



POLICY MANUAL

VOLUME II

Community Policies

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Volume II Community Policies

2.0 Introduction

The policies provided in Volume II of the *Lynn University Policy Manual* apply to all members of the Lynn University community. General policies that affect all Lynn University employees are set forth in Volume III. Those policies that pertain only to members of the faculty are set forth in Volume IV. Academic policies are published in Volume V and Student Affairs policies can be found in Volume VI of the *Lynn University Policy Manual*.

Volume II of the *Lynn University Policy Manual* has been developed to describe some of the expectations of members of the Lynn University community, as well as outline the University's community policies and programs. It is intended to be used as a guideline and does not create an expressed or implied contract.

While Lynn University has made this edition of Volume II of the *Lynn University Policy Manual* as comprehensive as possible, it is not possible to foresee every situation that may occur. Therefore, circumstances not specifically addressed in the *Lynn University Policy Manual* will be handled on a case-by-case basis by the appropriate vice president.

As Lynn University continues to grow, the need may arise to improve, modify, revise, supplement, or rescind, suspend, terminate, or change policies, procedures, programs, or portions of this volume. Additionally, state and federal laws affecting University operations may require changes to the volume. Therefore, Lynn University reserves the right to make any changes at its sole and absolute discretion as deemed necessary. The campus community may receive updated information concerning these changes from time to time.

2.1 General Institutional Policies

2.1.1 *Ethical Code of Conduct*

The Lynn University Board of Trustees has promulgated this Ethical Conduct Code, which sets forth the general principles to which every member of the University community is expected to adhere. These principles have been derived from federal, state, and local laws and regulations, University policies and procedures, contractual and grant obligations, and generally accepted principles of ethical conduct.

The Ethical Conduct Code applies to all members of the University community, including Trustees, officers, administrators, faculty, staff, students, volunteers, contractors, agents, and others associated with the University.

Adherence to Ethical Standards

Members of the University community are expected to conduct themselves at all times ethically, honestly and with integrity in all dealings in accordance with the highest professional and community ethical standards.

In addition, all members of the University community engaged in research are expected to conduct their research with integrity and intellectual honesty at all times and with appropriate regard for

human subjects. To protect the rights of human subjects, all research involving human subjects is to be reviewed by the University's Institutional Review Board. Members of the University community engaged in research are not to: fabricate data or results; change or knowingly omit data or results to misrepresent results in the research record; or intentionally misappropriate the ideas, writings, research, or findings of others. They are also expected to demonstrate accountability for sponsors' funds and to comply with specific terms and conditions of contracts and grants.

Compliance with Applicable Laws & Regulations

Members of the University community are expected to become familiar with the laws and regulations applicable to his or her position or status with the University, and must not act in any way to intentionally breach such laws and regulations, nor should they ask others to do so. Questions and concerns about the legality or propriety of any action or failure to take action by or on behalf of the University should be referred to the Office of General Counsel.

Compliance with Applicable University Policies and Procedures

Members of the University community are guided by the mission and goals of the University and are bound by the policies, procedures, and practices set forth in the *Lynn University Policy Manual*, catalogs, handbooks, and other policy-related document.

Each member of the University community is expected to seek clarification on a policy or other University directive he or she finds to be unclear, outdated or at odds with University objectives. It is not acceptable to ignore or disobey policies if one is not in agreement with them, or to avoid compliance by deliberately seeking loopholes.

In some cases, University employees are also governed by ethical codes or standards of their professions or disciplines. It is expected that those employees will comply with applicable professional standards in addition to laws and regulations.

Conflicts of Interest or Commitment

Every member of the University community has a duty to avoid conflicts between his or her personal interests and official responsibilities and to comply with University policies for reporting and reviewing actual and potential conflicts of interest and conflicts of commitment. Additionally, a member may not utilize his or her position with the University for his or her personal benefit. Areas of potential conflict include the use of confidential information, college purchases not subject to competitive bids, the acceptance of gifts and, under certain conditions, outside employment. Members of the community are also expected to consider and avoid, not only an actual conflict but also, the appearance of a conflict of interest. In all matters, community members are expected to take appropriate steps, including consultation if issues are unclear, to avoid both conflicts of interest and the appearance of such conflicts.

Respect for the Rights and Dignity of Others

Lynn University is committed to a work, academic, and residential environment in which all individuals are treated with respect and dignity. Each individual has the right to work, study, and live in a professional, academic, and residential atmosphere that promotes equal employment and educational opportunities and prohibits discriminatory practices, including harassment. Lynn University prohibits discrimination and harassment and provides equal opportunities for all community members and applicants regardless of race, color, religion, sex, sexual orientation, sexual identity, gender, gender expression, or gender identity, age, national origin, ancestry,

citizenship, disability, gender related status, pregnancy, genetic disposition, veteran or military status, marital status, familial status or any other legally protected characteristic in accordance with federal and Florida State law. Further, romantic or sexual relationships between faculty responsible for academic supervision, evaluation or instruction, and their students are prohibited.

Confidential Information

Individuals who have access to confidential, proprietary and private information are expected to be familiar and to comply with applicable laws, University policies, directives and agreements pertaining to access, use, protection, and disclosure of such information. Computer security and privacy are also subject to law and University policy.

Use of University Resources

University resources may only be used for activities on behalf of the University. They may not be used for private gain or personal purposes except in limited circumstances permitted by existing policy where incidental personal use does not conflict with and is reasonable in relation to University duties (e.g. telephones). Members of the University community are expected to treat University property with care and to adhere to laws, policies and procedures for the acquisition, use, maintenance, record keeping and disposal of University property.

Compliance with Contractual Terms and Grant Terms and Conditions

Every member of the University is expected to maintain access to and to comply strictly with the terms and conditions of each University grant and contract on which he or she is working. All questions or concerns about whether a particular term or condition violates the law or whether the grantor or contractor has breached its obligations to the University should be referred promptly to the Office of General Counsel.

Maintenance and Preservation of Records

Members of the University are expected to create and maintain records and documentation which fully conform to all applicable laws and professional, and ethical standards. Every member of the University who is involved, directly or indirectly, in the preparation or submission of a bill to any governmental or private payor is expected to use his or her best efforts to ensure the bill addresses only those services rendered and products delivered and in the correct amount, supported by appropriate documentation.

Reporting an Alleged Violation

All trustees, faculty, administrators, staff and students have an obligation to bring suspected violations to the attention of appropriate supervisory personnel in a responsible manner. Generally, the first person to be informed should be either one's immediate supervisor in the case of employees, or the director of the University office concerned. In those instances in which the immediate supervisor is involved in the alleged violation, the report should be made to the person at the next highest supervisory level. The process for reporting suspected violations of specific policies, such as sexual or gender-based misconduct, is usually explained as part of the policy itself. In addition, individuals may utilize the reporting procedures set forth in the University's Whistleblower Policy (see Volume II of the *Lynn University Policy Manual*).

Those who report violations in good faith and in an appropriate manner, whether or not further investigation substantiates the claim, will be free from retaliation in any form. The identity of

complainants will be protected, within legal limits, and those who retaliate against them will be disciplined.

All reported violations will be investigated promptly in accordance with procedures detailed in the relevant policy.

2.1.2 *Appearances before Governmental Agencies*

Subject to specific control by the Board of Trustees, all official dealings on behalf of Lynn University with federal, state, and local government offices, boards, and agencies shall be under the direction of the President or an authorized designee. Unauthorized appearances on behalf of Lynn University before federal, state, and local government offices, boards, and agencies are prohibited and subject to appropriate discipline.

2.1.3 *Constitution Day Educational Program*

The purpose of this policy is to comply with Consolidated Appropriations Act of 2005 (Public Law 108-477), which requires educational institutions receiving Federal funding to hold an educational program pertaining to the United States Constitution on September 17 of each year.

In compliance with the Act, Lynn University holds an educational program pertaining to Constitution Day on September 17th of each year. Announcement of events scheduled to celebrate Constitution Day is communicated to the campus community via the University's website.

2.1.4 *Children on Campus*

Campus grounds and infrastructure are designed to provide an environment conducive to academic and work activities performed by students and employees. For reasons that include safety of minor¹ children and assuring professional efficient performance of academic pursuits, operations, and services, the University will not accommodate minor children in campus workplaces, classrooms, laboratories, and physical plants without proper permission from an authorized member of the University community. This policy does not prohibit children from the campus when the purpose of their visit is to attend classes or to participate in activities or programs specifically approved and scheduled for their benefit (*i.e.*, Lynn University athletic camps, sponsored family activities, etc.).

The University recognizes there may be an occasion when it becomes necessary to accommodate a minor child on campus. When those circumstances arise, the following guidelines shall be followed:

1. Children visiting campus for any reason must be under direct supervision at all times. A student, or employee bringing a child to campus is solely responsible for the child's supervision, safety, and actions and may not ask another student, or employee to accept responsibility for looking after the child.
2. The University cannot and will not accept liability for the child's presence on campus.

¹ The University considers a minor to be a child under the age of 18, with the exception of properly enrolled students.

3. Children shall not be brought to campus as a replacement for childcare services. If an emergency situation arises that requires employees to obtain alternate childcare, Lynn University will make a reasonable effort to provide the employee with a reasonable amount of time away without pay for arranging alternate childcare.
4. Lynn University recognizes and respects the need to accommodate lactating mothers who choose to express breast milk, without discrimination. Lactating mothers may have an infant brought to campus periodically for breastfeeding in an area specifically designated for this purpose by the employee's supervisor or student's instructor. Employees may leave work to breastfeed an infant during a break time or lunch hour. Mothers may also pump breast milk in appropriate areas. The University is not equipped to address sanitation or food safety concerns and shall not take responsibility for the storage or safekeeping of pumped breast milk.

2.1.5 Credit Card Marketing

Lynn University prohibits the advertising, marketing, or merchandising of credit cards to students on University owned, operated, or controlled property, and at any University-sponsored events without approval from the Vice President for Business Affairs. This prohibition applies to all banks and other commercial entities (including their third-party representatives) that engage in the on-campus marketing of credit cards to students through solicitation activities. ^[L]_[SEP]

2.1.6 Demonstrations

Demonstrations by members of the Lynn University community must be registered and the location, time and date of the proposed demonstration must be approved in writing 72 hours in advance by the Vice President for Student Affairs or a designee. The Vice President for Student Affairs shall notify the Department of Campus Safety of the approval.

For purposes of the policy, "Demonstrations" shall include the presence of one or more persons in a University location with the intent to express a particular point of view in a manner that attracts attention, as in protests, rallies, sit-ins, vigils, or similar forms of expression.

All demonstrations (and expression of any form) on Lynn University must be peaceful and orderly and confined to campus. Demonstrations may be organized and led only by members of the Lynn University community. Demonstrations or other forms of expression may not compromise the rights of other members of the Lynn University community, nor interfere materially with the general operation of the University. Free speech is a cherished foundation of academia. Forms of expression, however, may not demean or degrade individuals on the basis of race, color, religion, sex, sexual orientation, age, national origin, ancestry, citizenship, disability, pregnancy, genetic disposition, veteran or military status, marital status, familial status or any other legally protected characteristic in accordance with federal and applicable state law. Violators of this policy are subject to appropriate discipline.

2.1.7 Disability (ADAAA) Policies

Lynn University is committed to complying with all applicable provisions of the Americans with Disabilities Act Amendments Act ("ADAAA"), the Rehabilitation Act of 1973 and state and local disability laws, as applicable.

2.1.7.1 Disability Defined

An individual with a disability is defined as any person who (1) has a physical or mental impairment which substantially limits one or more major life activities; (2) has a record of such impairment; or (3) is regarded as having such an impairment.

2.1.7.2 Employees and Applicants with Disabilities

Notice of Non-Discrimination

Lynn University is committed to complying with all applicable provisions of the Americans with Disabilities Act Amendments Act (“ADAAA”), the Rehabilitation Act of 1973 and state and local disability laws, as applicable. It is the University’s policy not to discriminate against any qualified employee or applicant with regard to any terms or conditions of employment because of that individual’s disability or perceived disability so long as the employee can perform the essential functions of the job. Consistent with this policy of nondiscrimination, the University will provide reasonable accommodations to a qualified individual with a disability who has made the University aware of his/her disability, provided that the accommodation does not constitute an undue hardship or an action requiring significant difficulty or expense on the University.

Employees and applicants with a disability who believe they need a reasonable accommodation to perform the essential functions of their job should contact the Director of Employee Services. Lynn University encourages individuals with disabilities to come forward and request a reasonable accommodation. If no disclosure is made, and the disability is not readily apparent, Lynn University will not be able to make a reasonable accommodation.

Requesting an Accommodation

Lynn University will make a good faith effort to provide a reasonable accommodation to qualified applicants and employees with disabilities to ensure their equal access to employment with the University unless it would result in an undue hardship to Lynn University. On receipt of an accommodation request, a member of Employee Services and the employee’s supervisor will meet with the employee to discuss and identify the precise limitations resulting from the disability and potential reasonable accommodation(s) that Lynn University might make to help overcome those limitations.

Employee Services will contact the employee within 10 business days to discuss the request and will inform the employee of its decision on the accommodation request or on how to make the accommodation within 30 days of receipt of the request.

If the accommodation request is denied, individuals will be advised of their right to appeal the decision to the Office Business and Finance. Such appeals must be submitted in writing to the Office of the VP of Business and Finance within 10 days of being informed by Employee Services that the accommodation request has been denied. The written statement must explain the reasons for the request and any documentation that shows a need. The VP of Business and Finance will review the submitted material and make a final determination within 10 days of receipt of the written appeal statement. If the request on appeal is denied, that decision is final.

An employee or job applicant who believes that he or she has been discriminated against based on a disability should notify Employee Services. All such inquiries or complaints will be treated as confidential to the extent permissible by law and be addressed pursuant to the University’s Non-

Discrimination and Anti-Harassment Policy (see Volume II, Subsection 2.1.7.2 of the *Lynn University Policy Manual*).

All records regarding accommodation requests, including any appeals, will be maintained by Employee Services for a minimum of three years after termination of employment or receipt of a permanent medical disability.

ADA Grievance Policy:

This procedure is in accordance with the requirements under the Americans with Disabilities Act of 1990 (“ADA”) and may be used by anyone who wishes to file a formal complaint alleging discrimination on the basis of a documented disability on file with Lynn University in its provision of services, activities, programs, or benefits by the University and services offered through the Office of Compliance.

A student complaint is proper for a student feeling discriminated against because of their disability or who feels that their approved accommodations have not been met. Ideally, the student will have attempted to resolve the issue with the faculty or staff member informally prior to filing a formal grievance. If students intend to appeal a grade or test score in addition to filing an ADA grievance, the academic appeal timeframe and policy must be adhered to.

The student complaint should be in writing and contain information about the alleged discrimination. The following is information to be included: name, address, phone number of complainant, time and date of incident(s), and sufficient detail about incident of discrimination. The written complaint should be submitted by the grievant and/or his/her designee as soon as possible after the incident, but no later than 60 calendar days after the alleged violation.

All formal grievances must be submitted to the ADA Coordinator, who is located in the Green Center in the Office of General Counsel. Grievances may be dropped off at the office in person or emailed.

Within 10 days of receipt of the formal grievance, ADA Coordinator or his designee will meet with the complainant to discuss the complaint and the possible resolutions available. Within 10 days of the initial meeting, the ADA Coordinator or his designee will respond in writing, and where appropriate, in a format accessible to the complainant. The response will include the position of Lynn University and offer options for substantive resolution of the grievance if such resolutions are possible and deemed necessary.

If the response of the ADA Coordinator and Lynn University does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal within 15 calendar days after receipt of the response to the Director of the Institute for Achievement and Learning. Within 10 days of receipt of the appeal, the Director of the IAL will meet with the complainant to discuss the grievance and possible resolutions. 10 days after this meeting, the Director of the IAL will respond in writing with a final resolution of the complaint.

All written complaints received by the ADA Coordinator or his designee, appeals to the Director of the IAL, and responses will be retained by Lynn University for at least five years.

Lactation Accommodation and Rooms

The University will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for her infant child. The break time will be unpaid. Moreover, the University makes reasonable efforts to provide employees with private spaces on campus for breast-feeding.

