

NUC
UNIVERSITY

PROTOCOL
Gender-based Violence, Stalking, Sexual
Assault, and Dating Violence

TITLE IX
Safety Policy



VAWA PROTOCOL

**VAWA PROTOCOL – Violence Against Women Act
Gender-based Violence, Stalking, Sexual Assault, and Dating Violence**

- **TITLE IX**
- **Safety Policy**

Editorial office

VICE PRESIDENT OF STUDENT AFFAIRS AND EFFECTIVENESS

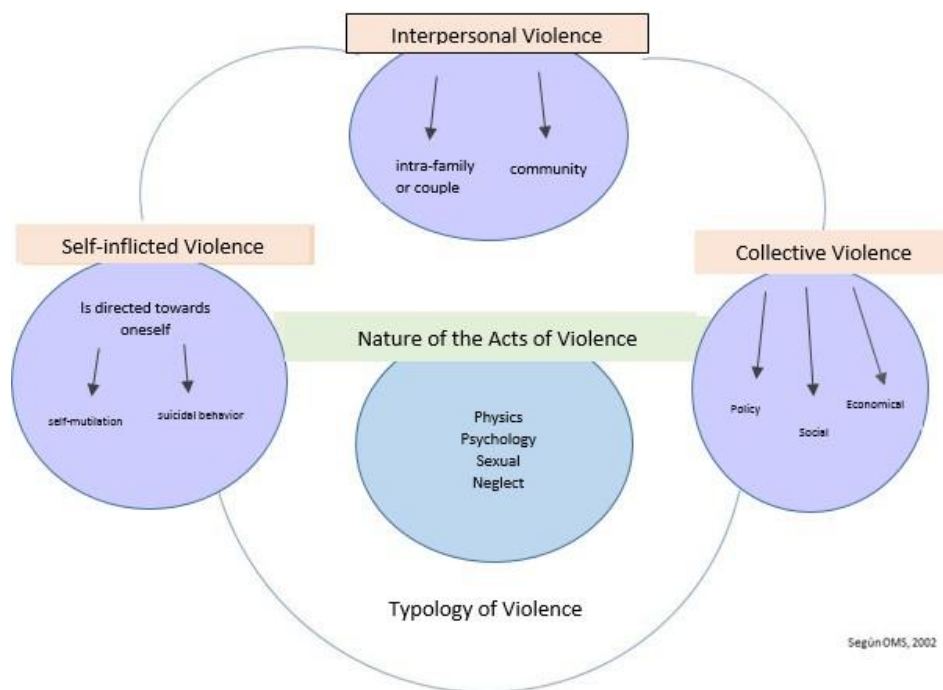
2015

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I. Introduction

The World Health Organization (2003) defines violence as the intentional use of physical force or power, either as a threat, against oneself, another person, a group or community, that either results in or has a high likelihood of causing injury, death, psychological harm, developmental disorders or deprivation. Violence can be divided into types; the following diagram conceptualizes the types of violence and their nature.



This paper focuses on interpersonal violence. This violence can range from psychological harm to sexual assault. We know that violence can develop in any type of environment; like families, communities, workplaces, and educational institutions, among other areas. There are multiple factors that create vulnerable groups such as women, the elderly, children, and the LGBT population. Within interpersonal violence is gender-based violence, which is violence based on gender.

From 2005 to 2008, there were 90 deaths reported for domestic violence in Puerto Rico. In 2008, the Puerto Rico Police reported 17,671 cases of gender-based violence, the Bayamón region having the highest number of reported cases with 2,278 and with a higher incidence in couples aged 20 to 29 with 7,436 cases. As reported, the highest incidence is during the ages of starting college, work production, and the beginning of relationships. In a study published by Morales and Rodriguez (2011) where the experience of ten Puerto Rican adult women victims of violence in their courtship was explored, participants identified their educational goals and the transition to college as key factors in taking control of their lives. So it is essential that institutions of higher education play an active and responsive role in these scenarios of violence.

II. Legal Context

Clery Act. On April 5th, 1986, a student at Lehigh University, Jeanne Clery, 19, was raped and murdered in her dorm room. The law known today as the Clery Act, The Campus Security Act was passed in her memory. It requires that all institutions of higher education, colleges, and universities that receive Title IV funds report crime statistics in their facilities and provide preventive information about security in the university community. The law has been amended in 1992, 1998, and 2000 to include more demands on institutions, requiring procedures for prevention, intervention and case management protocols associated with sexual violence within the facilities, and adjacent or surrounding areas of the institution.

The **Violence Against Women Act** (VAWA) is a federal law that was passed in 1994 and ratified by President Bill Clinton. It was the result of many years of organization by women's groups. VAWA provided funding, legal protection and infrastructure to deal with violence against women. With

subsequent amendments in 2000, 2005 and 2014, VAWA has included through its evolution:

- 1) The joining of the criminal justice system, social services system, and non-profit organizations
- 2) Recognition and support for domestic violence shelters, centers for rape victims, and other community organizations that work every day to stop this violence
- 3) Interstate federal prosecution of domestic violence and sexual assault
- 4) Federal guarantees that protection orders would apply outside the states in which they were granted.
- 5) Protections for battered immigrants. A focus on marginalized populations and Native Indigenous survivors of domestic violence and sexual assault
- 6) The recognition of violence in couples and stalking as a crime
- 7) Creating a legal assistance program for survivors
- 8) Promoting supervised visiting programs for families experiencing violence
- 9) Additional protection for immigrants through the establishment of U and T visas focusing on human trafficking
- 10) Prevention strategies to stop violence before it starts
- 11) Eviction protections for victims of domestic violence or stalking
- 12) A new flow of federal funds to support centers for rape victims
- 13) Developing culturally and linguistically specific services for communities
- 14) Improving programs and services for survivors with disabilities
- 15) Extension of the provisions of VAWA services to include children and adolescents.

