug & Alcohol Abuse Prevention Program & Policy

The Drug Free Workplace Act of 1988 & Drug Free Schools and Communities Act Amendment of 1991 mandate that the School has a drug & alcohol abuse prevention program. The prevention program is comprised of the following components:

1. Education and information about the dangers of drug abuse in the workplace and on School property will be disseminated through School memos, videos, and posters to employees, faculty and students.
2. The Director will meet with any students or employees that may be suspected of drug use and will oversee the action that may result from any violations of School policy.
3. Self-referrals, as well as supervisory referrals, to drug counseling and rehabilitation programs will be made to Substance Abuse Rehab.

The National Personal Training Institute recognizes that employees and students of the School may, in accordance with the federal, state and local laws, choose to use alcohol on their own time. The School will actively work to educate employees and students about alcohol and drugs and make help available for those who need it.

Health Risks

Using alcohol and other drugs carries risks. Alcohol and drugs impair your judgment, making you more likely to hurt yourself or others, to have trouble with the law, to do poorly at work and school, and to have relationship trouble. Alcohol and drugs also have specific health risks: they can damage major organs, increase your risk of cancers, and even cause death.

Definitions:

- **Drug** – any substance that has known mind or function altering effects on a person, including psychoactive substances prohibited or controlled by Federal and State laws.
- **Prescribed Drug** – any substance prescribed for use by the employee by a licensed medical practitioner.

School Sanctions

To ensure a safe and productive work & learning environment, the following is prohibited from happening on School property or as part of any School activity:

- Unlawfully manufacturing, distributing, dispensing, possessing, or using controlled substances, or misusing or abusing prescribed or over-the-counter drugs;
- Having present in his/her body detectable levels of illegal drugs or alcohol while executing job duties during normal working hours;
- Violating any federal or state law relating to drugs;

- Consuming alcoholic beverages on School premises (rather owned or leased) or at a School-sponsored function unless so authorized by an executive officer of the National Personal Training Institute. Anyone violating this policy regarding alcohol and illegal drugs and/or controlled substances will be subject to disciplinary action up to and including termination (employee) or suspension and/or expulsion (student) in addition to referral for prosecution by local and federal authorities.

External Sanctions

Students and employees must be aware that there are significant criminal penalties, under federal and state law, for the unlawful possession or distribution of alcohol and illegal drugs.

Violations	Penalties
<i>Possession in the State of Florida</i>	
Possession of Marijuana (20 Grams or Less)	First Degree Misdemeanor: One year in jail; \$1,000 fine
Possession of Marijuana (More Than 20 Grams)	Third Degree Felony: Maximum penalty of five years in jail; \$5,000 fine
Possession of a Controlled Substance (Heroin, Cocaine, Meth, Ecstasy)	Third Degree Felony: Maximum penalty of five years in jail; Up to a \$5,000 fine
Possession of More Than 10 Grams of Heroin	First Degree Felony: Maximum penalty of 30 years in prison; Fines of up to \$10,000
Possession of a Listed Chemical (With the Intent to Unlawfully Manufacture a Controlled Substance)	Second Degree Felony; Maximum penalty of 15 years in jail; \$10,000 fine
Possession of Drug Paraphernalia	First Degree Misdemeanor: Maximum penalty of one year in jail; \$1,000 fine

Federal Law: Conviction for the possession of illicit drugs results in 1 to 3 years imprisonment and a minimum fine of \$1,000, unless the offense involves cocaine base (crack) which may carry mandatory imprisonment for 5 to 20 years.

The range of penalties under state law for unlawful distribution of illicit drugs is summarized in Chart One.

The severity of the sanctions imposed for both possession and distribution offenses depends on the type of quality of drugs, prior conviction, and whether death or serious injury resulted. Sanctions may be increased for offenses which involve distribution to minors or occur on or near School premises. In addition, other federal laws require or permit forfeiture of personal or real property used to illegally possess, facilitate possession, transport or conceal a controlled substance. A person's right to purchase a firearm or receive federal benefits, such as student loans, grants, contracts, or professional or commercial licenses, may also be revoked or denied as a result of a drug conviction.

Counseling & Treatment

The School encourages individuals with substance abuse problems to seek assistance. Employees are encouraged to speak with the Director for more information on who to contact for help.