2.1.7.3 Students and Admissions Applicants with Disabilities

In accordance with our mission, federal, and applicable state laws, the University is committed to making reasonable accommodations for qualified applicants for admission and enrolled students with disabilities. It is the policy of the University not to discriminate on the basis of disability in any of its educational services, programs, or activities.

2.1.7.3.1 Academic Accommodations

Students or applicants for admission who wish to receive ADA Accommodations through Lynn University must apply with the ADA Coordinator in the Office of Compliance.

Matthew Roche

ADA Coordinator/University Compliance Manager

(561)237-7728

mroche@lynn.edu

Current students can find the application packet on the ADA Services Page under Life at Lynn https://my.lynn.edu/ICS/LifeatLynn/Free-form_Content.jnz.

Students will complete an accommodation request form that states personal information including: disability diagnosis, treating physician, and accommodations sought. Additionally, students are required to submit medical documentation from the treating physician that shows a need for academic accommodations. Medical documentation may be in the form of diagnostic testing or a physician's letter on official letterhead. Any testing or letter must be within the last three years to be considered. Supplemental documentation can include a student's high school IEP or 504 plan, but neither are sufficient to receive accommodations under the ADA by themselves.

After submitting both the application for services and accompanying medical documentation, the ADA Coordinator will review the student file. Within five business days, the ADA Coordinator will reach out to the student to set up a meeting and discuss possible accommodations. At the meeting with the ADA Coordinator, the student and ADA Coordinator will sign an accommodation form that grants the student any ADA accommodations. The student will also sign a rights and responsibilities form that lays out the student's role in receiving any accommodation that they have been granted.

If a student is denied accommodations under the ADA, and is not satisfied with the determination of the ADA Coordinator, the student may appeal within five business days to the Director of the Institute for Achievement and Learning (IAL). After receipt of the appeal, the Director of the IAL, within 10 business days will review the student's file, meet with the student to discuss the appeal, and grant a final decision on whether the student will be granted or denied accommodations under the IAL.

2.1.7.3.2 *Concussion and Serious Physical Injuries*

Concussion Policy

Lynn University recognizes the importance of the physical health and well-being of its students, and therefore has created protocol to ensure that students are physically able to perform in the classroom after a concussion.

A **concussion** is defined by the Mayo Clinic as a traumatic brain injury that alters the way the brain functions. Effects are usually temporary but can include headaches and problems with concentration, memory, balance and coordination.

While physical rest is a traditional means of healing for those who suffer a concussion, cognitive rest is another means to assist the student in recovery. Due to this, Lynn University through the Office of Compliance will provide temporary academic accommodations to give the student the best chance of returning to full health. In order to access this service, a student must undergo a medical consultation and be diagnosed by a physician who is trained in dealing with concussions or other brain injuries. If a student has undergone diagnosis and treatment for a concussion, they are eligible to attempt access academic accommodations through the Office of Compliance.

An accommodation will only be granted if a student has met with a physician and has documentation to demonstrate the need for an accommodation based upon the physician's recommendation. If the concussion occurs during a Lynn University event, students must be treated by the University's Medical Director who will work closely with the athletic trainers on campus. Based upon the submitted diagnosis and documentation, and a meeting with the student, the ADA Coordinator will determine whether or not academic accommodations are appropriate for the student.

Student non-athletes must provide documentation of a concussion or serious physical injury to the Campus Health Center, who will then conduct an onsite evaluation. The Health Center will notify the ADA Coordinator of their determination and make recommendations for potential accommodations and length of time. The ADA Coordinator then provides notification of temporary accommodations to professors. If symptoms persist beyond the time period provided by the Health Center recommendations, the student must be re-evaluated by the Health Center to set up new temporary accommodations through the same process as the initial accommodations.

These accommodations will be treated the same as ADA academic accommodations, and cannot be denied by faculty members. Academic accommodations that are granted under this policy are temporary in nature and will end when the treating physician clears the student to return to normal activity. Students are required to meet with the ADA Coordinator to determine the accommodations available to them, and also meet weekly with the ADA Coordinator while receiving temporary academic accommodations, which may include:

- Required absence from class
- Extension for assignments when under cognitive rest
- Extended time on exams
- Note-taking services

Since accommodations must not substantially alter a course or program, the ADA Coordinator will work closely with Professors throughout the process to safeguard against undue burden being placed on a student during their recovery from a concussion.

These services will conclude upon receipt of notification of medical clearance by the treating physician. A student is responsible for providing the clearance documentation to the ADA Coordinator, who will then notify professors of the clearance. If a student voluntarily resumes physical activity, without notifying the ADA Coordinator, the student's academic accommodations will cease.

Serious Physical Injury Policy

Lynn University recognizes the importance of the physical health and well-being of its students, and therefore has created protocol to ensure that students are physically able to perform in the classroom after a concussion.

A **serious physical injury** is defined by federal statute as: an injury that: (a) is life threatening; (b) results in permanent impairment of a body function or permanent damage to a body structure; or (c) necessitates medical or surgical intervention to preclude permanent impairment of a body function or permanent damage to a body structure.

If a serious physical injury results in a student being unable to attend courses based upon physician recommendation, students have the ability to work with the Office of Compliance and the ADA Coordinator to receive temporary academic accommodations. In order to access this service, a student must undergo treatment by a physician and provide medical documentation to show that an academic accommodation would be appropriate.

Based upon the submitted diagnosis and documentation, and a meeting with the student, the ADA Coordinator will determine whether or not academic accommodations are appropriate for the student. These accommodations will be treated the same as ADA academic accommodations, and cannot be denied by faculty members. Academic accommodations that are granted under this policy are temporary in nature and will end when the treating physician clears the student to return to normal activity, or when the student is physically able to return to normal classroom functions.

Students are required to meet with the ADA Coordinator to determine the accommodations available to them, and also meet weekly with the ADA Coordinator while receiving temporary academic accommodations, which may include:

- Required absence from class
- Extension for assignments due to absence
- Note-taking services

Since accommodations must not substantially alter a course or program, the ADA Coordinator will work closely with Professors throughout the process to safeguard against undue burden being placed on a student during their recovery from a concussion.

2.1.7.3.3 Student Housing Accommodations

To apply for any ADA housing accommodation, a student must file a request with the ADA Coordinator in the Office of Compliance. The application can be obtained off of the ADA Services

website under Life at Lynn at https://my.lynn.edu/ICS/LifeatLynn/Free-form_Content.jnz. The student must complete the entire application and submit medical documentation that shows a need for a housing accommodation. This documentation should be on official letterhead of the treating physician and at a minimum include: the physician's signature and license number, a formal diagnosis, recommendations for housing accommodations, and reasoning for the recommendation.

Housing accommodations are reviewed on a first-come, first-served basis and all determinations are made based on need after a careful review of all submitted aspects of the application. A housing committee consisting of the Director of Housing and Residence Life and the ADA Coordinator will meet to discuss each application individually and on a case-by-case basis, and will make a decision as to whether an accommodation is available based upon submitted material. Lynn University has limited ADA medical singles on campus, and staff members do their best to meet accommodation requests; however, housing space is limited.

To be fully considered for an ADA housing accommodation, the ADA Coordinator should receive applications by the following dates:

- Returning students: March 1
- New students: June 1

If students miss these deadlines, their requests will still be processed; however due to limited availability, the likelihood of an accommodation decreases. Initial ADA housing accommodation decisions will be sent out through the ADA Coordinator, no later than March 15th for returning students and June 15th for new students. Once the initial decision is sent, students have 5 days to appeal the decision of the housing committee, and can do so by following the ADA Housing Appeal Policy.

Any housing accommodation provided under this policy is granted for one year in length, and is not guaranteed for any other school year. Students must re-apply for an ADA housing accommodation each year.

ADA Housing Appeal

To file an appeal of an ADA housing accommodation, a student must submit a signed letter within 5 days of receipt of the initial decision, to the ADA Coordinator, stating that they wish to appeal the housing decision that was made by the Housing Committee. In the letter, the student must state the reason for which they are appealing the initial housing accommodation decision. The student must also submit any additional documentation that they wish to be considered during the appeal process.

All ADA housing accommodation appeals will be heard by the Dean of Students, or his designee. Upon receiving the formal appeal, the Dean of Students, or his designee, will review the initial housing accommodation request and documentation, as well as all additional material submitted with the formal appeal letter. The Dean of Students, or his designee, will make a formal finding within 10 days of receiving the file. The decision of the Dean of Students, or his designee, will be to either affirm the original housing decision made by the Housing Committee or to overturn the initial decision and grant a housing accommodation.

2.1.7.4 Campus Visitors with Disabilities

Lynn University provides reasonable accommodations to campus visitors with disabilities. For information regarding campus accessibility and accommodations for University sponsored events, please contact the event sponsor, who will work with Lynn University staff to ensure accessibility, at least ten days prior to the event/visit.

2.1.7.5 Service and Support Animals

The purpose of the following policies is to establish requirements for accessibility, behavior, and treatment of service and support animals on campus and to support Lynn University's compliance with the Americans with Disabilities Act of 1990 as amended, Section 504 of the Rehabilitation Act of 1973, and the Fair Housing Act and Amendments.

Definitions

Service Animal—any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability.

Emotional Support Animal—an animal that a university student with a disability requires due to their disability for use in their university residence in order to have an equal opportunity to use and enjoy their residence/dwelling or to participate in the residence life program. The animal provides emotional support, which alleviates one or more identified symptoms or effects of the student's diagnosed disability. The animal is not specifically trained to perform tasks for a person who suffers from emotional disabilities. There must, however, be an identifiable and medically indicated relationship between the individual's disability and the assistance the animal provides. Unlike a Service Animal, a Support Animal is not granted access to places of public accommodation and they are not permitted in other areas of the University (e.g. libraries, academic buildings, classrooms, dining areas, labs, work areas, student centers, etc.).

Owner—a member of the university community with a disability who uses a service or support animal as an accommodation on the University's campus.

Service Animals Policy

Service Animals, as defined by the Americans with Disabilities Act (see Definitions), are generally permitted in campus buildings, residence halls and on the University campus. The University, however, may prohibit the use of Service Animals in certain locations due to health or safety hazards, where Service Animals may be endangered, or where their use may compromise the integrity of research or fundamentally alter the nature of a program or activity. Restricted locations include, but are not limited to: research laboratories, classrooms with demonstration/research animals present, medical areas, mechanical rooms or custodial closets, workshops with operating machinery, and food preparation areas. The appropriate Cabinet member with oversight responsibilities for the area in question will determine the safety of locations. If a location is determined to be unsafe for the use of a Service Animal, alternative reasonable accommodations will be explored and provided as appropriate to ensure the individual equal access to the activity.

Emotional Support Animals in University Housing Policy

Under the Fair Housing Act and Amendments, a student with a disability may request to keep an Emotional Support Animal, sometimes called assistance animals, as a reasonable accommodation in university housing facilities. In order to qualify for such an accommodation, the Emotional Support Animal must be necessary to afford the individual an equal opportunity to use and enjoy a residence hall or to participate in the university's residential life program. Further, there must be a relationship, or connection, between the individual's disability and the assistance the animal provides. An Emotional Support Animal is allowed only in a student's residence hall room and in outdoor areas.

Emotional Support Animal Application and Approval Procedures:

Students requesting to have an Emotional Support Animal residing in university housing must apply with the ADA Coordinator in the Office of Compliance by providing a formal request explaining the need for an Emotional Support Animal, the support that the animal provides to alleviate the disability, and medical documentation of a disability.

Specifically, the student must submit documentation on the letterhead of a treating physician or qualified mental health provider documenting that: (1) the individual has a disability; (2) the animal is necessary for the individual to have an equal opportunity to use and enjoy their University residence; and that (3) there is an identifiable relationship between the disability and the assistance that the animal provides. Determination of reasonable accommodation will be determined on a case-by-case basis and include, but is not limited to, consideration of the following: is there an identified need; does the animal pose a direct threat to the health and safety of others; would the animal pose an undue financial and administrative burden on university; or would the animal fundamentally alter the nature of any of University's programs or operations. Animals that may pose a health risk or danger to others or fundamentally alter the nature of any of university's programs or operations will not be permitted.

The ADA Coordinator will initially review all requests and determine whether the necessary information or documentation is present. Alternative accommodations may be discussed during this process and offered where appropriate.

Upon approval, the student will be notified and an Emotional Support Animal Agreement will be signed by both the owner and the ADA Coordinator that will outline the rights and responsibilities of having an Emotional Support Animal on campus. If a request is denied, an appeal can be filed within 5 business days to the Chief Compliance Officer.

Residence Hall Responsibilities:

- Emotional Support Animals must be kept in student residence halls rooms and are not allowed in public areas of the residence hall except to enter or exit the building and are not allowed in other campus buildings. All roommates or suitemates of the owner must sign an agreement allowing the approved animal to be in residence with them. In the event that one or more roommates or suitemates does not approve, either the owner and animal or the non-approving roommates or suitemates, as determined by the Office of Housing and Residence Life, may be moved to a different location.

- Approved animals may not be left overnight in university housing to be cared for by another student. Animals must be taken with the student if they leave campus for more than one day.
- The owner must notify the ADA Coordinator in the Office of Compliance in writing if the approved animal is no longer needed as an approved animal or is no longer in residence. To replace an approved animal the owner must file a new request in writing to the ADA Coordinator.
- If fleas, ticks or other pests are detected, the residence will be treated using approved fumigation methods by a University approved pest control service. The owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls.
- The University reserves the right to inspect the owner's residence to ensure it is being properly cleaned and that sanitary and safe conditions are being maintained.
- Owners are responsible for any expenses incurred for cleaning above and beyond a standard cleaning or for repairs to University premises that are assessed after the student and animal vacate the residence. The University shall have the right to bill the student account of the owner for unmet obligations.
- Owners are financially responsible for the actions of the approved animal including bodily injury or property damage. The owner's responsibility covers but is not limited to replacement of furniture, carpet, window, wall covering, and the like. The owner is expected to cover these costs at the time of repair and/or move-out.
- The Office of Housing and Residence Life has the ability to relocate owner and approved animal as necessary according to current contractual agreements.
- Owners are allowed to have Emotional Support Animals in outdoor areas on campus, but must have the animal under their control at all times.
- The owner agrees to continue to abide by all other residential policies. Reasonable accommodation which may constitute an exception to a policy that otherwise would prohibit having an animal does not constitute an exception to any other policy.
- Any violation of the above responsibilities may result in immediate removal of the animal from the University and may be reviewed through the University disciplinary process. The owner will be afforded all rights of due process and appeal as outlined in that process.
- Should the approved animal be removed from the premises for any reason, the owner is expected to fulfill his/her housing obligations for the remainder of the housing contract, unless a waiver is granted. Alternative accommodations and support will be discussed with the student as appropriate.

Service and Emotional Support Animal Owner's Responsibilities

- Service and Emotional Support Animals must be licensed in accordance with county and state laws.

- Service and Emotional Support Animals must be house broken prior to coming onto campus and/or staying in residence halls.
- All shots and vaccinations must be kept current. Emotional Support animal records should be submitted to the ADA Coordinator during the application process. Service Animal vaccinations should be available upon request, in the case of an incident involving the Service Animal. Rabies vaccination tags must be displayed at all times.
- Service and Emotional Support Animals must be under the owners control at all times. The animal must be under the owner's direct, physical control with a harness, leash, or other tether, unless either the owner is unable because of a disability to use these, or the use of one of these would interfere with the service animal's safe, effective performance of work or tasks. If so, the service animal must be otherwise under the owner's control (e.g., voice control, signals, or other effective means).
- When on campus grounds and in other campus buildings, Service Animals must be on a leash, harness, or other type of control device unless the owner is prevented from this due to the nature of the disability. Emotional Support Animals must be kept in the student's residence hall room and are not allowed in public areas of the residence hall except to enter or exit the building and are not allowed in other campus buildings. When entering or exiting the building, the Emotional Support Animal must be on a leash, harness, or other type of control device.
- The Service or Emotional Support Animal is expected to display reasonable behavior and not be disruptive. If disruptive behavior occurs, owners are expected to utilize appropriate techniques to deal with the behavior. Disruptive behavior can be grounds for removal of the service animal from campus.
- Service and Emotional Support Animals are expected to be in good health. Owners must take steps to address any health issues that occur in a reasonable time frame.
- Owners are expected to maintain at their expense the animal's hygiene and keep the animal clean and well groomed. Flea/tick treatments are essential and preventative methods must be given on a routine basis. If the University's facilities are used to bathe the animal, the owner or a designee will clean the area when done. The University is not responsible for this task.
- A Service Animal must wear some type of commonly recognized service animal identification symbol when in public.
- The care of the animal is solely the responsibility of its owner. The animal must be housebroken. The owner must always carry equipment sufficient to clean up the dog's waste and immediately remove and dispose of the waste. Members of the University community who are not physically able to pick up and dispose of animal waste are responsible for making all necessary arrangements for assistance. The University is not responsible for this task.
- Owners are always to dispose of animal waste in designated trash areas; disposal of animal waste in residence hall trashcans is not acceptable.