Title IX. Another Federal regulation that requires higher education institutions to develop responsive institutional policies is Title IX of the Education Amendments of 1972. This title prohibits sexual discrimination, including sexual violence, in educational programs and activities. All public and private schools, school districts, colleges, and universities that receive federal funds must comply with Title IX. All students are protected by Title IX, regardless of disability, foreign nationality, immigration status, sexual orientation or gender identity.

New Regulations for Title IX

All federally funded educational programs, including public K-12 schools and districts, private and public colleges and universities, publicly funded camps, medical schools, federally funded scout troops, charter schools, federally funded hospitals for residency programs, private/independent schools that receive federal subsidies for school lunches, etc. must comply with the Final Regulations of Title IX on or before August 14, 2020. (ATIXA)

*The new Title IX regulation changes the definition of sexual harassment. The new definition, commonly known as the "Davis standard," is based on a 1999 Supreme Court decision and **defines sexual harassment as actions that are "so severe, pervasive, and objectively offensive that they effectively deny a person equal access to the school's educational programs or activities.***

The new regulation establishes that students who report sexual misconduct and those accused of it, must be ensured due process rights by requiring universities to offer live hearings and allowing student's advisors to question the parties and witnesses involved. Under the new rules, institutions must presume the innocence those accused of sexual misconduct before the investigation and decision-making process. (DeVos, 2020)

In Puerto Rico, other laws provide protection for victims of violence and their modalities like Law no. 54 of August 15, 1989 "Law for Prevention and Intervention in Domestic Violence" and Law no. 284 of August 21, 1999 "Act Against Stalking in Puerto Rico" and its amendments. This legislation aims to typify and penalize any pattern of stalking behavior that induces fear in the mind of a reasonable and prudent person to suffer physical damage to his person, property and/or to a member of his or her family, and provides appropriate mechanisms to intervene promptly in cases of stalking, offering protection to the victims of this kind of behavior. It also establishes the procedure to obtain protection orders, establishing penalties, and for other purposes. Moreover, statewide Law 246 of December 2011, the Security Welfare and Child Protection Act provides protection to children who are somehow affected by gender-based violence.

III. Title IX Policy

NUC University, in compliance with non-discrimination laws and regulations, promotes an environment of integral well-being in the university community, adopting the Title IX provisions in order to promote education and address complaints of sexual harassment that present behaviors so severe, penetrating, and objectively offensive, that they effectively deny a person equal access to the institution's educational programs or activities.

Procedure:

NUC University adopts the new Title IX regulation provisions and proposals about notification, mediation, mandatory reporting, live hearings, and cross-examinations in order to address complaints of sexual harassment in the university community. For this, we established the following procedure:

1. Designate at least three different officials to carry out different steps of the Title IX complaint process. Two officials assigned to the campus or center and the Title IX Institutional Coordinator.
2. Promote respect and support for the victims and the preservation of due process rights for both the victim and the perpetrator, during the investigation process.
3. Respond promptly to individuals who are alleged victims of sexual harassment.
4. Notify students, employees, and others of the official process for handling reports and complaints about sexual discrimination, including sexual harassment.
5. Offer supportive measures in response to an accusation or formal complaint of sexual harassment, completing referrals to other services, as necessary.
6. Follow a fair claims process to resolve allegations of sexual harassment when a member of the university community requests an investigation or a Title IX Coordinator decides on behalf of the complainant that an investigation is necessary.
7. Recognize the intersection of Title IX, Title VII, and FERPA, as well as the legal rights of parents or guardians to act on behalf of individuals with respect to Title IX rights, as applicable.
8. Expressly prohibit retaliation against students or other members of the university community for exercising their rights under Title IX.
9. Disclose the contact information for the Title IX Coordinator.

IV. Case management and complaints of domestic violence, stalking, sexual assault, and dating violence

The case handling procedure for cases of domestic violence, stalking, sexual assault, or dating violence responds to that stated in Public Law 101-542 known as the "Jeanne Clery Disclosure of Campus Security Policy and

Campus Crime Statistics Act" or "Clery Act", Public Law 113-4 Violence Against Women Reauthorization Act of 2013 (VAWA), Title IX, and other federal laws; although some local state laws may apply. This procedure is part of **NUC's Institutional Safety Policy** establishing the institutional management of cases reported. All internal complaints shall be handled according to the Institutional Safety Policy, Protocols, Student Regulations or catalog, and Employee Manual, as applicable. All parties involved in the cases, whether directly or indirectly, shall be protected against retaliation. During case assessment, sexual discrimination issues will be evaluated.