Students of the National Personal Training Institute are encouraged to seek help in their local area or through online programs and hotlines. Some examples are:

- **Drug Abuse Comprehensive Coordinating Office:** <http://www.dacco.org/>
- **Drug Rehab Tampa:** <http://www.drugrehabcenterstampa.com/>
- **Addiction Recovery Care of Tampa:** <http://www.arcoftampabay.com/>
- **Center for Rational Living:** <http://crl-recovery.com/>
- **Bridges of America:** <http://www.bridgesofamerica.com/>
- **SAMHSA National Helpline:** <http://www.samhsa.gov/find-help/national-helpline>
- **Recovery.org:** <http://www.recovery.org/topics/addiction-recovery-helplines/>
- **Drug Rehab Center:** www.drugrehabcenter.com
- **DrugAbuse.com:** <http://drugabuse.com/library/drug-abuse-hotlines/>

Federal Trafficking Penalties

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500 – 4999 gms mixture	<p>First Offense: Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$2 million if an individual, \$5 million if not an individual</p> <p>Second Offense: Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$4 million if an individual, \$10 million if not an individual</p>	5 kgs or more mixture	<p>First Offense: Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$4 million if an individual, \$10 million if not an individual.</p> <p>Second Offense: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$20 million if not an individual. 2 or More Prior Offenses: Life imprisonment</p>
Cocaine Base (Schedule II)	5-49 gms mixture		50 gms or more mixture	
Fentanyl (Schedule II)	40 – 399 gms mixture		400 gms or more mixture	
Fentanyl Analogue (Schedule I)	10 – 99 gms mixture		100 gms or more mixture	
Heroin (Schedule I)	100 – 999 gms mixture		1 kg or more mixture	
LSD (Schedule I)	1 – 9 gms mixture		10 gms or more mixture	
Methamphetamine (Schedule II)	5 – 49 gms pure or 50 – 499 gms mixture		50 gms or more pure or 500 gms or more mixture	

PCP (Schedule II)	10 – 99 gms pure or 100 – 999 gms mixture		100 gm or more pure or 1 kg or more mixture	
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DRUG/SCHEDULE QUANTITY PENALTIES

Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	First Offense: Not more that 20 yrs. If death or serious injury, not less than 20 yrs, or more than Life. Fine \$1 million if an individual, \$5 million if not an individual. Second Offense: Not more than 30 yrs. If death or serious injury, not less than life. Fine \$2 million if an individual, \$10 million if not an individual		
Flunitrazepam (Schedule IV)	1 gm or more			
Other Schedule III drugs	Any amount	First Offense: Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual		
Flunitrazepam (Schedule IV)	30 to 999 mgs			
All other Schedule IV drugs	Any amount	First Offense: Not more than 3 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual. Second Offense: Not more than 6 yrs. Fine not more than \$500,000 if an individual, \$2 million if not an individual.		
Flunitrazepam (Schedule IV)	Less than 30 mgs			
All Schedule V drugs	Any amount	First Offense: Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. Second Offense: Not more than 2 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

Federal Trafficking Penalties – Marijuana

DRUG	QUANTITY	1 st OFFENSE	2 nd OFFENSE
Marijuana	1,000 kg or more mixture; or 1,000 or more plants	Not less than 10 years, not more than life If death or serious injury, not less than 20 years, not more than life Fine not more than \$4 million if an individual, \$10 million if other than an individual	Not less than 20 years, not more than life If death or serious injury, mandatory life Fine not more than \$8 million if an individual, \$20 million if other than an individual
Marijuana	100 kg to 999 kg mixture; or 100 to 999	Not less than 5 years, not more than 40 years If death or serous injury, not less than 20	Not less than 10 years, not more than life If death or serious injury,

	plants	years, not more than life Fine not more than \$2 million if an individual, \$5 million if other than an individual	mandatory life Fine not more than \$4 million if an individual, \$10 million if other than an individual
Marijuana	more than 10 kgs hashish; 50 to 99 kg mixture more than 1 kg of hashish oil; 50 to 99 plants	Not more than 20 years If death or serious injury, not less than 20 years, not more than life Fine \$1 million if an individual, \$5 million if other than an individual	Not more than 30 years If death or serious injury, mandatory life Fine \$2 million if an individual, \$10 million if other than individual
Marijuana	1 to 49 plants; less than 50 kg mixture	Not more than 5 years Fine not more than \$250,000, \$1 million other than individual	Not more than 10 years Fine \$500,000 if an individual, \$2 million if other than individual
Hashish	10 kg or less		
Hashish Oil	1 kg or less		

www.usdoj.gov

NPTI will review its drug and alcohol prevention policies every 2 years and it will examine the number of incidents that occurred during that time and the sanctions that were imposed by the school.