Complaints and Exclusion of a Service or Emotional Support Animal

The university may remove a Service or Support Animal from campus for the following reasons:

- The animal is not under the direct physical control of the owner;
- The animal's behavior is disruptive to its surroundings or other members of the university community;
- The animal poses a direct threat to the health and safety of others;
- The animal's presence fundamentally alters the nature of a program or activity;
- The owner fails to comply with any of her/his responsibilities under this policy and corresponding procedures.
- The owner violates any aspect of their Emotional Support Animal Agreement that is signed each academic year.

Any member of the University may submit a complaint about a Service or Emotional Support Animal, identifying one or more concerns in the areas listed above. Persons with concerns may contact a member of Campus Safety, the Office of Compliance, Employee Services, or the Vice President for Student Affairs.

The ADA Coordinator will commence an investigation and make a determination based on a complaint of any alleged violations of this Policy or corresponding procedures. The determination will be provided to the owner and the individual submitting the complaint. If the investigation determines that a student has violated any provision of this policy and corresponding procedures, the matter will be referred to Student Affairs for proceedings consistent with the provisions of the Student Code of Conduct. If the investigation determines that an employee or visitor to the campus has violated any provision of this policy, the matter will be referred to Employee Services for further investigation. In addition to the warnings and sanctions outlined in the Student Code of Conduct, a finding substantiating the violation of this policy may also lead to the removal of the animal from Lynn University premises.

2.1.7.6 Disability Related Discrimination or Harassment

Allegations of discrimination or harassment on the basis of a disability will be investigated and resolved pursuant to the University's Non-Discrimination and Anti-Harassment Policy (see Volume II, Section 2.1.8.2 of the *Lynn University Policy Manual*).

2.1.8 Discrimination and Harassment

2.1.8.1 Notice of Non-Discrimination

Lynn University is committed to a work, academic, and residential environment in which all individuals are treated with respect and dignity. Each individual has the right to work, study, and live in a professional, academic, and residential atmosphere that promotes equal employment and educational opportunities and prohibits discriminatory practices, including harassment. Therefore, Lynn University expects that all relationships among persons in the workplace, academic, and residential environment will be free of bias, prejudice, discrimination and harassment.

Lynn University's prohibition against discriminatory conduct applies to all employees, students, and independent contractors, vendors, and others doing business with Lynn University. Furthermore, it prohibits unlawful discrimination in any form, including verbal, physical, and

visual harassment. It also prohibits retaliation of any kind against individuals who file complaints or who assist in a Lynn University investigation.

Lynn University takes positive action to insure that students and employees are treated in compliance with applicable laws and regulations governing non-discrimination on the basis of race, color, religion, sex, sexual orientation, sexual identity, gender, gender expression, or gender identity, age, national origin, ancestry, citizenship, disability, pregnancy, genetic disposition, veteran or military status, marital status, familial status or any other legally protected characteristic in accordance with federal and applicable state law. It is therefore a violation of Lynn University policy to discriminate in the provision of educational or employment opportunities, benefits, programs, activities, or privileges; to create discriminatory work or academic conditions; or to use discriminatory evaluative standards in employment or educational settings if the basis of that discriminatory treatment is, in whole or part, the person's race, color, religion, sex, sexual orientation, sexual identity, gender, gender expression, or gender identity, age, national origin, ancestry, citizenship, disability, gender related status, pregnancy, genetic disposition, veteran or military status, marital status, familial status or any other protected characteristic as established by law.

The following persons have been designated to handle inquiries regarding the University's non-discrimination policies:

- Inquiries concerning nondiscrimination and harassment in any form may be referred to the Office of Compliance. Representatives from the Office of Compliance are trained to receive reports of discrimination and harassment and will coordinate with designated campus offices and departments to resolve complaints raised under University's nondiscrimination policies. The Office of Compliance is located in the Office of General Counsel (in the Green Center) 3601 North Military Trail, Boca Raton, Florida, 33431.
- Inquiries concerning nondiscrimination and harassment on the basis of sex, sexual orientation, sexual identity, gender, gender expression, or gender identity (Sexual and Gender-Based Misconduct) may be referred to **Lynn University's Compliance Officer/Title IX Coordinator** (or to the U.S. Department of Education's Office for Civil Rights). Lynn University's Compliance Officer/Title IX Coordinator is Lorna Fink, whose office is located in the Office of General Counsel (in the Green Center) 3601 North Military Trail, Boca Raton, Florida, 33431. Ms. Fink may be contacted by phone at 561-237-7727 or by email at lfink@lynn.edu.
- Inquiries concerning nondiscrimination on the basis of a student's disability may be referred to Lynn University's **ADA Coordinator, Matthew Roche**, in the Office of Compliance. The Office of Compliance is located in the Office of General Counsel (in the Green Center) 3601 North Military Trail, Boca Raton, Florida, 33431. The ADA Coordinator may be contacted by phone at 561-237-7727.
- All other inquiries concerning nondiscrimination may be referred to Lynn University's **Director of Employee Services, Aaron Greenberg**, located in the Office of Employee Services (in the Green Center) 3601 North Military Trail, Boca Raton, Florida, 33431.

2.1.8.2 Non-Discrimination and Anti-Harassment Policy

2.1.8.2.1 Introduction

Lynn University is a community dependent upon trust and respect among its members. The University is committed to maintaining a healthy and safe learning, living and working environment that promotes responsibility and respect in all matters in any University program or activity. As part of this commitment, the University prohibits discrimination and harassment on the basis of race, color, religion, sex, sexual orientation, sexual identity, gender, gender expression, or gender identity, age, national origin, ancestry, citizenship, disability, pregnancy, genetic disposition, veteran or military status, marital status, familial status or any other legally protected characteristic in accordance with federal and applicable state law. This conduct and any Retaliation or Intimidation associated with it is prohibited by the University and may also violate federal and state law.

Lynn University expects that its students and employees, as well independent contractors, consultants, volunteers or vendors doing business or providing services to the University will conduct themselves appropriately and refrain from behavior that violates these and other University policies. Accordingly, individuals who discriminate against or harass others in violation of this Policy, regardless of whether such conduct rises to the level of unlawful discrimination or harassment, may be subject to disciplinary action, up to and including immediate termination of employment, association with Lynn University, or dismissal from Lynn University.

2.1.8.2.2 Scope of Policy

This policy applies to all employees, students, and independent contractors, consultants, volunteers or vendors doing business or providing services to the University.

2.1.8.2.3 Coordination with the Sexual and Gender-Based Misconduct Policy

In support of its commitment to provide an educational and working environment free from discrimination and harassment, Lynn University has adopted the following policies:

- **Sexual and Gender-Based Misconduct Policy:** Lynn University is committed to eliminating Sexual and Gender-Based Misconduct, preventing its recurrence, and addressing and remedying its effects. In compliance with Title IX of the Educational Amendments of 1972, the Violence Against Women Act as reauthorized by the Campus SaVE Act and other applicable federal and state laws, Lynn has adopted a **Sexual and Gender-Based Misconduct Policy** ([click here](#)) that specifically address incidents of Sex and Gender-Based Discrimination, Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, Sexual Exploitation, and Stalking.

The Sexual and Gender-Based Misconduct Policy identifies resources and support for all Lynn University community members impacted by sexual and gender-based misconduct; provides information about where a University community member impacted by Sexual or Gender-Based Misconduct can obtain support or access resources in a confidential manner; provides information about how a community member can make a report or complaint concerning Sexual or Gender-based Misconduct occurring on-campus or off-

campus; and provides information about how a report or complaint of Sexual and Gender-based Misconduct will be investigated, evaluated and resolved. All members of the Lynn University community are expected to carefully review the Sexual and Gender-Based Misconduct Policy and are responsible for complying with its terms. Violations of the Lynn University Sexual and Gender-Based Misconduct Policy may result in the imposition of sanctions up to and including termination, dismissal, or expulsion.

- **Non-Discrimination and Anti-Harassment Policy:** In addition, Lynn University has adopted this Non-Discrimination and Anti-Harassment Policy to ensure a prompt and equitable resolution of all discrimination and harassment complaints not involving sex or gender-based discrimination or harassment.

There will be instances where conduct in violation of this Non-Discrimination and Anti-Harassment Policy also constitutes a reported violation of Lynn University's Sexual and Gender-Based Misconduct Policy. In all instances in which the reported conduct may constitute a violation of both the Non-Discrimination and Anti-Harassment Policy and the Sexual and Gender-Based Misconduct Policy, the Sexual and Gender-Based Misconduct Policy will be used to resolve the matter. Whenever there is a conflict between this Non-Discrimination and Anti-Harassment Policy and the Sexual and Gender-Based Misconduct Policy, the Sexual and Gender-Based Misconduct Policy will govern.

2.1.8.2.4 Applicable Laws

The University complies with all applicable state and federal laws prohibiting unlawful discrimination and harassment, including, but not limited to:

- Titles VI and VII of the Civil Rights Act of 1964;
- Title IX of the Educational Amendments of 1972;
- Section 504 of the Rehabilitation Act of 1973;
- The Americans with Disabilities Act of 1990;
- The Florida Civil Rights Act;
- The Florida Minimum Wage Act;
- The Pregnancy Discrimination Act;
- The Equal Pay Act of 1963 (EPA);
- The Age Discrimination in Employment Act of 1967 (ADEA);
- The Age Discrimination Act of 1975;
- Titles I and V of the Americans with Disabilities Act of 1990 (ADAAA);
- Sections 102 and 103 of the Civil Rights Act of 1991;
- Sections 501 and 505 of the Rehabilitation Act of 1973;
- The Genetic Information Nondiscrimination Act of 2008 (GINA);
- The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended;
- The Violence Against Women Act (VAWA) and
- Any other applicable federal, state, or local law addressing nondiscrimination and/or equal employment opportunity.

The following persons have been designated to address inquiries regarding the University's compliance with these laws:

- Inquiries concerning nondiscrimination and harassment in any form may be referred to the Office of Compliance. Representatives from the Office of Compliance are trained to receive reports of discrimination and harassment and will coordinate with designated campus offices and departments to resolve complaints raised under University's nondiscrimination policies. The Office of Compliance is located in the Office of General Counsel (in the Green Center) 3601 North Military Trail, Boca Raton, Florida, 33431.
- Inquiries concerning nondiscrimination and harassment on the basis of sex, sexual orientation, sexual identity, gender, gender expression, or gender identity (Sexual and Gender-Based Misconduct) may be referred to **Lynn University's Compliance Officer/Title IX Coordinator** (or to the U.S. Department of Education's Office for Civil Rights). Lynn University's Compliance Officer/Title IX Coordinator is Lorna Fink, whose office is located in the Office of General Counsel (in the Green Center) 3601 North Military Trail, Boca Raton, Florida, 33431. Ms. Fink may be contacted by phone at 561-237-7727 or by email at lfink@lynn.edu.
- Inquiries concerning nondiscrimination on the basis of a student's disability may be referred to Lynn University's **ADA Coordinator, Matthew Roche**, in the Office of Compliance. The Office of Compliance is located in the Office of General Counsel (in the Green Center) 3601 North Military Trail, Boca Raton, Florida, 33431. The ADA Coordinator may be contacted by phone at 561-237-7727.
- All other inquiries concerning nondiscrimination may be referred to Lynn University's **Director of Employee Services, Aaron Greenberg**, located in the Office of Employee Services (in the Green Center) 3601 North Military Trail, Boca Raton, Florida, 33431.

2.1.8.2.5 Prohibited Conduct

The following acts are prohibited by the Lynn University Non-Discrimination and Anti-Harassment Policy:

A. Discrimination

It is a violation of the Policy to engage in discriminatory conduct. Discriminatory conduct is defined as the unfavorable, unfair or inequitable treatment of a person or a "class" of people based on race, color, religion, sex, sexual orientation, sexual identity, gender, gender expression, or gender identity, age, national origin, ancestry, citizenship, disability, gender related status, pregnancy, genetic disposition, veteran or military status, marital status, familial status or any other legally protected characteristic in accordance with federal and applicable state law ("protected characteristics") that is so severe, persistent or pervasive that it excludes an individual from participation in, denies the individual the benefits of, treats the individual differently or otherwise adversely affects a term or condition of an individual's employment, education, or participation in a Lynn University program or activity. Examples of unlawful discrimination include denying an individual a job or a promotion, or denying a student the opportunity to participate in an educational activity or program because of his or her protected characteristic(s).

Listed below are examples of conduct that can constitute discrimination if based on an individual's protected characteristic. This list is not all-inclusive; in addition, each situation will be considered in light of the specific facts and circumstances to determine if Discrimination has occurred.

- Singling out or targeting an individual for different or adverse treatment (e.g., more severe discipline, lower salary increase) because of his or her actual or perceived protected characteristic.
- Failing or refusing to hire or admit an individual because of his/her actual or perceived protected characteristic.
- Terminating an individual from employment or an educational program or activity based on his/her actual or perceived protected characteristic.

B. Hostile Environment Harassment

It is a violation of the Policy to engage in harassing conduct that creates a hostile environment (“Hostile Environment Harassment”). Hostile Environment Harassment is defined as the unlawful harassment against an individual on the basis of his or her race, color, religion, sex, sexual orientation, sexual identity, gender, gender expression, or gender identity, age, national origin, ancestry, citizenship, disability, gender related status, pregnancy, genetic disposition, veteran or military status, marital status, familial status or any other legally protected characteristic in accordance with federal and applicable state law (“protected characteristics”) when the conduct is either:

- Sufficiently serious (i.e., severe, pervasive, or persistent) and objectively offensive so as to deny or limit the individual’s ability to participate in or benefit from the University’s programs or activities; or
- The conduct has the purpose or effect of unreasonably interfering with an individual’s employment or education.

The determination of whether an environment is “hostile” must be based on all of the circumstances, giving consideration to whether a reasonable person in a similar situation would have perceived the conduct as objectively offensive. Also, the following factors will be considered:

- The degree to which the conduct affected one or more students’ education or individual’s employment;
- The nature, scope, frequency, duration, severity, and location of incident or incidents; and
- The identity, number, and relationships of persons involved.

C. Other Forms of Discrimination Prohibited by this Policy

In addition to the above, the following acts of Discrimination are prohibited by this policy:

- Causing physical harm, verbally abusing, intimidating or engaging in other conduct that threatens the health or safety of any member of the University community based on his or her actual or perceived protected characteristic.
- Hazing (defined as acts likely to cause physical or psychological harm or social exclusion or humiliation) any member of the University community based on his or her actual or perceived protected characteristic.
- Bullying (defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or degrade another person physically or mentally) any member

of the University community based on his or her actual or perceived protected characteristic.

D. Retaliation

Retaliation is defined as taking adverse action against an individual making a complaint under this Policy or against any person cooperating in the investigation of a complaint under this Policy. Retaliation includes intimidation, threats, harassment, and other adverse action including adverse job action and adverse academic action against any such complainant or third party. Intimidation is defined as implied threats or acts that cause an unreasonable fear of harm in another.

E. Knowingly Filing a False Complaint

Knowingly filing a false complaint of discrimination/harassment or of retaliation is a violation of this policy. Such conduct may be pursued using the steps followed for a complaint of discrimination/harassment, and if found to have occurred, could result in disciplinary action that may include termination or expulsion.

F. Academic Freedom

The University's policy relating to harassment and discrimination is not intended to inhibit or restrict free speech or the expression of ideas. Consequently, this policy shall be interpreted in a manner that is consistent with academic freedom as defined in Volume IV of the *Lynn University Policy Manual*.