A. Domestic Violence Case Management Procedure

If a teacher, supervisor, or officer observes that a student from any program is going through a situation of domestic violence, they must refer them to the Office of Guidance and Counseling in Puerto Rico, or Student Services Office in the Florida campuses according to procedure. The officer must assure the student of the strictest confidentiality and inform them of our support and solidarity policy for the victim and about the institution's responsibility to identify safety measures for them and others. The matter must be handled sensibly. There is a need to:

1. Explore the level of risk by asking about the existence of firearms, the severity of aggressions, if there have been death threats, if there is risk of suicide, and if there are family members that may provide support. Also, they should determine if there are minors exposed to the violence or the threat.
 - (i) Should there be minors exposed or at risk, Law 246 for the Protection, Safety and Wellbeing of Minors will be activated in Puerto Rico. Such activation includes an orientation about the law and could include a report to the agencies concerned. This procedure shall be performed and documented by the Campus Counselor.

- (ii) Should there be a risk of suicide, the *Suicide Prevention Protocol* will be activated.
 - (iii) Family members will be contacted by phone and will have to report to campus to receive orientation about our intervention and their responsibility. This orientation shall be documented and signed by all parties.
 - (iv) Each case will be evaluated according to VAWA stipulations and other applicable federal laws. However, other local state laws may apply. Reports shall be handled taking into consideration that VAWA is a federal law with judicial supremacy and such will be used to determine the applicable authorities to report to.
2. Once a domestic violence situation is identified, be it necessary, the case will be referred to an agency specializing in the handling of cases of domestic violence.
 3. The designated staff or assigned counselor will interview the student, under confidentiality agreement, to explore the situation. In the case in which the aggressor is another student, necessary measures will be taken to offer protection to the alleged victim of domestic violence that may include arrangements with security personnel, a revision of active restraining orders, transferring the student to another campus or a change of schedule, among others.
 4. A safety plan will be developed with the victim that will consider risk situations, the dangerousness of the aggressor, risks, threats, possible referrals to shelters, and family resources, among others. The same shall be prepared while waiting for the specialist in domestic violence to intervene.
 5. The people in the areas affected will be informed of the safety plan.

6. If the student, after receiving such guidance, refuses to receive the services that were offered and depending on the severity of the violence that has manifested itself in the place of study or work, the institution shall inform them that it will seek appropriate help, as provided in Law 538 of 2004 on the Prevention and Intervention of Domestic Violence.
7. If a student presents a restraining order, a copy of it must be provided to security personnel and another must be kept in the Office of Student Affairs/Services.
8. The situation will be followed up as necessary.
9. Victims need to be assured that actions will not be taken against them, since that would be discrimination, and offered the accommodations they might need.
10. The Office of Professional Counseling in Puerto Rico and Student Support Services in Florida will be the custodian of records filed under the mentioned procedure.
11. Security Personnel will be informed of standing restraining orders in order to take the appropriate measures, even without the victim's consent.
12. Both parties have the right to file concurrent legal proceedings outside the university community.
13. A complete investigation in order to establish sanctions, as applicable, shall be performed by the **Campus Investigative Committee** (Executive Director, Human Resources, and Title IX Coordinator for FTC), within 30 calendar days. After the determination, the parties involved shall have 10 calendar days to appeal and request a hearing. During the process, the Institution's **Title IX Coordinator** will be integrated.

Total time of investigation and resolution of the case

Steps for the Investigation	Stipulated time
1. Response to referral or complaint: <ul style="list-style-type: none"><li data-bbox="574 310 980 373">• Contact with alleged victim.	2 days or 48 hours
<ul style="list-style-type: none"><li data-bbox="574 426 943 594">• Activation of Security protocol whether the aggressor is or isn't a member of the university community.	
2. Complete and provide a draft of the investigation to all <ul style="list-style-type: none"><li data-bbox="574 678 911 741">• parties involved, as requested.	12 days
3. Time to receive feedback from the parties	8 days
4. Complete and issue the final report on the case.	8 days

B. Procedure for handling cases of dating violence

Violence can be manifested within a sentimental relationship; a dating or same-sex relationship. Violence in a dating relationship refers to violence generated in an affective and/or sexual relationship where there is no legal compromise or cohabitation. Whereas same-sex violence manifests in affective and sexual relationships among people of the same sex.

These cases shall be handled according to the ***Procedure for Handling Cases of Domestic Violence*** after the Investigative Committee determines the severity of the case reported. Other procedures may be assertively activated like the prevention strategies established on the recommendation of the committee. However, there are certain myths associated with this type of violence that limit access to services; groups like the LGBT community, students with disabilities, or minors could need their cases assessed from a different perspective of intervention. For that reason, resources specializing in vulnerable populations like psychologists and the Institutional Coordinator of Special Services will be integrated in the Investigative Committee.

A complete investigation in order to establish applicable sanctions shall be performed by the **Campus Investigative Committee**, within 30 calendar days. After the determination, the parties involved shall have 10 calendar days

to appeal and request a hearing. The Institution's **Title IX Coordinator** will be integrated during the appeals process.