2.1.8.2.6 Responsibilities of University Community Members

The University can take corrective action only when it becomes aware of problems. Therefore, the University encourages any member of the University community who believes he or she has experienced discrimination, harassment, or an incident of retaliation as prohibited by this Policy to come forward promptly with their inquiries, reports, or complaints and to seek assistance within the University by taking one or more of the following steps:

- Ask the person to cease the offending behavior (see Direct Resolution below)²;
- Seek the assistance of a University Official (e.g. a Supervisor, the Vice President for Student Affairs, the University's General Counsel, Employee Services Staff, Student Affairs staff, or a University administrator (see Complaint Procedures); and/or
- Contact the appropriate administrative official (see paragraph 2.1.8.2.4) to file a formal Complaint (see paragraph 2.1.8.2.8 - Complaint Procedures).

In addition, any member of the University community may utilize appropriate and available University resources for guidance and support (e.g., the Employee Assistance Plan, University Counseling Services, etc.).

A. Mandatory Reporting

² A member of the University who believes that he or she has been subject to or have observed instances of discrimination or harassment is never required to confront or complain to the discriminating/harassing party. He or she may instead pursue steps 2 and/or 3 above.

Any employee who receives a report or complaint of harassment, discrimination or hazing from a member of the Lynn University community, or who otherwise knows or has reason to believe that a student, faculty, staff or other University community member has been subjected to harassment, discrimination, or hazing must report the incident promptly to the Office of Compliance, which is located in the Green Center at 3601 North Military Trail, Boca Raton, FL 33431. The Office of Compliance may also be contacted by phone at 561-237-7727.

The professional counselors and health care providers in the University's Counseling Center & Health Center who learn of a report while acting in their professional capacity are exempt from this reporting requirement. Information concerning confidential resources and support options is available in the Sexual and Gender-Based Misconduct Policy (see Volume VIII of the *Lynn University Policy Manual*).

B. Confidentiality

Discrimination and harassment reports and complaints will be handled in a confidential manner to the extent possible and consistent with principles of due process. Information will only be shared on a need-to-know basis and as provided for by University policy and applicable federal and state law.

A Complaint alleging an intentional breach of confidentiality may be pursued using the Complaint Procedures in this Policy. Such a breach may also constitute an act of Retaliation.

2.1.8.2.7 Direct Resolution

Any member of the Lynn University community who believes that she or he is the subject of discrimination or harassment in violation of this Policy may attempt to resolve the issue with the Respondent directly. This attempt need not be confrontational in nature. It may involve speaking directly to the Respondent (either face-to-face or by telephone) or writing an email or letter to the Respondent.

Any attempt at direct resolution should be regarded as strictly voluntary. An individual who has been subject to an act of discrimination or harassment is never required to confront or complain to the discriminating/harassing party and a decision not to confront an individual will not be viewed negatively by the University. Moreover, an individual who has been subject to an act of discrimination or harassment always has the right to pursue other methods of resolution as described below without being required to attempt to resolve the matter directly with the Respondent. In addition, if direct resolution measures prove unsuccessful, other methods of resolution as described below may be pursued.

Note: An effort at direct resolution is not appropriate where the alleged offense involves force or threat of force.

2.1.8.2.8 Complaint Procedures³

A report of harassment or discrimination in violation of this Policy becomes a formal Complaint in one of the following ways:

³ All reports that may constitute a violation of the Lynn University Sexual or Gender-Based Misconduct Policy will be investigated in accordance with the processes described in the Sexual and Gender-Based

1. A member of the University community who believes he or she has experienced an incident of discrimination or harassment may file a written Complaint with the University. In addition, an individual may file a written Complaint on his or her behalf (“Complainant”). A Complaint form provided by the University ([click here](#)) or a written statement in the Complainant’s own words providing sufficient information for the University to investigate the allegations contained therein (including but not limited to the name of the alleged victim, the name of the alleged perpetrator, and the date, location, and nature of the alleged harassment or discrimination) may be filed with the Office of Compliance.
2. A member of the University community may meet in person with the Director of the Office of Compliance to report alleged discrimination or harassment. Reports made to a University Official will be immediately referred to the Office of Compliance, who will ask the alleged victim to complete a Complaint form provided by the University; or
3. The University can determine, based on the information of which it becomes aware, that it is necessary and/or appropriate for it to investigate and respond to an incident of discrimination or harassment. If the appropriate University administrator decides to proceed with a formal Complaint under these circumstances, a University administrator will serve as the “Complainant.”

Once a formal Complaint is initiated, an alleged victim will be referred to as a “Complainant” and an alleged perpetrator will be referred to as a “Respondent.”

Note: Any Complaint that, in the judgment of the Director of the Office of Compliance, may constitute Sexual or Gender-Based Misconduct will be immediately referred to the University’s Title IX Coordinator.

A. Receipt of Complaint

No more than five (5) days after a Complaint is received, the appropriate University Administrator, as assigned by the Office of Compliance, will meet with the Complainant to discuss the matter and inform the Complainant about: (i) available counseling and support services as applicable to the situation; (ii) the option to avoid contact with the Respondent during the pendency of the investigation; (iii) his or her rights under the University’s Non-Discrimination and Anti-Harassment Policy, including the right to seek informal or formal resolution of the matter; and (iv) his or her right to pursue a legal remedy for discrimination or harassment that is prohibited by law in addition to or instead of proceeding under this policy. The assigned University administrator will also provide the Complainant with a copy of this policy and the applicable complaint procedures identified herein.

Within five (5) days after meeting with the Complainant, the assigned University administrator will meet separately with the Respondent to discuss the matter and explain his or her rights under this Policy. The assigned University administrator will also provide the Respondent with a copy of this Policy and the applicable complaint procedures identified herein. If the respondent chooses not to participate or refuses to answer a Complaint, such nonparticipation will not prevent the matter from proceeding.

Misconduct Policy. Refer to the Sexual and Gender-Based Misconduct Policy for information concerning the University’s process for reporting, investigating and resolving sexual and gender-based misconduct complaints.

B. Initial Assessment

After meeting with the Complainant and the Respondent, the assigned University administrator (or designee) will make a determination as to whether (a) a Formal Investigation is warranted to resolve the case; (b) the case can possibly be resolved through Informal Resolution; or (c) there are no reasonable grounds exist for believing that the conduct at issue constitutes discrimination or harassment.

In the event that the assigned University administrator determines there are no reasonable grounds for believing that the conduct at issue constitutes discrimination or harassment as defined by the Policy, the assigned University administrator will determine (in consultation, as necessary, with the Complainant, the Respondent, and other University administrators) and document the appropriate resolution of the Complaint, will promptly notify the parties of such resolution, and will close the Complaint.

2.1.8.2.9 Informal Resolution

The assigned University administrator will determine whether Informal Resolution is an appropriate mechanism of resolution based on information provided about the incident. If, based on the facts of the case, it is determined that an Informal Resolution may be appropriate, the assigned University administrator (or designee) will discuss this option with the Complainant during the initial meeting. If the Complainant agrees, the assigned University administrator (or designee) will discuss informal resolution with the Respondent during the initial meeting. Consent from both parties is required to proceed further in the Informal Resolution process.

It is not necessary to pursue Informal Resolution first in order to make a Formal Resolution Complaint. Moreover, either party may terminate the Informal Resolution process at any time and proceed with Formal Resolution. The assigned University administrator (or designee) may also terminate Informal Resolution at any time and order that the parties proceed with Formal Resolution instead. In such cases, statements or disclosures made by the parties in the course of the Informal Resolution process may be considered in the subsequent Formal Resolution proceedings.

If Informal Resolution is determined to be appropriate and the parties agree to proceed, the assigned University administrator or a trained designee will meet separately with both parties to present and discuss an informal resolution based on the information available. In the informal resolution process, the assigned University administrator or designee does not serve in the role of fact finder but rather identifies possible resolution(s) to the Complaint. If both Complainant and Respondent are satisfied with a proposed resolution and the assigned University administrator believes the resolution satisfies the University's obligation to provide a safe and non-discriminatory environment for the entire University community, the resolution will be implemented, and the matter will be closed. If these efforts are unsuccessful, the Formal Resolution process will commence.

The Office of Compliance and/or Employee Services will maintain records of all reports and conduct referred for Informal Resolution. Informal resolution will typically be completed within thirty (30) days as is reasonable and practicable. In circumstances when it is not reasonable and practicable to complete the informal process in this time frame, both the Complainant and the Respondent will be notified in writing regarding the delay and anticipated completion.

2.1.8.2.10 Formal Investigation and Resolution

If the assigned University administrator or designee determines that a Formal Resolution is warranted to resolve the Complaint, the assigned University administrator will refer the matter for Formal Resolution, which includes a thorough and prompt investigation and provides for a fair and impartial evaluation and resolution. The Formal Resolution process utilized by the University is determined by the role of the Respondent:

- Complaints against **Student Respondents** will be investigated and resolved pursuant to the *Formal Resolution Procedures for Complaints of Harassment and Discrimination Against Students* outlined below, regardless of the status of the Complainant.
- Complaints against **Faculty, Staff and Third Parties** will be investigated and resolved pursuant to the *Formal Resolution Procedures for Complaints Harassment and Discrimination Against Faculty, Staff and Third Parties* outlined below, regardless of the status of the Complainant.

A. Formal Resolution Procedures for Complaints Against Students

The University will determine whether a student is responsible for a violation of the Lynn University Non-Discrimination and Anti-Harassment Policy and what, if any, disciplinary sanctions and/or remedial actions are appropriate, in accordance with the procedures described below:

1. Assignment of Investigator

If the Director of the Office of Compliance determines that a Formal Investigation is warranted to resolve a Complaint, the complaint will be referred to the Vice President for Student Affairs, or designee, who will appoint an investigator or an investigative team (“investigator”) who has specific training and experience investigating allegations of discrimination and harassment. The Vice President for Student Affairs will notify both the Complainant and the Respondent in writing of the Formal Investigation and the name of the investigator(s). The investigator(s) may be an employee(s) of the University or an external investigator(s) engaged to assist the University in its fact gathering.

The Respondent and the Complainant may protest the appointment of the investigator(s) by identifying a possible conflict of interest in writing to the Vice President for Student Affairs within twenty-four (24) hours after the appointment of the Investigator(s). The Vice President for Student Affairs will carefully consider such statements and will assign a different investigator(s) if it is determined that a material conflict of interest exists.

2. The Investigation

The formal investigation may include, but is not limited to, conducting interviews of the Complainant, the Respondent(s), and any witnesses⁴ (witnesses must have observed the acts in

⁴ The investigator should obtain, where applicable and where possible, the written consent of any third-party witnesses to the disclosure of any personally identifiable information (as that term is defined by FERPA) contained in the Complaint, the investigative report, and/or any other documents the disclosure of which is contemplated by this Policy in order to further the resolution of the complaint. If the Investigator is unable to obtain the consent of such third-party witnesses, he or she must redact the investigative report

question or have information relevant to the incident); reviewing law enforcement investigation documents, if applicable; reviewing student and personnel files; and gathering, examining, and preserving other relevant documents and physical, written, and electronic evidence (including social media, security camera footage, etc.). The parties will have an equal opportunity to present relevant witnesses and evidence to the investigator(s), as well as identify witnesses who may have relevant information. Moreover, both the Complainant and Respondent(s) may have an advisor accompany (but not actively participate) him or her through the investigation process.

In gathering the facts, prior allegations of, or findings of responsibility for, similar conduct by the Respondent may be considered to the extent such information is relevant.

The investigation will be discreet and only disclosed on a “need to know” basis. In cases where the Complainant is a student, the University will take reasonable care to protect the student’s privacy by using student ID numbers in incident report and in publicly available recordkeeping (without the inclusion of identifying information) as defined in 42 U.S.C. 1395 (a)(20).

3. Investigator’s Report

The Investigator(s) will complete within 15 days after the investigation begins a written Investigative Report that includes items such as summaries of all interviews conducted, photographs, and descriptions of relevant evidence, summaries of relevant electronic records, and a detailed report of the events and findings of fact in question.

4. Evaluation of Investigator’s Report

The Office of Student Conduct and Community Standards will evaluate the Investigative Report and will determine whether reasonable grounds exist to believe that the conduct at issue constitutes harassment or discrimination in violation of this Policy. If it is clear from the Investigative Report that no reasonable grounds exist for believing that the Respondent engaged in discriminatory or harassing conduct, the Office of Student Conduct and Community Standards will determine (in consultation, as necessary, with the Complainant, Respondent, and other University administrators) and document the appropriate resolution of the Complaint and will promptly notify the parties of that determination. Appropriate resolutions may include, but are not limited to, dismissal of the Complaint, conferences with one or more of the parties, and the introduction of remedial and community-based efforts such as educational initiatives and/or trainings.

5. Process for Formally Resolving Complaints Against Students

If, however, the Office of Student Conduct and Community Standards determines that there are reasonable grounds to believe that the Respondent engaged in harassing or discriminatory conduct, the Complaint will be referred for a formal hearing. At any time prior to the date of the hearing, the Respondent may elect to acknowledge his or her actions and take responsibility for the alleged conduct. In such a situation, the case will be referred to the Office of Student Conduct for the imposition of sanctions.

Note: If a student-athlete is found to have violated this policy pursuant to the Student Code of Conduct and Conduct Review procedures in Volume VI of the Lynn University Policy Manual,

to the extent necessary to avoid disclosure of such witness’s personally identifiable information, while ensuring that such redaction does not prevent resolution of the Complaint.

campus disciplinary action will be instituted by Student Affairs. In addition, the Athletics Department may impose additional sanctions.

B. Formal Resolution Procedures for Complaints Against Faculty, Staff and Third Parties

The University will determine whether a faculty member, staff employee, or Third Party is responsible for a violation of the Lynn University Non-Discrimination and Anti-Harassment Policy and what, if any, disciplinary sanctions and/or remedial actions are appropriate, in accordance with the procedures described below:

1. Assignment of Investigator

If Employee Services determines that a Formal Investigation is warranted to resolve a Complaint, Employee Services will appoint an investigator or an investigative team (“investigator”) who has specific training and experience investigating allegations of discrimination and harassment. Employee Services will notify both the Complainant and the Respondent in writing of the Formal Investigation and the name of the investigator(s). The investigator(s) may be an employee(s) of the University or an external investigator(s) engaged to assist the University in its fact gathering.

The Respondent and the Complainant may protest the appointment of the investigator(s) by identifying a possible conflict of interest in writing to the Employee Services within twenty four (24) hours after the appointment of the Investigator(s). Employee Services will carefully consider such statements and will assign a different investigator(s) if it is determined that a material conflict of interest exists.

2. The Investigation

The investigation will be conducted in a manner appropriate in light of the circumstances of the case. The formal investigation may include, but is not limited to, conducting interviews of the Complainant, the Respondent(s), and any witnesses⁵ (witnesses must have observed the acts in question or have information relevant to the incident); reviewing law enforcement investigation documents, if applicable; reviewing student and personnel files; and gathering, examining, and preserving other relevant documents and physical, written (including medical records), and electronic evidence (including social media, security camera footage, etc.). The parties will have an equal opportunity to present relevant witnesses and evidence to the investigator, as well as identify witnesses who may have relevant information. Moreover, both the Complainant and Respondent(s) may have an advisor accompany (but not actively participate) him or her through the investigation process.

In gathering the facts and arriving at a conclusion, the investigator may consider the Respondent’s prior conduct history if:

- The Respondent(s) was previously found to be responsible;

⁵ The investigator should obtain, where applicable and where possible, the written consent of any third-party witnesses to the disclosure of any personally identifiable information (as that term is defined by FERPA) contained in the Complaint, the investigative report, and/or any other documents the disclosure of which is contemplated by this policy in order to further the resolution of the complaint. If the Investigator is unable to obtain the consent of such third-party witnesses, he or she must redact the investigative report to the extent necessary to avoid disclosure of such witness’s personally identifiable information, while ensuring that such redaction does not prevent resolution of the Complaint.

- The previous incident was substantially similar to the present allegation; and/or
- The information indicates a pattern of behavior by the Respondent(s).

Finally, the investigation will be discreet and only disclosed on a “need to know” basis. In cases where the Complainant is a student, the University will take reasonable care to protect the student’s privacy by using student ID numbers in incident report and in publicly available recordkeeping (without the inclusion of identifying information) as defined in 42 U.S.C. 1395 (a)(20).