Total time of investigation and resolution of the case

Steps for the Investigation	Stipulated time
<ul style="list-style-type: none"> • Response to referral or complaint: <ul style="list-style-type: none"> ○ Contact with alleged victim. ○ Activation of Security protocol whether the aggressor is or isn't a member of the <ul style="list-style-type: none"> ▪ university community. 	2 days or 48 hours
<ul style="list-style-type: none"> • Complete and provide a draft of the investigation to all <ul style="list-style-type: none"> ○ parties involved, as requested. 	12 days
<ul style="list-style-type: none"> • Time to receive feedback from the parties 	8 days
<ul style="list-style-type: none"> • Complete and issue the final <ul style="list-style-type: none"> ○ report on the case. 	8 days

C. Procedure for handling stalking cases

Stalking of a person may manifest in a wide variety of situations and relationships, not necessarily of an intimate nature. The perpetrator may be someone the victim knows, an old co-worker or a complete stranger. The motivations of the stalker may include intense attraction or hatred, desire for contact and control, obsession, jealousy, and anger, among others.

Once the university learns that one of its students or employees is a victim or suspect of stalking, NUC shall take immediate action and activate this procedure in order to take the necessary protective measures.

1. The Investigative Committee will activate immediately, meaning within the first 24 hours of a case being reported, in order to decide in advance which protective measures are to be employed and

begin the due process of investigation. They shall issue recommendations for handling the case during the initial stages, guaranteeing the safety of the victim and the confidentiality of the accused. This may include the activation of the Intervention Protocol for Domestic Violence Victims or reporting to law enforcement authorities among other initial recommendations.

2. The investigative process will be headed by capable campus personnel, meaning: Executive Director, Director of Student Affairs/Services, Dean, Professional Counselors, and the Operations Director. Such personnel shall be trained each semester so that investigations are carried out objectively, observing the law, and maintaining strict confidentiality of all information in order to protect the privacy and reputation of the plaintiff. The process will involve the following steps:
 - a. The parties shall be summoned separately in order to guide them through the procedures.
 - b. They will receive a brief with important information about domestic violence, stalking, sexual assault, and dating violence.
 - c. In cases of Domestic Violence, the victim will have to report to authorities whether there is an active restraining order emitted in response to an incident of domestic violence that occurred outside the university and provide a copy of such.
 - d. If the perpetrator comes near the victim, law enforcement agencies will be notified immediately.
 - e. During the course of the investigation and while viable, the university will take appropriate relocation measures for the parties involved, within classrooms, modes of study, and work areas. Escort services will also be provided within the university like in the parking areas.

- f. The committee shall meet as often as necessary in order to follow up on a case and give recommendations based on the course of the investigation.
- g. Both parties shall be informed simultaneously in writing of the following:
 - 1) If it is determined that a student of NUC has incurred in inappropriate conduct in this regard, the institution will take disciplinary action according to that established in the Student Regulations Manual, the Compendium of Policies and the Intervention Protocol for Victims and Perpetrators of Domestic Violence.
 - 2) The result of any institutional disciplinary procedure resulting from the allegation of domestic violence, stalking, sexual assault, and dating violence (Student Regulations).
 - 3) When the results are final, both the accuser and accused will be notified of the procedures to appeal institutional disciplinary actions in accordance to the Student Regulations Manual or Catalog, the Compendium of Policies and NUC intervention policies established for these cases including access to evidence and the rights to an appeal.
 - 4) Both parties have the right to file concurrent legal proceedings outside the university community.
- 3. A complete investigation in order to establish applicable sanctions shall be performed by the **Campus Investigative Committee**, within 30 calendar days. After the determination, the parties involved shall have 10 calendar days to appeal and request a hearing. The Institution's **Title IX Coordinator** will be integrated during the appeals process.

Total time of investigation and resolution of the case

Steps for the Investigation	Stipulated time
Response to referral or complaint: <ul style="list-style-type: none">• Contact with alleged victim.• Activation of Security protocol whether the aggressor is or isn't a member of the university community.	2 days or 48 hours
Complete and provide a draft of the investigation to all parties involved, as requested.	12 days
Time to receive feedback from the parties	8 days
Complete and issue the final report on the case.	8 days

D. Procedure for handling cases of Sexual Assault

If the alleged sexual assault is reported within the university community, the legal procedures for handling these cases will be enabled:

1. A report to law enforcement authorities will be issued immediately following a report of an event. This report shall include the health authorities that will conduct a physical and forensic evaluation and law enforcement authorities since this is considered an emergency situation. A police investigation does not exonerate the institution from its obligation to carry out an investigative procedure according to VAWA and Title IX.
2. As several employees have different reporting obligations when they learn of sexual violence against a student, it will be the counselor and psychologist, the people within the institution where one could submit a confidential report without triggering a formal investigation by the university. The institution must consult with the alleged victim the best way to protect their security and privacy.
3. In the case of sexual assault, the Investigative Committee will activate immediately, meaning within the first 12 hours of a case

being reported, in order to decide in advance which protective measures are to be employed and begin the due process of investigation. They shall issue recommendations for handling the case during the initial stages, guaranteeing the safety of the victim and the confidentiality of the accused. This may include the activation of the Intervention Protocol for Victims of Violence or reporting to law enforcement authorities among other initial recommendations. The safety committee will be composed of personnel authorized by the alleged victim.