3. The Investigator’s Report and Conclusions

The Investigator will complete within 20 days after the investigation begins a written report that makes (1) findings of fact and (2) conclusions as to whether the Respondent violated any provision of the University’s Non-Discrimination and Anti-Harassment Policy. The standard of proof shall be by a preponderance of the evidence. The Investigator will share the Investigative Report with Employee Services, the Complainant and the Respondent.

The findings of fact portion of the report will include items such as summaries of all interviews conducted and descriptions of relevant evidence, summaries of relevant electronic records, and a detailed report of the events in question. The conclusion(s) will be clearly explained and address each element necessary to establish whether the Respondent violated the University’s Non-Discrimination and Anti-Harassment Policy so that the reader understands how the investigator(s) reached the conclusions outlined in the report in light of the available evidence and the standard of proof.

a. Determination Not to Proceed to Disciplinary Action

If the investigator(s) determines that the Respondent did not violate any provision of the University’s Non-Discrimination and Anti-Harassment Policy, the Employee Services will determine (in consultation, as necessary, with the Complainant, Respondent, and other University administrators) and document the appropriate resolution of the Complaint and will promptly notify the parties of that determination. Appropriate resolutions may include, but are not limited to, dismissal of the Complaint, conferences with one or more of the parties, and the introduction of remedial and community-based efforts such as educational initiatives and/or trainings.

b. Determination to Proceed to Disciplinary Action

If the investigator(s), in consultation with the Employee Services, determines that there is sufficient information to find, by a preponderance of the evidence, that the Respondent violated the University’s Non-Discrimination and Anti-Harassment Policy, the written report to both parties will inform them that the matter will be referred for disciplinary action.

4. Disciplinary Action

If the Respondent is found responsible, disciplinary action and any applicable appeals rights will be addressed as follows:

- For complaints against **Staff**, sanctions will be imposed in accordance with Volume III of the Lynn University Policy Manual.
- For complaints against **Faculty**, sanctions will be imposed in accordance with Volume IV of the Lynn University Policy Manual.

- For complaints against **Student Employees** acting solely within the scope of their University employment at the time of the incident, sanctions will be imposed in accordance with Volume III of the Lynn University Policy Manual.
- For complaints against **Third Parties**, the Vice President for Business and Finance will determine the appropriate sanction.

2.1.8.2.11 External Complaints

The availability and use of the University’s Complaint Procedure does not prevent a member of the University community from filing a complaint of discrimination or harassment with the following external agencies:

U. S. Equal Employment Opportunity Commission

Miami Tower
100 SE 2nd Street, Suite 1500
Miami FL 33131
1-800-669-4000

Note: The statute of limitations for most claims with the EEOC is set at 300 days from last date of discrimination.

United States Department of Education, Office for Civil Rights

Atlanta Office
61 Forsyth St. S.W., Suite 19T10^{[[SEP]]}
Atlanta, GA 30303-8927
Telephone: 404-974-9406^{[[SEP]]}
FAX: 404-974-9471
TDD: 800-877-8339^{[[SEP]]}
Email: OCR.Atlanta@ed.gov

The OCR National Headquarters is located at:

United States Department of Education, Office for Civil Rights

U.S. Department of Education, Office for Civil Rights^{[[SEP]]}
Lyndon Baines Johnson Department of Education Bldg^{[[SEP]]}
400 Maryland Avenue, SW^{[[SEP]]}
Washington, DC 20202-1100
Telephone: 800-421-3481^{[[SEP]]}
FAX: 202-453-6012
TDD: 800-877-8339^{[[SEP]]}
Email: OCR@ed.gov

Note: The statute of limitations for most claims filed with OCR is set at 180 days from the last date of discrimination. OCR may extend this filing deadline in a variety of circumstances. Title IX, which prohibits sex discrimination and sexual harassment (including sexual violence), is enforced by OCR and may apply to both student and employment matters. Depending on the claim filed, OCR may handle complaints filed by employees or refer them to the EEOC.

Florida Commission on Human Relations

2009 Appalachian Parkway, Suite 100

Tallahassee, FL 32301

Phone: (850) 488-7082

Toll-Free: (800) 342-8170

Fax: (850) 488-5291

Note: The statute of limitations for most claims filed with the **Florida Commission on Human Relations** is set at 365 days from last date of discrimination.

2.1.9 Gambling

Playing or engaging in any non-University sponsored, illegal gambling activity, including but not limited to gambling on University-athletic events, while on University property is not acceptable behavior or permitted.

In addition to the restrictions listed above, Athletics Department staff and student-athletes must adhere to NCAA regulations, and are therefore prohibited from participating in any sports gambling activities, whether on- or off-campus, concerning any intercollegiate or professional athletics team or competition on any sport in which the NCAA sponsors a championship in any division. Moreover, University employees may not gamble while on duty regardless of location. These prohibitions apply without regard to whether the activities are legal under federal or state laws.

Violators shall be subject to appropriate disciplinary action. In addition, violations of the law or of this policy may be grounds for criminal prosecution.

The Vice President for Student Affairs and the Vice President for Development and Alumni Affairs must approve all raffles and sales for charitable purposes.

2.1.10 Hazing

It is a violation for students, faculty, staff or alumni to engage in any activity that may be construed as hazing. In accordance with Section 1006.63 (1), F.S., "Hazing" includes, but is not limited to, pressuring or coercing the student into violating state or federal law, any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other forced physical activity that could adversely affect the physical health or safety of the student, and also includes any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of the student. Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective. Any activity as described above upon which the initiation or admission into or affiliation with a Lynn University organization is directly or indirectly conditioned shall be presumed to be "forced" activity, the willingness of an individual to participate in such activity notwithstanding. Apathy or acquiescence in the presence of hazing is not a neutral act; it is a violation of this article.

Students found responsible for hazing may be subject to the withholding of diplomas or transcripts pending compliance with the rules or pending payment of fines, and the imposition of reprimand, probation, suspension or expulsion. Registered student organizations which authorize hazing in

blatant disregard of these rules may be subject to denial of permission for the organization to be registered, to meet on campus and to use campus facilities, and, in the case of fraternities and sororities, the right to exist at Lynn University.

Employees found responsible for hazing may be subject to appropriate disciplinary action up to and including termination.

The Chad Meredith Act makes dangerous hazing a crime in Florida. The bill, named for a University of Miami freshman who drowned in a campus lake while trying to join a fraternity in 2001, makes hazing that results in serious injury or death a felony punishable by up to five years in prison, even if the victim consents (1006.63(2)).

*For more information regarding hazing and specifically 1006.63(1) or, visit: <http://www.flsenate.gov/statutes>.

Note: Any hazing incident based upon an individual's gender, sex, sexual orientation, sexual identity, gender identity, or gender expression will be investigated and resolved pursuant to the Lynn University Sexual and Gender-Based Misconduct Policy (see Volume VIII of the *Lynn University Policy Manual*).

2.1.11 Legal Liability

Lynn University is not legally liable for damages or loss of personal property or failure or interruption of services due to weather or acts of God. Moreover, Lynn University does not assume responsibility for lost, stolen, or damaged property. This policy covers not only personal possessions, but also those items in an individual's charge (*i.e.*, keys, laptops, etc.).

2.1.12 Pets and Demonstration Animals

Due to health and safety concerns, pets and other animals are not permitted in University buildings. This applies to all students and employees as well as visitors and guests. Visitors and guests should be made aware of the policy to prevent misunderstanding. In addition, absolutely no pets are allowed in the residence halls.

For purposes of this policy, a "pet" is defined as an animal kept for ordinary use and companionship. A "pet" is not considered a Service Animal, an emotional Support Animal, or an animal used by a faculty member for teaching purposes.

The University reserves the right to require immediate removal of any pet from University property and to charge the individual hosting the animal for all costs incurred in removal of the pet(s) and the costs associated with housing the pet. University staff and/or an outside agency can remove the pet at any time. Any cost associated with the possession of a pet (*i.e.* damaged furniture, cleaning, pest control, etc.) will be charged to the responsible individual(s).

In addition, the following guidelines shall be enforced:

1. With the exception of Service Animals and Emotional Support Animals, pets and animals, other than fish in a 10 gallon or less tank, are not permitted in offices, buildings, residence halls), Lynn University NCAA athletic events, or in any University facility.
2. In those rare circumstances where a pet is allowed on campus grounds (e.g., Take Your Dog to Work Day), the pet must be on a leash, under control of the owner, and present no hazard to people. Its owner shall not regard the wearing of a muzzle by a dog as control, as no aggressive

animal is permitted on Lynn University premises. Further, dogs may never be tethered on campus, without owner supervision.

3. Pets must have a valid license and tags as evidence of current rabies vaccinations, and owners must be able to show proof if asked.
4. Strays shall be reported to Campus Safety.
5. Feeding stray animals (*i.e.* ducks, rabbits, raccoons, cats, dogs, etc.) is a health and safety hazard and is prohibited.

Demonstration Animals Policy

Animals used by faculty members for teaching purposes are permitted on campus upon prior written approval from the appropriate Dean.

2.1.13 Political Activities

Lynn University supports open dialogue on political issues. Lynn University reserves the right to support or oppose issues that affect its values, welfare, the University itself, and/or values and welfare of higher education. Lynn University encourages its faculty, staff, trustees, students, and recognized campus organizations to participate actively in political activities on an individual basis. The policies of Lynn University do not restrict the rights and privileges of faculty, staff, trustees, students, and recognized campus organizations to express their opinions freely. Lynn University is committed to preserving and encouraging a diversity of point of view and political opinion.

Political activities on any Lynn University campus or facility, however, must be conducted in a neutral and nonpartisan manner, and in furtherance of the University's legitimate exempt function (education).

To preserve the integrity of Lynn University and to protect the neutrality of the University in political contests, the following guidelines shall apply.

Lynn University Political Activity Policy

1. In order to preserve not for profit (IRS Section 501(c)(3)) status, the law requires that Lynn University not participate in or intervene in any political campaign on behalf of (or in opposition to) any candidate for public office.
2. Lynn University shall not endorse any candidate for political office.
3. All address lists used by the University are considered confidential and shall not be shared with candidates or parties.
4. Campus organizations may use campus communications to announce political forums and discussions sponsored by officially constituted campus groups.
5. No campus political activities, including services and materials, may be paid for with Lynn University funds.
6. Use of Lynn University properties is subject to the University's Reservation policy (see below).
7. Funds or contributions for political candidates or campaigns may not under any circumstances be solicited in the name of Lynn University or on any University facility, and Lynn University

resources may not be used in soliciting such funds. If Lynn University students, faculty, or staff make political contributions, they must do so as individuals and not on behalf of the University.

8. Lynn University communications systems, including any postal service, phone system, or computer network, shall not be used in support of one particular candidate.
9. Lynn University students are free to express their individual and collective political views provided they understand and make clear they are not speaking for or in the name of Lynn University. Endorsement of a particular candidate by a registered student group is not permissible.
10. Lynn University's name, logo, and insignia may not appear on stationery or any other material used or intended for support of a particular candidate. This prohibition also applies to any Lynn University entities supported in whole or part by Lynn University funds, such as registered student organizations.

Policy Regarding Facility Use by Candidates for Political Office⁶

In service to its local community, its students and its employees, Lynn University may offer declared candidates for local, regional, state and national office the opportunity to utilize its facilities during a campaign to engage and educate supporters, opponents and undecided voters, including the campus community. However, such events must conform to the requirements stated below.

1. The appearance of a candidate for public office on the Lynn University campus must be for an educational or informational talk to the University community and must be sponsored by a registered student, faculty, or staff organization. Appearances must be coordinated with Lynn University, who will ensure that opportunities to appear on campus are extended to all viable candidates running for a particular public office. The moderator shall make it clear that the institution does not support or oppose the candidate appearing.
2. All events held on the Lynn University campus featuring candidates for public office shall be open to the general University community. An "open" event is defined as one for which no fewer than one-half the available seats or spaces are available to the general University community based on a non-biased distribution of tickets (such as first-come, first-served).
3. The University shall consider all requests for facility use by campaigns to be rental requests. Though the University may waive all regular rental fees for approved campaign appearances, a candidate/campaign will be responsible for any costs related to their proposed events (including staging, security, catering, etc.). "Approved campaign appearances" will be those that are classified as open meetings.
4. Lynn University buildings and grounds shall not be rented or used for political fund raising. For example, a meeting on campus with an organizer for a specific candidate that is focused on recruiting campaign workers from the student population would be a violation of these guidelines. On the other hand, a Lynn University graduate now working for a particular

⁶ Lynn University's "Policy Regarding Facility Use by Candidates for Political Office" was adapted, with appreciation, from similar guidelines prepared and distributed by Rochester Institute of Technology (Rochester, NY) and Allegheny College (Meadville, Pa.).

candidate speaking on campus to a group of students about what it has been like to be in the political arena, and what the candidate's particular experience has been, would be allowable.

5. Requests for facility use shall be denied if:
 - a. A suitable facility is unavailable at the time/date requested;
 - b. The appearance is determined to be disruptive, given its time, topic or projected headcount, to the University's educational mission;
 - c. The candidate appearing commonly espouses views or beliefs that would, were he/she a student, violate the University's employee or student codes of conduct (such as so-called "hate speech").

Candidates, their campaigns or sponsoring Lynn student organizations, shall file any rental or space requests with the Office of Auxiliary Services. Formal requests shall be answered within two business days of receipt.

2.1.14 Reservation of University Facilities

Lynn University facilities are held and made available for internal University use as the first priority. All space utilization is scheduled using the University's space utilization software. Academic space is assigned by the Registrar's Office. Internal use is scheduled by the Office of University Events. External requests will be considered and, when appropriate, efforts will be made to accommodate requests as received. The Office of Auxiliary Services handles all space requests and reservations for outside groups and organizations. Priority for room or facility utilization is given in the following order: classroom instruction, University events, state agencies, non-profit organizations, for-profit organizations. The University reserves the right to accommodate or deny availability at its sole discretion.

Reservation of Facilities

The sponsor of an event is classified under one of the three categories: internal, co-sponsored, or external.

1. Internal: Internal events are official Lynn University activities. Internal users are required to have a representative from their department or organization in attendance throughout the event. For internal University activities, faculty members, administrators, students, University sanctioned organization, and staff may reserve classrooms and other campus facilities at any time, subject to general availability.
 - a. Using facilities for personal purposes or under the pretense that there is a substantive relationship between the Lynn University department/organization and the event is considered to be "fronting." Fronting is not permitted. For personal events, Lynn University faculty and staff members may request to reserve the University space as an external requestor.
 - b. Student organizations requesting the use of any facility as an internal user must have written authorization from the proper student organization advisor prior to submitting a written request to the Office of Special Events.
2. External: External events are not Lynn University internal activities. Requests must be submitted in writing at least 30 days in advance to the Office of Auxiliary Services. Requests

made less than 30 days in advance will be considered on a case-by-case basis. External requests for reservations may be granted if:

- a. The event does not conflict with a campus activity.
 - b. The event is appropriate to the mission of Lynn University.
 - c. The event is appropriate to the facility requested.
 - d. The external applicant agrees to abide by the University's Terms of Use (see below) and accepts all costs incurred, including, but not limited to, the facility use fee, housekeeping, security, traffic, table and chair rental, fees, etc.
 - e. The external applicant agrees in advance to accept full responsibility for liability, injury, or damage to person, property, or equipment. The applicant shall hold the University and the University's employees harmless from any claims, damages, or actions caused by the use of a Lynn University facility or equipment.
 - f. A vetting sheet is prepared by the Office of Auxiliary Services and shared with the Office of Marketing and Communication, Office of the Senior Vice President for Development and Administration and other areas deemed appropriate based on the location and type of function. Following approval by these various areas the vetting sheet is submitted to the Office of General Counsel for creation of a Facilities Use Agreement.
3. Co-Sponsorship: Co-sponsored events are defined as Lynn University-related events between community organizations and representatives of Lynn University. Co-sponsored events promote academic or professional development of students, faculty, and staff to benefit Lynn University and/or the community. Requests for a co-sponsored event must be submitted in writing at least 30 days in advance to the Office of Auxiliary Services. Requests made less than 30 days in advance will be considered on a case-by-case basis. It is the responsibility of the sponsoring University department/organization to:
- a. Be directly involved in the coordination of the event from beginning to end and to accept all costs incurred, including the facility use fee, housekeeping, security, traffic, table and chair rental, etc. These costs will be charged to the sponsoring Lynn University departments' budget, or the community organization.
 - b. Ensure that the community organization adheres to all Lynn University policies and guidelines. Special attention shall be given to compliance with the University's policies regarding alcohol use and the handling of cash.
 - c. Have a Lynn University representative in attendance, from the beginning of the event until the end.