4. Both parties should be informed of their Title IX and VAWA rights and all available resources including those for the victim's defense, living assistance, academic assistance, guidance, and disability, health, physiological, and legal services.
5. Follow-up on the investigation shall be determined by the Investigative Committee, taking into consideration the Student Regulations Manual, the Compendium of Policies and the intervention protocol for cases of sexual assault or any other protocol merited by the course of the investigation.
6. A report to law enforcement authorities will be issued immediately following a report of an event. This report shall include the health authorities that will conduct a physical and forensic evaluation, and law enforcement authorities since this is considered an emergency situation.
7. A complete investigation in order to establish applicable sanctions shall be performed by the **Campus Investigative Committee**, within 30 calendar days. After the determination, the parties involved shall have 10 calendar days to appeal and request a hearing. The Institution's **Title IX Coordinator** will be integrated during the appeals process.

Total time of investigation and resolution of the case

Steps for the Investigation	Stipulated time
10. Response to referral or complaint: <ul style="list-style-type: none"> • Contact with alleged victim. • Activation of Security protocol whether the aggressor is or isn't a member of the university community. 	2 days or 48 hours
11. Complete and provide a draft of the investigation to all parties involved, as requested.	12 days
12. Time to receive feedback from the parties	8 days
4. Complete and issue the final report on the case.	8 days

E. Confidentiality

NUC shall maintain strict confidentiality in all cases of domestic violence situations, stalking, sexual assault, or dating violence, with the exception of the following:

1. Suspected imminent danger or threat of injury against the person affected by the situation, against the person or persons involved in the situation, or against third parties
2. Suspicion of indicators of abuse or neglect to a minor or adult
3. By court order.

The assigned personnel shall be responsible for the initial handling of situations that may arise, taking into consideration the protection of the alleged victim whenever possible. They shall remain alert to risk indicators in order to respond proactively, meaning without the need for a formal complaint.

F. *Divulge the location of the information provided by the state in regards to registered sex offenders within the campus (students and employees)*

Sex Offender Registry

In order to identify sex offenders within NUC or near their residences, the college community can obtain information about them through the link below.

Puerto Rico: <http://prcjisweb.gobierno.pr>

Florida: <https://offender.fdle.state.fl.us/offender/sops/home.jsf>

G. *Protection and security services*

The Security Office has the responsibility of acting preventively, and notifying the relevant agencies quickly and effectively of any situation that poses a threat to the integrity, health, and safety of the university community and its visitors. There is continuous cooperation and communication between the Management and Security offices of NUC University, and the Municipal and State Police within the jurisdictions where all the campuses are located.

The Security Office will offer escort services (parking), preventive surveillance (halls, Library), and assign a parking space to ensure the greatest possible safety.

Continuous training of Security Officers is mandatory.

H. *Informative and preventive campaigns*

Student Affairs will coordinate and develop activities aimed at fulfilling institutional and federal policies. Its aim will be to promote healthy lifestyles within the university community. Some of them may be:

1. Training lectures and workshops directed at the university community.
2. Institutional booklet with relevant information regarding definitions and prevention strategies within the campus. It will also explain briefly how to seek help inside and outside the institution.
 - a) *Quarterly booklet promotion within the new student population.*
3. Mass media guidance campaign directed towards potential victims
4. An annual student survey will gather data on campus safety and the effectiveness of informative and preventive campaigns.
5. Annual conference for men (potential aggressors)
6. Annual disclosure of the Safety Policy to the entire university community

V. Title IX Coordinator and Institutional Support Personnel

NUC University (campuses and centers) has Yamaira Serrano as its Title IX Institutional Coordinator located at the Human Resources Office in Puerto Rico, Tel. 787-780-5134 Ext. 4182. She is also available at querella@nuc.edu.

And for Florida Sharalee Bonilla, sbonilla@ftccollege.edu and Tel. 407-483-5642 and Leiby Adames-Boom as Title IX Coordinator for the campuses in the Florida region. Florida Technical College, Orlando Campus, Tel. 407-447-7300 and email at ladames@ftccollege.edu

Support personnel handling the situations described in this document

shall receive prevention and management training twice a year. The Title IX coordinator in collaboration with campus support personnel and the Office of Student Affairs will be responsible for prevention campaigns and information dissemination.

VI. Glossary

1. Employee - Any person employed within NUC either as a regular employee, probationary, temporary, by trust, or by contract.
2. Workplace - Any space in which a person performs duties as an employee and the surrounding areas.
3. Romantic Relationship - relationship between spouses, former spouses, persons cohabiting or who have cohabited, which hold or have held an intimate consensual relationship, who have had a child together, and those within a dating relationship. It includes relationships between people of the same sex and the opposite sex.
4. Cohabitation - Holding a similar consensual relationship to that of spouses in the aspect of cohabiting, regardless of gender, marital status, sexual orientation, gender identity, or the immigration status of anyone involved in the relationship.
5. Person who incurs in domestic violence - person employing physical force or psychological violence or persecution against their partner.
6. Persecution or Stalking – Keeping a constant watch on a person, or monitoring their presence in the immediately surrounding areas of their home, school, work, or vehicles used by the person, in order to instill fear and affect the emotional status of the otherwise prudent and reasonable person.
7. Petitioned - Any person against whom a protection order is sought.