Terms of Use

1. General Conditions: Lynn University policies, rules, and regulations must be respected and followed by all users of facilities. These include, but are not limited to, the following:
 - a. Users may not engage in activity that interferes with the Lynn University mission, programs, and freedom of movement by the campus community.
 - b. The University logo, insignia, trade, and service marks may not be used in conjunction with events that are not sponsored or co-sponsored by the University.

- c. **Alcoholic beverages may not be served or consumed in Lynn University facilities unless approved in advance by the Office of General Counsel, or otherwise allowed pursuant to University policies.**
 - d. Lynn University reserves the right to dismiss any event if deemed necessary.
 - e. Lynn University reserves the right to impose additional or special restrictions on facility usage as needed.
 - f. Smoking, tobacco and simulated tobacco use is prohibited in all campus facilities.
 - g. The use of candles is prohibited.
 - h. Organizations are responsible for leaving all facilities used in neat and orderly condition. Failure to do so may result in a service charge to the organization for cleaning or re-setting the facility.
 - i. When an external or co-sponsored event is open to the public, is outdoor, involves more than 150 people, or the nature of the activity so indicates the need, a Campus Safety officer may be assigned to the event. The sponsoring organization shall be responsible for all appropriate fees.
 - j. Only those facilities assigned on the dates and times specified may be used.
 - k. The number of participants shall not exceed the authorized room capacity.
 - l. The organization shall be responsible for the conduct of its members.
 - m. Requests to move special properties, decoration, or scenery, etc. into the University or onto the grounds prior to or on the date of the event must be approved in writing by the Senior Vice President for Administration.
 - n. Building keys will not be provided to any group.
 - o. Signage may be provided by the organization to direct participants to the event, but must be removed immediately after the event.
 - p. Furniture may not be relocated during the event. Furniture setups will be handled by the University if advance notification is given.
 - q. Parking shall be restricted to designated areas only.
 - r. Individuals must adhere to any other rules and regulations specific to the building or facility being reserved.
2. Promotional Disclaimer: External users may not state or imply Lynn University sponsorship or endorsement of their activities without the University's consent. Promotional material and advertising for non-University sponsored activities must include the following disclaimer: "That is not a Lynn University program."

Use Fees

The use of Lynn University facilities by non-University related groups is subject to a fee to cover utilities, maintenance, security (if necessary), parking, and other costs. If the use requires special services or equipment from the Lynn University, additional charges may be made for these services. Fees are determined and approved by the Office of the Senior Vice President for

Administration. In the event of a cancellation, written notification must be given at least 48 hours in advance in order to be eligible to receive a refund.

2.1.15 Romantic or Sexual Relationships

Consenting “romantic” or sexual relationships between a supervisor and a subordinate employee or employee and student may raise issues of conflict of interest, abuse of authority, favoritism, or sexual harassment because the voluntariness of the consent may be questioned when a power differential exists between the individuals in the relationship. For these reasons, the University had adopted the following policy governing these type of relationships.

Supervisor and Subordinate Relationships

In general, it is deemed unprofessional, inappropriate, and a violation of Lynn University policy for any supervisor to engage in a dating or sexual relationship, whether or not consented to, with an employee over whom the supervisor oversees, directs or evaluates, now or in the foreseeable future.⁷ Moreover, no University supervisor should participate in the hiring, promotion, supervision, or evaluation, or in the setting of wages or salaries, for any University employee with whom the supervisor has or has had a romantic or sexual relationship.

In rare instances, academic or administrative considerations may make it desirable that one party be allowed to work in a setting supervised by the other, subject to appropriate conflict management procedures. Accordingly, no supervisor should hire a person with whom he or she has or has had a romantic or sexual relationship unless:

1. The hiring has been approved in advance by the President,
2. The President (or designee) has approved procedures to avoid or reasonably manage conflicts of interest. Such procedures shall ordinarily include arrangements to exclude the supervisor from decisions concerning promotion, setting of wages or salaries, evaluation, or promotion of the other party to the relationship.

If, notwithstanding this policy, a romantic or sexual relationship between a supervisor and an employee should develop, it shall be the responsibility and mandatory obligation of the supervisor to promptly disclose the existence of the relationship to the employee’s next level supervisor. The supervisor shall then report the relationship to the Director of Employee Services. The employee may make the disclosure as well, but the burden of doing so shall be on the supervisor. Violation or failure to promptly disclose and correct violation of this policy is grounds for corrective action, up to and including termination from employment.

In addition, and in order for the University to deal effectively with any potentially adverse consequences such a relationship may have for the working environment, any person who believes that s/he has been adversely affected by such a relationship, is encouraged to make his or her views about the matter known to the Director of Employee Services or the employee’s Department Vice President.

Employee-Student Relationships

⁷ In the event that a prohibited consensual relationship is in existence at the time of the adoption of this policy, the supervisor must disclose the relationship to the appropriate superior and initiate arrangements to address any conflict of interest issues.

The relationship between an instructor and student must be protected from influences or activities that can interfere with learning and objective evaluation. Accordingly, no instructor shall enter into a romantic or sexual relationship with a student over whom the instructor has academic responsibility or is likely to have academic responsibility in the future, regardless of whether the relationship is consensual. Moreover, no instructor shall exercise academic responsibility over a student with whom the instructor has or has had a romantic or sexual relationship, regardless of whether the relationship was consensual.

In addition, because of the heightened risk of a real or perceived power imbalance where undergraduate students are involved, no instructor shall have a romantic or sexual relationship with a Lynn University undergraduate student.

Similarly, no staff member shall have a romantic or sexual relationship, regardless of whether the relationship is consensual, with a student for whom that staff member currently has an advising, mentoring, coaching, evaluation, or student organization management responsibility. Moreover, no staff member shall advise, mentor, or evaluate a student with whom that employee has had a romantic or sexual relationship in the past, regardless of whether the relationship was consensual.

Even where an employee does not have direct responsibility for a student as described above, romantic or sexual relationships between Lynn University employees and students in the same college or department should generally be avoided.

In rare circumstances, the President (or designee) may make an exception to this policy, provided that appropriate conflict management procedures are implemented.

If, notwithstanding this policy, a romantic or sexual relationship between an employee and student should develop in violation of this policy, it shall be the responsibility and mandatory obligation of the supervisor to promptly disclose the existence of the relationship to the Director of Employee Services. Violation or failure to promptly disclose and correct violation of this policy is grounds for corrective action, up to and including termination from employment.

2.1.16 Solicitations

In order to avoid disruption in the workplace and in the academic setting, Lynn University has developed rules regarding the solicitation of products or services, distribution of literature or information, and collection of monies on University property in person or by means of its systems, supplies, services, and equipment including telephones, voice mail, e-mail, computer systems, FAX, interoffice mail, and bulletin boards.

1. Fund-raising activities may not conflict with Lynn University's own efforts to raise funds for the institution as a whole. Soliciting alumni, business, industry, government, foundations, students, employees, or donors and prospects is strictly prohibited except with written approval from the Office of Development and Alumni Relations or the President. See Section 2.6 for additional information regarding Lynn University's Institutional Advancement policies.
2. Individuals not employed by Lynn University or not currently enrolled as students are prohibited from any form of solicitation or distribution of literature on University property at any time in any manner unless granted specific authorization by the Vice President for Business and Finance.

3. Bulletin boards may not be used to distribute any solicitous material for the purpose of advertising, promoting, or drawing attention to off-campus events that has not been recognized by the University unless otherwise approved by an appropriate University department.
4. Products being sold must be of good quality and from a reputable firm as determined by the Vice President for Business and Finance.
5. Potentially hazardous or dangerous items, as determined by the Vice President for Business and Finance, may not be sold.

This policy is not intended to infringe on the rights of members of the University as individuals to freely express and exchange views and to associate with others. Rather, the policy is intended to ensure the continuity of University work and operations; to avoid the misuse of University facilities or resources in ways which would impair its nonprofit, independent, and nonpolitical status; and to preserve both the fact and the appearance of the University's impartiality. See also the University's Political Activities Policy in Subsection 2.1.12.

Solicitations by Lynn University Community Members

Employees: Employees are expected to adhere to the University's Solicitation, Distribution and Use of Bulletin Boards Policy (see Volume III of the *Lynn University Policy Manual*).

Students: The Office of Development and Alumni Relations must approve any solicitation by a student or registered student club/organization in advance. Please refer to the University's Student Participation in University Fundraising Policy in Volume VI of the *Lynn University Policy Manual* for additional information. Individual students may not engage in solicitation for personal profit on Lynn University property in person or by means of its systems, supplies, services, and equipment including telephones, voice mail, e-mail, computer systems, FAX, interoffice mail, and bulletin boards. Moreover, no student or student organization may serve as the agent or representative of any off-campus agency for the purpose of selling or promoting the sale of goods or services on the Lynn University campus unless the Vice President for Student Affairs gives advance approval.

Solicitation in the residence halls is strictly prohibited. Please see Residence Life's Sales, Solicitation, and Canvassing Policy in Volume VI of the *Lynn University Policy Manual* for additional information.

Solicitations by Non-Lynn University Community Members

Solicitation or distribution of literature on Lynn University property at any time and in any manner is prohibited by non-members of the Lynn University community unless explicit written permission is granted by the Vice President for Business and Finance.

2.1.17 Recording Individuals On Campus

The purpose of this policy is to protect the University's confidential business information and the personal protected information of its students, customers and employees, as well as to respect the privacy expectations of Lynn University employees, students, customers, and guests.

It is a violation of Lynn University policy to record conversations with a recording device or other audio or video recording-capable device (including a mobile telephone) unless all parties to the conversation give their consent (with the exception of 911 calls, which may be automatically recorded).

Violation of this policy may result in disciplinary action, up to and including immediate termination.

Note: This policy is not intended in any way to inhibit employees from engaging in legally protected concerted activity. In addition, this policy does not apply to security camera recordings or recordings of authorized faculty lectures and University-sponsored lectures, performances or competitions.

2.1.18 University Information Security and Identity Theft Protection Program

Lynn University has adopted an Information Security and Identity Theft Prevention Program in compliance with the Gramm-Leach-Bliley Act of 2000 (GLB) and the Federal Trade Commission's Red Flag Rule.

GLB mandates that the University designate an officer to coordinate the information security program, conduct a risk assessment of likely security and privacy risks, institute a training program for all employees and volunteers who have access to customer's sensitive information, oversee service providers and related contracts, and evaluate and adjust the program periodically. The Red Flag Rule, which implements Section 114 of the Fair and Accurate Credit Transactions Act of 2003, has similar requirements, including mandating Lynn University to have a program to identify, detect and respond appropriately to relevant "red flags." Lynn University's policy is to identify and safeguard personally identifiable information with the appropriate procedures to insure compliance with the GLB Act and to detect and respond appropriately to relevant "red flags" in compliance with the Fair and Accurate Credit Transactions Act.

Operational responsibility of the University's Information Security and Identity Theft Prevention Program is delegated to the Chief Information Officer.

2.1.19 Use of Unmanned Aircraft Systems

Lynn University must comply with FAA requirements, state law, and any other locally applicable laws or regulations regarding unmanned aircraft systems. Inherent risks in the operation of such equipment require additional insurance provisions and policy considerations. Therefore, the following policies apply:

1. All members of the Lynn University community are personally responsible for complying with FAA regulations, state and federal laws, and University policies;
2. Any University employee or student wishing to operate a unmanned aircraft systems (UAS) as part of their University employment or as part of an University program must first obtain a "333 exemption" or Certificate of Waiver or Authorization (COA) issued by the FAA. The Lynn University Burton D. Morgan School of Aeronautics (School of Aeronautics) is the FAA account holder for COAs for Lynn University and must process all applications on a case-by-case basis;
3. Any University employee, student, or unit purchasing a UAS (or the parts to assemble a UAS), or UAS services with University funds or funds being disbursed through a University account, or grant funds, must contact the School of Aeronautics in order to assess the University's ability to obtain a COA, other necessary FAA exemptions, or meet local compliance requirements;
4. Any University employee, student, third party or hobbyist wishing to use a UAS or model aircraft over University property must first receive approval through the School of Aeronautics.

Individuals planning to use UAS must also provide proof of FAA approval. In addition, operation of a UAS by an employee, student, third party or hobbyist over University property must be under a contract which holds the University harmless from any resulting claims or harm to individuals and damage to University property and provides insurance as required by the School of Aeronautics;

5. In operating a UAS for purposes of recording or transmitting visual images, operators must take all reasonable measures to avoid violations of areas normally considered private. Use of UAS must comply with any other applicable University policies. All uses of UAS must comply with following prohibited uses:
 - a. UAS shall not be used to monitor or record areas where there is a reasonable expectation of privacy in accordance with accepted social norms. These areas include but are not limited to restrooms, locker rooms, individual residential rooms, changing or dressing rooms, and health treatment rooms.
 - b. UAS shall not be used to monitor or record residential hallways, residential lounges, or the insides of campus daycare facilities.
 - c. UAS shall not be used to monitor or record sensitive institutional or personal information, which may be found, for example, on an individual's workspaces, on computer or other electronic displays.

In addition, operators of any UAS for personal or recreational use must abide by the following FAA issued safety recommendations:

1. Fly below 400 feet and remain clear of surrounding obstacles;
2. Keep the aircraft within visual line of sight at all times;
3. Remain well clear of and do not interfere with manned aircraft operations;
4. Do not fly within 5 miles of an airport unless contact is made with the airport and control tower before flying;
5. Do not fly near people or stadiums;
6. Do not fly an aircraft that weighs more than 55 lbs; and
7. Do not be careless or reckless with the unmanned aircraft.

Violations of this policy by anyone not a member of the University community may result in removal from University property. Legal prohibitions regarding physical presence on campus/trespassing may also be pursued.

Violations by members of the University community may result in disciplinary action pursuant to the University's applicable disciplinary policies.

2.1.20 Whistleblower Policy

Lynn University has a responsibility for the stewardship of the University's resources and the public and private support that enables it to pursue its mission. Lynn University's internal policies and operating procedures are intended to detect and to prevent or deter improper activities. However, intentional and unintentional violations of laws, regulations, policies and procedures may occur and may constitute unlawful activities. Lynn University has a responsibility to

investigate and report to appropriate party's allegations of suspected improper activities, and to protect those individuals ("whistleblowers") who, in good faith, report these activities to the appropriate authority. This policy is not intended to replace or supersede any existing University policies, which may outline the normal courses of reporting specific infractions.

Definitions

Improper Activities – A serious violation of University policy or procedures; a violation of applicable state and federal laws; or the use of University property, resources, or authority for personal gain or other non-University-related purpose except as provided under University policy.

Protected Disclosure – Communication about actual or suspected improper activities engaged in by a University employee, student, volunteer, agent or contractor (who is not also the disclosing individual) based on a good faith and reasonable belief that the conduct has both occurred and is wrongful under applicable law, regulation and/or University policy or procedure.

Retaliation – Adverse action against an individual because she or he has made a protected disclosure or has participated in an investigation, proceeding or hearing involving a protected disclosure.

Reporting and Investigation

All members of the Lynn University community (including Board of Trustees members, employees, volunteers, students, donors, vendors, and alumni) are responsible for reporting suspected or actual improper activities (see Definitions). The University is committed to protecting individuals from interference with making a protected disclosure pursuant to this policy and from retaliation for having made a protected disclosure or for having refused an illegal order.

Allegations of suspected improper activities shall be made verbally or in writing as soon as the reporting individual knew or should have known of the misconduct to the reporting party's immediate supervisor or other appropriate administrator or supervisor within the department or program so as to assure a clear understanding of the issues raised. The party receiving the report shall then forward the report to the Vice President for Business and Finance. Such reports shall be factual and contain as much specific information as possible.

When there is a potential conflict of interest or for other reasons, such reports may be made to another Lynn University official whom the whistleblower may reasonably expect to have either responsibility over the affected area or the authority to review the alleged improper activity on behalf of Lynn University. When the alleged improper activities involve the President or a Vice President, such reports shall be made to the Chair of the Board of Trustees. All employees who receive such reports shall immediately report them in writing to the Chair of the Board of Trustees.