8. Serious emotional harm – Arises when, as a result of domestic violence, the person subjected to the aggressive behavior recurrently manifests one or more of the following characteristics: paralyzing fear, hopelessness, feelings of frustration, insecurity, helplessness, low self-esteem, and other similar feelings, when they are the result of repeated acts or omissions.
9. Bullying - Any action or word that expressed recurrently has the effect of exerting moral pressure on the mind of a person, whom for fear of physical or emotional harm to his or her person, property, or to the person or property of another, is obliged to carry out an act contrary to his or her will.
10. Sexual Discrimination: gender-based discrimination.
11. Restraining Order: Any written, sealed court order dictating certain measures imposed on an offender of domestic violence in order for them to abstain from such behavior.
12. Victim/survivor - Any person who has been the subjected to acts of domestic violence.
13. Domestic violence - When a person uses physical violence, sexual psychological violence, intimidation or persecution against their partner, or to cause physical damage to their property or to third parties, in order to cause serious emotional distress.
14. Psychological violence - a constant pattern of conduct exercised in dishonor, discredit or contempt for personal value, unreasonable limitation of access to and management of common property,

blackmail, constant vigilance, isolation, limiting access to adequate food or rest, threats of denying the custody of children, destruction of precious objects cherished by the person.

15. Employer - Any natural or legal person who employs one or more employees, laborers, workers, and the chief, clerk, manager, officer, consultant, administrator, superintendent, capable steward, agent or representative of such person or entity.
16. Physical violence - Any act using physical force, or some type of object or weapon, that causes purposeful damage or can cause both internal or external lesions to a person or third parties.
17. Violence or sexual assault - Using violence for sexual advances and treating a partner as a sex object. Demanding sex without the consent and desire of the partner. Forcing a partner to engage in undesired sexual behavior and abusing their sex parts.
18. Domestic Violence is defined as a crime of violence committed by a spouse or current or former partner of the victim, by a person with whom the victim shares a child, by a person who lives or has lived with the victim as a spouse, or any other person against an adult or underage victim who is protected from the acts of that person under the domestic violence laws of the jurisdiction.
19. Stalking is defined as "behavior by which a watch is exercised on a particular person, unwanted verbal or written communications are sent to a particular person, vandalism directed at a specific person is made, repeated harassment through words, gestures or actions aimed to intimidate, threaten or persecute the victim or a family

member". It is also defined as engaging in a type of behavior directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or to suffer substantial emotional distress.

20. Sexual Assault - Sexual assault or aggression, and sexual abuse refers to any unwanted sexual contact. Everyone has the right to decide what they want and not want to do sexually. Not all sexual assaults are violent "attacks". Forcing or pressuring someone to do something they do not want or have not consented to is sexual assault.

21. Dating violence means violence committed by a person

(A) that is or has been in a social relationship of a romantic or intimate nature with the victim and

(B) where the presence of such a relationship is determined based on a consideration of the following factors:

(I) The duration of the relationship.

(ii) The type of relationship.

(iii) The frequency of interaction of the people involved in the relationship.

VII. Safety Policy

Introduction

The current state and federal law imposes on educational institutions the responsibility to promote an environment that facilitates the protection and safety of the members of the educational community. National University College (NUC) recognizes as a legitimate institutional interest facilitating the protection of life, property, and safety of its employees and students, and preventing criminal activities in the physical facilities of its educational

system. Since 1990, the organization has established an Institutional Safety Policy which has been in full force. The policy is as follows:

Legal Base

This public policy statement issued in accordance with Public Law 101-542 known as **the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act "or" Clery Act ", Public Law 113-4 Violence Against Women Reauthorization Act of 2013 (VAWA)** and other federal and state laws that require the establishment of clear institutional rules. All this with the purpose of promoting an environment that facilitates crime prevention and the attention to personal safety of our institution.

Statement of purpose

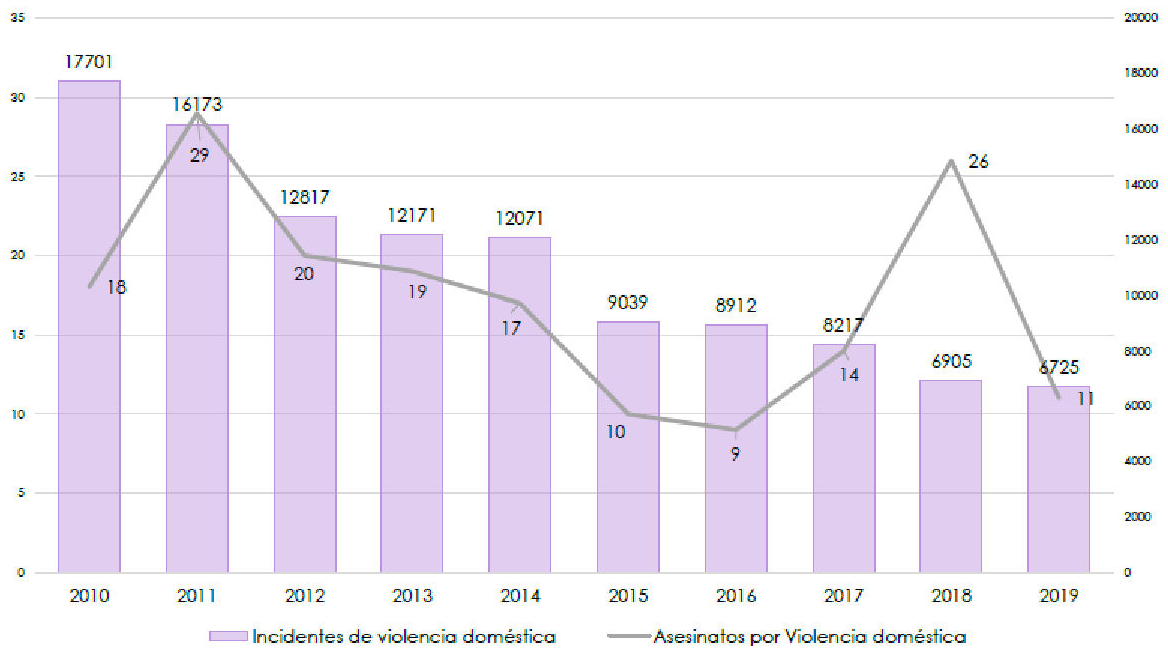
It has always been one of NUC's main objectives to guard the safety and wellbeing of its employees and students. This policy aims to promote and maintain a safe learning and work environment, free of risk, violence, and imminent danger. It is recognized as a legitimate institutional interest to protect the lives and safety of members of the internal and external community who use their services and physical facilities and to prevent the occurrence of crime within their facilities. Also, it recognizes the right of students, prospective students, and the general community to be informed about any criminal act that occurred within the campus and represents a serious and continuing threat. As part of these efforts, the organization has a Protocol for the Prevention and Response to Highly Dangerous Behaviors and Situations. This Protocol aims to identify, report, and manage potentially dangerous situations or people that may culminate in a violent act that jeopardizes their safety and that of those around them. The Vice President of Student Affairs, Deans, and the Directors of Student Services together with the Safety Coordinators, will be responsible for implementing these procedures as specified in the document.