The Board of Trustees' Audit Committee will investigate all material internal complaints promptly and with discretion, and all information obtained will be handled on a "need to know" basis. In conducting an investigation, the Board of Trustees' Audit Committee may enlist outside legal, accounting or other advisors, as appropriate, to conduct any investigation of complaints regarding financial statement disclosures, disclosure concerns or violations, accounting, internal accounting controls, auditing matters or violations of Lynn University's policies. At the conclusion of the investigation, corrective action, up to and including termination, will be taken where the

allegations are verified and/or otherwise substantiated. In addition, if illegal activity is suspected, the case will be referred to local law enforcement agencies.

Whistleblower Protection

Lynn University employees may not retaliate against a Whistleblower with the intent or effect of adversely affecting the terms or conditions of employment or enrollment. If the Whistleblower has made a confidential report, Lynn University will exercise reasonable care to keep the Whistleblower's identity and the report confidential, unless (1) the Whistleblower agrees to the disclosure; (2) disclosure is necessary to allow Lynn University or law enforcement officials to investigate or respond effectively to the report; (3) disclosure is required by law; or (4) the person(s) accused of violations by the Whistleblower are entitled to the information as a matter of institutional due process in disciplinary proceedings.

When a person reports allegations of suspected improper activities to an appropriate authority the report is known as a protected disclosure. Lynn University employees and applicants for employment who make a protected disclosure are protected from retaliation. Whistleblowers who reasonably believe that a Lynn University employee has retaliated them against may file a written complaint with the President with a copy to the Chair of the Board of Trustees. Each retaliation complaint will be reviewed and investigated in a systematic and timely manner. A valid retaliation complaint will result in appropriate disciplinary action. Such disciplinary action may include termination, suspension, expulsion, cancellation of the applicable vendor contract, removal from campus and/or any other action the University deems necessary.

The prohibition against retaliation is not intended to prohibit managers or supervisors from exercising legitimate supervisory responsibilities in the usual scope of their duties, other institutional policies, and valid performance-related factors.

Baseless Claims

A Baseless Claim results when an allegation is made with reckless disregard for its truth or falsity. A Lynn University community member who makes a Baseless Claim may be subject to disciplinary action by Lynn University and/or legal recourse by individuals who are falsely accused.

Other Remedies and Appropriate Agencies

In addition to the internal complaint process set forth above, any member of the campus community who has information concerning allegedly unlawful conduct may contact the appropriate government agency or call the Florida State Attorney's Office.

2.2 Health and Environmental Safety Policies

2.2.1 Health Policies

2.2.1.1 Alcohol and Drugs Prevention Program

Pursuant to the Federal Drug-Free Schools and Communities Act Amendments of 1989, Lynn University has a drug and alcohol prevention program for its students and employees. The program includes an annual disclosure to each student and to all employees outlining the standard of conduct expected of students and employees in relationship to the possession, use or distribution of illicit drugs and alcohol on any of the University's campuses or as part of any University

activity; a description of the applicable legal sanctions under local, state and federal law which may arise from the unlawful possession or distribution of illicit drugs; a description of the health risks associated with the use of illicit drugs; and a clear statement of the disciplinary sanctions which may be imposed by the University upon students and employees for violations of the standard of conduct.

The University's Alcohol and Drug Prevention Program is reviewed biennially by the University to determine effectiveness and to implement changes (if needed) to ensure that the University's disciplinary sanctions (below) are consistently enforced. The University's biennial review includes a determination as to: (a) the number of drug- and alcohol-related violations and fatalities occurring on the Lynn University campuses or as part of University sanctioned activities that are reported to campus officials; and, (b) the number and types of sanctions the University imposed on students and employees as a result of such violations or fatalities.

Standards of Conduct

Drug and Alcohol Free Workplace

To further its interest in avoiding accidents, to promote and maintain safe and efficient working conditions for its employees, to protect its business, property, equipment, and operations, and in compliance with the Drug Free Workplace Act, the University has established a Drug and Alcohol Free Workplace policy concerning the use of alcohol and drugs (see Volume III of the *Lynn University Policy Manual*) by employees. As a condition of continued employment with the University, each employee must abide by the policy.

Student Alcohol Use

Lynn University respects the rights of those students 21 years of age or older to consume alcohol. Therefore, with regard to on-campus consumption of alcohol, only students 21 years of age or older may consume and possess alcohol, and only if done so in the privacy of their rooms or at specifically designated functions. Students under the age of 21 are not permitted to have alcohol on campus or at any designated University function. Students found in violation of this policy may have the alcohol confiscated and may also have conduct code charges filed against them. Alcohol is not permitted in public areas without permission from an appropriate University official. The use of bulk or keg containers is prohibited, unless approved in advance pursuant to the proper protocols with an authorized University officer. Please refer to the University's Alcohol and Other Drugs Policy (see Volume VI of the *Lynn University Policy Manual*) for additional information.

Student Drug Use

The University does not condone the illegal possession, use, abuse of prescription drugs, provision, or sale of drugs, including marijuana. Students found using drugs will be subject to appropriate discipline. Students found selling drugs could be expelled. Please see the University's Alcohol and Other Drugs Policy in Volume VI, of the *Lynn University Policy Manual* and/or the Alcohol and Other Drug Policy booklet for complete details.

Amnesty Policy

As partners with the University in promoting health and safety, all students have a responsibility and obligation to seek immediate assistance for any student known to be experiencing a serious health crisis, including one resulting from high risk drinking or the

abuse of other drugs. As such, students who seek assistance on behalf of a peer and are themselves under the influence of alcohol or drugs in violation of this policy will not receive a Code of Conduct sanction for this action. Additionally, the student who is the subject of the report will not receive a Code of Conduct sanction for this action.

It is the University's intention to partner with students in promoting health and safety. The University will provide students with the assistance needed to respond to high risk drinking and other drug abuse. Students may seek such assistance by contacting Student Affairs or Campus Safety.

After the crisis is resolved, the student who experienced the health crisis, as a result of alcohol intoxication or other drug consumption, will be referred to a substance abuse prevention and treatment specialist. The substance abuse prevention and treatment specialist will provide further assessment, substance abuse education, counseling, recommendations and/or referral as applicable to the individual student's need.

Alcohol or Drug Intoxication or Overdose Emergencies

Individuals concerned about a person's intoxication, condition, consciousness, or safety, should call 911, call Campus Safety at 561-237-7226 and/or take the individual to a hospital emergency room. Also, please contact the Department of Campus Safety or, if the incident involves a resident student, a staff member from resident life.

After calling 911 or contacting Campus Safety, turn the person on his or her side, with their arm extended and supporting their head. Never allow an intoxicated or drugged person to "sleep it off."

Walk or drive an intoxicated person(s) home. Do not let or leave anyone alone outside when intoxicated. Make certain intoxicated individuals are safe INSIDE once home.

Signs of Alcohol Poisoning

- Person is known to have consumed large quantities of alcohol in a short period of time
- Person is semi-conscious or unconscious and cannot be awakened
- Person has cold, clammy, unusually pale, or bluish skin
- Person is breathing slowly or irregularly – usually this means less than eight times a minute or eight seconds or more between any two breaths
- Person vomits while unconscious and does not wake up during or after

Health Risks

The use of illicit drugs is associated with many health risks, including hepatitis, HIV, addiction, and impaired ability to function. Alcohol abuse is associated with impaired coordination, decreased mental alertness, and many other health risks. Health risks of illicit drug use and alcohol abuse increase with prolonged use.

The following briefly summarizes health risks and symptoms associated with alcohol abuse and use of illicit drugs. It is important to note that individuals experience alcohol and drugs in different ways based on physical tolerance, body size, gender and a variety of other physical and psychological factors.

Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair judgment and coordination required to drive a car safely; increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts. Moderate to high doses of alcohol cause marked impairment in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects described.

Repeated use of alcohol can lead to addiction. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver. Drinking during pregnancy may cause birth defects such as fetal alcohol syndrome, mental retardation and irreversible physical abnormalities. Research also indicates that children of alcoholic parents are at greater risk of becoming alcoholics.

Marijuana

Marijuana use leads to a substantial increase in the heart rate. It impairs or reduces short-term memory and comprehension. Motivation and cognition can be altered. With extended use, it can produce paranoia and psychosis. Smoking marijuana damages the lungs and pulmonary system. Marijuana contains more cancer-causing agents than tobacco. It also lowers male sex hormones, suppresses ovulation, and causes changes in the menstrual cycle and possible birth defects. Someone who uses marijuana may laugh inappropriately and have bloodshot eyes, dry mouth and throat, odor of the drug, and a poor sense of timing and increased appetite.

Cocaine and Crack

Health risks may include changes in body temperature and blood pressure as well as heart and breathing rates. Even small amounts may cause the body to exceed its own limits, sometimes resulting in death. Snorting cocaine may severely damage nasal tissue and the septum. Smoking cocaine may damage the lungs. Someone using cocaine may experience muscle twitching, panic reactions, anxiety, numbness in hands and feet, loss of weight, a period of hyperactivity followed by a crash, a runny or bleeding nose and depression. Other symptoms of cocaine may include nausea, vomiting, insomnia, tremors and convulsions. Chronic users may become paranoid and/or experience hallucinations.

Barbiturates

In small doses, barbiturates produce calmness, relaxed muscles and lowered anxiety. Larger doses cause slurred speech, staggering gait and altered perception. Very large doses, or doses taken in combination with other central nervous system depressants (e.g., alcohol), may cause respiratory depression, coma and even death. A person who uses barbiturates may have poor muscle control, appear drowsy or drunk, become confused, irritable, or inattentive, or have slowed reactions.

Amphetamines

Amphetamines, methamphetamines or other stimulants can cause increased heart and respiratory rates, elevated blood pressure and dilated pupils. Larger doses cause rapid or irregular heartbeat, tremors and physical collapse. An amphetamine injection creates a sudden increase in blood pressure that can result in stroke, high fever, heart failure and death. An individual using amphetamines might begin to lose weight, have the sweats and appear restless, anxious, moody and unable to focus. Extended use may produce psychosis, including hallucinations, delusions and paranoia.

Hallucinogens (including PCP, LSD, Mescaline, Peyote, Psilocybin)

PCP, or angel dust, interrupts the part of the brain that controls the intellect and keeps instincts in check. PCP blocks pain receptors. Violent episodes, including self-inflicted injuries, are not uncommon in PCP users. Chronic users report memory loss and speech difficulty. Very large doses produce convulsions, coma, heart and lung failure, or ruptured blood vessels in the brain. LSD, mescaline, peyote, etc. cause dilated pupils, elevated body temperature, increased heart rate and blood pressure and tremors. Someone under the influence of PCP might appear moody, aggressive or violent. Such an individual may become paranoid and experience hallucinations and have time and body movements slowed. People using LSD may experience loss of appetite, sleeplessness, confusion, anxiety and panic and may report perceptual distortion. Flashbacks may occur.

Narcotics (including Heroin, Codeine, Morphine, Opium, Percodan)

Because narcotics are generally injected, the use of contaminated needles may result in many different diseases, including AIDS and hepatitis. Symptoms of overdose include shallow breathing, clammy skin, convulsions and coma and may result in death. Some signs of narcotic use are euphoria, drowsiness, constricted pupils and nausea. Other symptoms include itchy skin, needle or “track” marks on the arms and legs, nodding, lack of sex drive and appetite and sweating, cramps and nausea when withdrawing from the drug.

Alcohol and Substance Abuse Resources

The following is a list of some alcohol and other drug prevention, counseling, treatment and rehabilitation programs and hotlines. Addiction is a disease for which help is available. Students are encouraged to contact the Counseling Center for help by call 561-237-7237. Employees may seek help through the Unum Employee Assistance program, www.lifebalance.net (user ID and password = lifebalance) or speak with a specialist at 800-854-1446.

Hotlines:

Alcoholic Anonymous	561-383-1111
Narcotics Anonymous	561-848-6262
Cocaine Hotline	800-347-8998
AIDS Hotline	800-352-2437
Suicide Hotline	561-383-1111

Drug and Alcohol Rehabilitation Centers:

Center at Origins	561-841-1000
Fair Oaks Hospital	561-495-1000
Caron Renaissance	561-241-7977
The Beachcomber Family Center for Drug and Alcohol Abuse	561-276-6226
Behavioral Health of the Palm Beaches	561-296-8121 / 888-432-2467
The Florida House	954-421-6242 / 561-350-5522
LifeSkills South Florida	954-834-5099 / 561-392-1199 (Out- Patient)

Sanctions

Students, staff or faculty who engage in conduct prohibited by law in violation of any city ordinances, state criminal laws, or federal laws relating to alcohol or drug use or the University's Alcohol and Drug policies may be subject to disciplinary sanctions as follows:

For **Students**, sanctions may include warnings, behavioral contracts, community service, financial fines or restitution, referrals to professional counseling, social probation, probation, suspension from the University, expulsion, and the withholding or revocation of a degree. University sanctions are set forth in detail in the Student Code of Conduct. Sanctions that include suspension and/or dismissal from the University may be noted on the student's permanent academic records, including transcripts.

For **Staff** employees, the sanction may include any form of progressive discipline or termination as set forth in Volume III of the *Lynn University Policy Manual*, including disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay or termination, as well as possible training and/or referral to counseling.

For **Faculty**, the sanction may include any form of progressive discipline or termination as set forth in Volume IV of the *Lynn University Policy Manual*, including disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination, as well as possible training and/or referral to counseling.

For an **Employee who is also a student** who is acting within the scope of his/her employment at the time of the incident, the sanction may include any permissible from Volume III of the *Lynn University Policy Manual*.

At the discretion of the University, a student or employee found to have violated any city ordinances, state criminal laws, or federal laws relating to alcohol or drug use the law or University alcohol and drug policies may be required, in addition to any disciplinary action taken or as an alternative to disciplinary action, to participate in and satisfactorily complete, an appropriate counseling, rehabilitation or assistance program. In addition to University sanctions, the affected individual may be subject to criminal penalties under applicable federal and state law (see below).

Notice of Federal Student Financial Aid Penalties for Drug Law Violations

As prescribed in section 484(r) of the Higher Education Act, a student who, during a period of enrollment for which the student was receiving any Federal grant, loan, or work assistance, is convicted of any offense under any Federal or State law involving the possession or sale of a controlled substance shall not be eligible to receive any additional grant, loan, or work assistance from the date of that conviction for the period of time specified in the following table:

	Sale of Illegal Drugs	Possession of Illegal Drugs
1st offense	1 year from date of conviction	2 years from date of conviction
2nd offense	2 years from date of conviction	Indefinite period
3+ offenses	Indefinite period	Indefinite period

(If the student was convicted of both possessing and selling illegal drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.)

Students denied eligibility for an indefinite period can regain it only after successfully completing an approved rehabilitation program or if a conviction is reversed, set aside, or removed from the student's record so that fewer than two convictions for sale or three convictions for possession remain on the record. In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility.

Student Responsibilities if Convicted During Period of Enrollment

If a student is convicted of a drug offense after receiving Federal aid, they must notify the Office of Financial Aid immediately. If a student has been convicted of a drug offense while applying to receive Title IV Federal financial aid, they are required to report the conviction on item number 23 of the FAFSA.

Parental Notification for Student Violations of the Alcohol and Other Drug Policy

The Family Education Rights and Privacy Act of 1974 authorizes higher education institutions to inform a parent or guardian of any student under age 21, who has been found in violation of any federal, state or local law or any rule or policy of the institution governing the use or possession of alcohol or controlled substances. The Dean of Students will notify parents/guardians of students under 21 years of age when a student is found responsible for a violation of the University's Alcohol and Drugs policies and all appeals have been exhausted.

State Alcohol Laws and Sanctions

Florida Statutes Chapter 562 details the Florida laws on alcoholic beverages and related penalties (misdemeanor, felony). Pursuant to Florida Statute 562.11, it is unlawful for person under the age of 21, except a person employed under the provisions of s. 562.13 acting in the scope of her or his employment within hotels, restaurants and other licensed establishments, to have in her or his possession alcoholic beverages. (F.S. §562.111). Violation of this offense is punishable by a definite term of imprisonment of up to 60 days and/or a \$500 fine; a subsequent offense is

punishable by a definite term of imprisonment of up to one year and a fine of \$1,000. Possession of alcoholic beverages by a person under age 21 may also result in curtailment of driving privileges.