Also, the institution shall gather and divulge data, keeping the community informed of crimes occurred in the different units. The disclosure of this information shall be by means of providing relative statistics on certain types of committed and/or attempted crimes, such as murder, rape, robbery, aggravated assault, arson, manslaughter, burglary, auto theft, certain hate crimes, domestic violence, stalking, sexual assault, and dating violence, among others. Statistical information will also be provided about arrests incurred by the commission of crimes related to the violation of laws of controlled substances, possession or carrying of weapons, use of alcohol and crimes that show evidence of prejudice based on race, gender, religion, sexual orientation, or disability.

Disclosure of obtained crime data

It is the responsibility of the Departments of Human Resources and Student Affairs to disseminate data on crime, both on the premises of the institution and their immediate surrounding areas. Attached are presented the statistics on the incidence of crime for the year 2019.

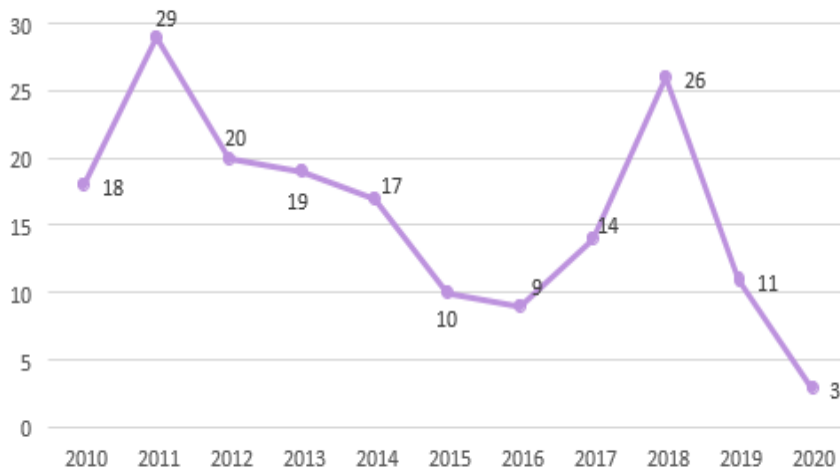
Domestic Violence Reported Deaths and Incidents



Source: Data from the Puerto Rico Police Department, Domestic Violence division.

In Puerto Rico, 6,725 cases of domestic violence were reported in 2019, with Bayamón having the highest count with 1,046. From 2010 to 2019 there have been 173 deaths due to domestic violence. 89% of the victims were female. 2011 was the year with the highest murders (29) related to domestic violence and 16,173 reported cases. 42% of victims of gender violence are between the ages of 20-29 years. The average number of domestic violence cases reported between 2010 and 2019 is 10,263 cases per year.

Domestic Violence Homicides



Source: Data from the Puerto Rico Police Department, Domestic Violence division.
 Preliminary data of confirmed deaths related to domestic violence on April 23, 2020.

Domestic Violence Offenses reported in Florida, 1998 - 2018					
Click on specific year for by county and jurisdiction details.					
Year	Population	Total Domestic Violence Offenses	% Change in Number	Domestic Violence Crime Rate per 100,000	Rate Change
1998	15,000,475	133,345	-2.2	888.9	-4.1
1999	15,322,040	126,044	-5.5	822.6	-7.5
2000	15,982,378	124,629	-1.1	779.8	-5.2
2001	16,331,739	124,016	-0.5	759.4	-2.6
2002	16,674,608	121,834	-1.8	730.7	-3.8
2003	17,071,508	120,697	-0.9	707.0	-3.2
2004	17,516,732	119,772	-0.8	683.8	-3.3
2005	17,918,227	120,386	0.5	671.9	-1.7
2006	18,349,132	115,170	-4.3	627.7	-6.6
2007	18,680,367	115,150	0.0	616.5	-1.8
2008	18,807,219	113,123	0.0	601.5	-2.4
2009	18,750,483	116,547	3.0	621.6	3.3
2010	18,771,768	113,378	-2.7	604.0	-2.8
2011	18,905,048	111,681	-1.5	590.7	-2.2
2012	19,074,434	108,033	-3.3	566.4	-4.1
2013	19,259,543	108,030	0.0	560.9	-1.0
2014	19,507,369	107,096	-0.9	549.0	-2.1
2015	19,815,183	107,666	0.5	543.4	-1.0

2016	20,148,654	105,640	-1.9	524.3	-3.5
2017	20,484,142	106,979	1.3	522.3	-0.4
2018	20,840,986	104,914	-1.9	503.4	-3.6

SOURCE: Florida Statistical Analysis Center: FDLE (1998-2018). Crime in Florida, Florida uniform crime report [Computer program]. Tallahassee, FL.

Domestic Violence Offenses in Florida, 1998-2018 have been on a steady decline since 1998 according to the Florida Department of Law Enforcement. The rate of domestic violence has decreased by 43.4 percent totaling 104, 914 reported cases on a population of 20, 840,986 million in the state. Domestic violence is tracked for the following offenses: Murder, Manslaughter, Rape (includes attempted rape), Forcible Sodomy*, Forcible Fondling, Aggravated Assault, Aggravated Stalking, Simple Assault, Threat/Intimidation, and Simple Stalking (Florida Department of Law Enforcement,

EMERGENCY PROCEDURES

NUC has hired a private security firm in order to fulfill its commitment to ensuring the safety of all. Any NUC student or employee facing a dangerous situation that might affect their lives, that of another, or property, must notify campus security officials or a member of the Alert Committee immediately. Following appropriate procedures, the campus security official shall submit a report to the Dean or Nighttime coordinator, Campus Dean of Student Affairs, and to the Vice President of Academic Affairs, or their designated representatives, as applicable. They will refer the situation for the corresponding investigation and processing.

Officials receiving the referral shall perform the necessary arrangements and the campus security official will take the appropriate action, where applicable (contacting municipal or state police, helping the accused with phone calls, contacting an ambulance, etc.) Security officials shall collect information and deliver relevant statistics in regards to the following crimes: murders, rape,

theft, aggravated assault, arson, involuntary manslaughter, burglary, auto theft, and arrests for possession of alcohol and controlled substances, domestic violence, stalking, sexual assault, or dating violence, according to their definition in the Uniform Crime Reporting System of the Federal Bureau of Investigation.

When the situation merits it, security officials, together with the Campus Dean shall mobilize private or public emergency medical services and specialized personnel available at the moment.

Procedure to notify the community upon the confirmation of a significant emergency that poses imminent danger to health or that is prejudicial to the safety of students or employees at the Campus

The procedure adopted by the institution in order to notify of an emergency that requires evacuation is through the use of a telephone loudspeaker message in every office and the direct notification by campus security officials in every floor and office in addition to an e-mail to all campus students and employees.

An institutional statement declaring what information shall be broadcasted to the campus community.

The message broadcast to the campus community shall include the following information: the name of the campus affected, the dangerous situation, the actions the institution will engage on, safe locations, ways and means that affected victims can communicate with the institution and Help Centers, if applicable.

Description of the procedures the institution will use in such cases:

1. Authorized parties like the Alert Committee will be in charge of verifying the significance of the emergency situation.
2. The Alert Committee, together with the Dean and President of the institution, as applicable, shall notify the campus community of the situation. and the actions determined according to protocol
3. The imminent danger emergency system will be activated once the Alert Committee notifies the emergency to the entire university community. Afterwards, things shall proceed according to protocol.

List of parties or organizational level of the institutional emergency process

1. Security Personnel
2. Human Resources
3. Executive Directors /Chancellors
4. Campus Dean
5. Office of Student Affairs
6. Academic Director

Process of notifying the danger to the general community

- NUC Communications Office is responsible for producing all communications sent to the press and the general university community. Such communications must be authorized by the President of the institution.

The annual exercises and procedures performed to evaluate the emergency and evacuation response.

1. All possible emergencies that may arise are analyzed.
2. Government agencies are convened to these meetings for their

collaboration.

3. An annual drill is performed taking into consideration the possible emergencies that may arise.
4. The process is documented and improvable areas are evaluated.

Applicability

The implementation of this policy shall be headed by the Vice Presidents of Academic and Student Affairs, Security Officials, Alert Committee, and other personnel assigned by the institution, if that were the case, and any other administrative unit that responds. These offices and designated personnel will be responsible for developing specific rules and procedures necessary for the implementation of this Policy. It will be the responsibility of these officials to provide, according to the information provided by each unit of the system, evidence of institutional compliance with the requirements and standards established by the relevant regulations. Any person who, by their acts of commission or omission, violates any federal or state statute will be subject to established disciplinary measures or be civilly or criminally prosecuted according to the applicable federal laws.

Date of Effectiveness

The dispositions in this policy are effective immediately. A copy of this policy shall be provided to all students and employees of **NUC University** and will be uploaded to the institution's *website*.

VIII. References

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