Florida Statute 562.11 also prohibits persons from selling, giving, serving or permitting to be served alcoholic beverages to a person under 21. It is also unlawful for a person under 21 to misrepresent his age in order to obtain alcohol. This includes the manufacture or use of false identification. Use of altered identification for the purpose of procuring alcoholic beverages is a felony. Violation of either of these offenses is also punishable by a definite term of imprisonment of up to 60 days and a fine of \$500. Misrepresentation of age may also lead to curtailment of driving privileges. See s. 775.082 or s. 775.083. A person who violates this subparagraph a second or subsequent time within 1 year after a prior conviction commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

No person in the state shall be intoxicated and endanger the safety of another person or property, and no person in the state shall be intoxicated or drink any alcoholic beverage in a public place or in or upon any public conveyance and cause a public disturbance. (F.S. §856.011). Any person violating the provisions of this subsection 856.011 shall be guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Florida law also prohibits public intoxication on a street or public place while within the city limits. A person is guilty of the offense of driving under the influence and is subject to punishment as provided in subsection (2) if the person is driving or in actual physical control of a vehicle within this state and (F.S. §316.193):

- (a) The person is under the influence of alcoholic beverages, any chemical substance set forth in s. 877.111, or any substance controlled under chapter 893, when affected to the extent that the person's normal faculties are impaired;
- (b) The person has a blood-alcohol level of 0.08 or more grams of alcohol per 100 milliliters of blood; or
- (c) The person has a breath-alcohol level of 0.08 or more grams of alcohol per 210 liters of breath.

(2) (a) Except as provided in paragraph (b), subsection (3), or subsection (4), any person who is convicted of a violation of subsection (1) shall be punished:

- 1. By a fine of:
 - a. Not less than \$500 or more than \$1,000 for a first conviction.
 - b. Not less than \$1,000 or more than \$2,000 for a second conviction; and
- 2. By imprisonment for:
 - a. Not more than 6 months for a first conviction;
 - b. Not more than 9 months for a second conviction.

See F.S. §316.193 for additional information.

Florida Drug Laws and Sanctions

The Florida statutes with regard to drug abuse are found in Florida Statutes Chapter 893. This chapter includes definitions of what constitutes illegal drugs, drug paraphernalia, prohibited activities, and related penalties. Conviction for the possession or distribution of illegal alcohol or drugs will result in various penalties according to the nature of the offense. This can include imprisonment, fines, confiscation of property, and other related penalties.

Per Section 893.11(1), “it is unlawful for any person to sell, purchase, manufacture, or deliver, a controlled substance in, on, or within 200 feet of the real property comprising a public or private collage, University, or other postsecondary educational institution.” Punishment for such crimes ranges from first-degree misdemeanors (up to one-year imprisonment and up to a \$1,000 fine) to first-degree felonies (up to 30 years imprisonment and up to a \$10,000 fine). Specifically, possession of fewer than 20 grams of marijuana is punishable with imprisonment of up to one year and a fine of up to \$1,000; possession of more than 20 grams of marijuana is a third-degree felony with imprisonment of up to five years and a fine of up to \$5,000. Trafficking (distributing specified large quantities of various controlled substances) is punishable by a term of imprisonment up to life and a fine of \$25,000 to \$500,000, depending on the particular illicit drug and the quantity involved. Thus, possession of fewer than 28 grams of cocaine is a third-degree felony, while possession of more than 28 grams of cocaine—trafficking in cocaine—is a first-degree felony, punishable with a fine of up to \$250,000 and imprisonment up to life without eligibility for early release. The death penalty may be imposed if a person has brought large quantities of the substances into the state knowing the result would be the death of any person.

Florida Controlled Substance List and Schedules can be found under F.S. §893.03. Florida “Precursor Chemical” list, which are chemicals that may be used in manufacturing a controlled substance in violation of Florida Statute, can be found under F.S. §893.033.

Individuals who have been convicted of a felony involving the sale of or trafficking in, or conspiracy to sell or traffic in, a controlled substance under certain circumstances may be disqualified from applying for state employment. Convictions on drug-related charges also may result in disqualification for federal financial aid. Punishments may include a fine of up to \$8 million and life imprisonment.

Federal Penalties for Illicit Drugs

The following federal trafficking penalties for illegal drugs took effect November 18, 1988, under the Controlled Substance Acts (CSA).

CSA I and II Penalties

For possession of 10–99 gram (gm) or 100–999 gm mixture of methamphetamine or PCP; 100–999 gm mixture of heroin; 500–4,999 gm mixture of cocaine; 5–49 gm mixture of cocaine base; 1–10 gm mixture of LSD; 40–399 gm mixture of fentanyl; 10–99 gm mixture of fentanyl analogue, the penalty is:

First offense: not less than five years or more than 40 years of imprisonment; if death or serious injury occurs, not less than 20 years of imprisonment or more than life; a fine of not more than \$2 million for individuals or \$5 million for other than individual.

Second offense: not less than 10 years of imprisonment or more than life; if death or serious injury occurs, not less than life imprisonment; a fine of not more than \$4 million for individuals, \$10 million for other than individual.

For possession of 100 gm or more, or one kg or more mixture of methamphetamine or PCP; one kg or more mixture of heroin; five kg or more mixture of cocaine; 50 gm or more mixture of cocaine base; 10 gm or more mixture of LSD; 400 gm or more mixture of fentanyl; 100 gm or more mixture of fentanyl analogue; the penalty is:

First offense: not less than 10 years of imprisonment or more than life; if death or serious injury occurs, not less than 20 years of imprisonment or more than life; a fine of not more than \$4 million for individuals, or \$10 million if other than individual.

Second offense: not less than 20 years of imprisonment or more than life; if death or serious injury occurs, not less than life imprisonment; a fine of not more than \$8 million for individuals, \$20 million for other than individual.

For other drugs, not including marijuana, hashish, or hash oil, the penalty is:

First offense: not more than 20 years of imprisonment; if death or serious injury occurs, not less than 20 years of imprisonment or more than life; a fine of \$1 million for individuals, \$5 million for other than individual.

Second offense: not more than 30 years of imprisonment; if death or serious injury occurs, life imprisonment; a fine of \$2 million individuals, \$10 million for other than individual.

CSA III, IV, and V Penalties

For CSA III drugs, not more than five years of imprisonment: a fine of not more than \$250,000 for individuals, or

\$1 million for other than individual.

Second offense: penalties double that of first offense.

For CSA IV drugs:

First offense: not more than three years of imprisonment; a fine of not more than \$250,000 for individuals, or

\$1 million for other than individual.

Second offense: penalties double that of first offense.

For CSA V drugs:

First offense: not more than one year of imprisonment; a fine of not more than \$100,000 for individuals, or \$250,000 for other than individual.

Second offense: penalties double that of first offense.

Marijuana, Hashish, and Hashish Oil

For possession of 1,000 kilogram (kg) or more, or 1,000 or more plants, of marijuana or mixture containing discernible quantity:

First offense: not less than 10 years of imprisonment, not more than life imprisonment. If death or serious injury occurs, not less than 20 years of imprisonment, not more than life

imprisonment; a fine of not more than \$4 million for individuals, \$10 million for other than individual.

Second offense: not less than 20 years of imprisonment or not more than life imprisonment; if death or serious injury occurs, not less than life imprisonment; a fine of not more than \$8 million for individuals, \$20 million for other than individual.

For possession of 100 kg to 1,000 kg, or 100–999 plants, of marijuana or mixture containing discernible quantity:

First offense: not less than five years of imprisonment, not more than 40 years of imprisonment. If death or serious injury occurs, not less than 20 years of imprisonment, not more than life imprisonment; a fine of not more than \$2 million for individuals, \$5 million for other than individual.

Second offense: not less than 10 years of imprisonment or more than life imprisonment; if death or serious injury occurs, not less than life imprisonment; a fine of not more than \$4 million for individuals, \$10 million for other than individual.

For possession of 50 to 100 kg, or 50–99 plants, of marijuana; 10 to 100 kg hashish; or 1 to 100 kg hashish oil: First offense: not more than 20 years of imprisonment. If death or serious injury occurs, not less than 20 years of imprisonment, not more than life imprisonment; a fine of \$1 million for individuals, \$5 million for other than individual.

Second offense: not more than 30 years of imprisonment. If death or serious injury occurs, life imprisonment, a fine of \$2 million for individuals and \$10 million for other than an individual.

For possession of under 50 kg of marijuana, less than 10 kg of hashish, less than 1 kg of hashish oil:

First offense: not more than five years of imprisonment; a fine of not more than \$250,000 for individuals, \$1 million for other than individual.

Second offense: not more than 10 years of imprisonment; a fine of not more than \$500,000 for individuals, \$2 million for other than individual.

Drug-related Overdoses; Medical Assistance; Immunity from Prosecution (893.21)

(1) A person acting in good faith who seeks medical assistance for an individual experiencing a drug-related overdose may not be charged, prosecuted, or penalized pursuant to this chapter for possession of a controlled substance if the evidence for possession of a controlled substance was obtained as a result of the person's seeking medical assistance.

(2) A person who experiences a drug-related overdose and is in need of medical assistance may not be charged, prosecuted, or penalized pursuant to this chapter for possession of a controlled substance if the evidence for possession of a controlled substance was obtained as a result of the overdose and the need for medical assistance.

(3) Protection in this section from prosecution for possession offenses under this chapter may not be grounds for suppression of evidence in other criminal prosecutions.

2.2.1.2 Serving Alcohol at Lynn University Sponsored Events

If alcohol is to be served at a Lynn University sponsored and approved event, approval must be obtained one month in advance. Requests for approval to serve alcohol at a Lynn University sponsored event less than one month in advance will be considered on a case-by-case basis. Student organization must obtain written approval from the Vice President for Student Affairs. All other events where alcohol is to be served must be approved in writing by the Vice President for Administration and/or the General Counsel for the University.

All guidelines and regulations contained in the University's Alcohol and Other Drugs policy must be strictly observed. Any student organization seeking to serve alcohol at an event must complete a registration form and designate a staff or faculty sponsor for the event. The staff or faculty sponsors assumes the responsibility of adhering to Lynn University guidelines and state law, and insuring that appropriate behavior is maintained at all times.

The following guidelines will be observed for all approved events serving alcohol:

1. For on-campus events, alcoholic beverages are to be consumed only in the designated room(s) approved for the event;
2. Proof of legal drinking age will be required;
3. Individuals are not permitted to bring their own alcoholic beverages to an on-campus event;
4. Lynn University encourages low risk use of alcohol. No person will be served alcohol if they are already visibly intoxicated;
5. Drinking games will not be allowed;
6. No person may purchase or obtain alcohol for another person unless the person is present at the time of service, regardless of whether they are of legal drinking age;
7. Soft drinks and food are made available for the duration of any activity where alcoholic beverages are served; and
8. Lynn University will discourage the inappropriate use of alcohol by any member of its community.

2.2.1.3 Use of Alcohol at Athletic Events

Alcoholic beverages may not be possessed, consumed or served at University intramural or intercollegiate athletic contests unless otherwise approved by the General Counsel of the University.

2.2.1.4 Communicable Diseases

An occurrence of a communicable disease can threaten the health and welfare of the entire Lynn community. Such infectious diseases include, but are not limited to:

1. Measles;
2. Tuberculosis;
3. Hepatitis;
4. Meningitis;

5. Chicken Pox;
6. Influenza;
7. Pneumonia;
8. Mononucleosis; and
9. Ebola.

It is the intent of the University to reasonably guard the Lynn community from exposure to communicable diseases while simultaneously protecting the rights of an infected student or employee.

With that purpose in mind, it is mandated that any student diagnosed with a communicable disease will directly notify the Director of the University Health Center or the Dean of Students. Employees diagnosed with a communicable disease must directly notify their immediate supervisor or the Employee Services Office, who in turn shall notify the Director of the University Health Center. Depending upon the nature of the illness, the director may in turn notify the appropriate University officials, as well as the Palm Beach County Public Health Department (as required by law). As long as medical evidence indicates that the involved student or employee does not pose a risk to himself/herself or others, all reasonable accommodations will be made to permit the student or employee in question to continue his or her academic studies or return to work. This decision will be made on a case-by-case basis with the advice of medical professionals. In reaching the decision, these factors will be considered:

1. The condition of the individual and the individual's ability to perform job duties or academic responsibilities;
2. The probability of infection of co-workers, students, or other members of the Lynn University community based on the expected interaction of the person in the Lynn University setting;
3. The possible consequences to co-workers, students, and other members of the Lynn University community, if infected;
4. Possible reasonable accommodations and modifications or other obligations to take account of the condition;
5. Risk to the individual's health from remaining in the academic setting, on the job, or in the Lynn University community; and
6. Other appropriate factors.

Any determination with respect to an employee or student will be made following consultation with the affected employee or student, the employee or student's treating physician (if available), and such other persons as need to be involved in such a situation.

A student who requires an extended absence (greater than three school days) should notify the Dean of Students. The Dean of Students will determine whether the excuse is warranted. The student will be required to fill out a Student Absence Form. Any student experiencing a medical circumstance which does not permit him or her to remain a part of the University community for an extended period of time may apply for a medical withdrawal. Employees who require an extended absence should confer with Employee Services to determine which of the University's leave policies should be utilized.

Any student that has been diagnosed with a communicable disease and is no longer contagious will provide the University Health Center with documentation from his or her treating health care provider. Employees should provide such documentation to Employee Services. The documentation should reflect that the individual is not contagious and that he or she is capable of returning to the rigors of academic studies or work as applicable.

The returning student and employee will also comply with all follow up care as described by the medical provider. Procedures for handling pandemic outbreaks are described in detail within the Lynn University Critical Incident Management Plan.

2.2.1.5 Health Insurance Portability and Accountability Act (HIPAA)

Lynn University complies with all laws that govern employee and students' medical records, their review and their dissemination. The University will not require individuals to waive their health privacy rights as a condition for treatment, payment, enrollment in the health plan, and/ or eligibility for benefits. Lynn University will not intimidate, threaten, coerce, discriminate against, or take other retaliatory action against an individual for exercising health privacy rights.

For more detailed information, please refer to the website for the United States Department of Health and Human Services as <http://www.hhs.gov/ocr/hipaa>.

2.2.1.6 Smoke Free/Tobacco Free Policy

Lynn University is dedicated to promoting a healthy and comfortable environment for students, faculty, staff and visitors. To meet this commitment, smoking and tobacco use are prohibited on campus. Research shows tobacco use, in general, constitutes a significant health hazard. This policy is designed to educate and reduce student and employee exposure to the harmful effects of smoking and tobacco use in the educational environment.

Definition of Terms for the purpose of this policy:

“Smoking” means inhaling, exhaling, burning, or other personal use of any lit or unlit tobacco or simulated tobacco product, including cigarettes, electronic cigarettes, cigars, electronic cigars, hookahs, pipe tobacco, and any other tobacco products or simulated tobacco products.

“Tobacco use” means the personal use of any tobacco or simulated tobacco product, whether intended to be lit or not, which includes, but is not limited to smoking, as defined above, the use of any other device intended to simulate smoking, as well as the use of smokeless tobacco, including snuff; chewing tobacco; smokeless pouches; any other form of loose-leaf, smokeless tobacco; and the use of unlit cigarettes, cigars, and pipe tobacco.

Policy Statement

Smoking and tobacco use are prohibited in all facilities owned or leased by Lynn University and on the grounds of any property owned or leased by the university, except in areas that have been designate as official smoking areas.

Enforcement

The success of this policy depends upon the thoughtfulness, consideration, and cooperation of tobacco users and nontobacco users. Employees, students, volunteers and guests who observe individuals smoking or using tobacco on campus may decide to respectfully explain that such use is not allowed. If uncomfortable approaching someone who is smoking or using tobacco, or for

continued concerns, individuals should report the incident to Campus Safety. Individuals who violate this policy by smoking or using tobacco in the manner prohibited above will be subject to corrective actions consistent with current university procedures that address the violation of any student and employee policy.

Smoking Cessation Program

The university is committed to supporting all employees and students who wish to stop using tobacco or nicotine products. Information on resources to help employees overcome tobacco or nicotine addiction is available through The Office of Employee Services. Information to assist students overcome tobacco or nicotine addiction is available through the Student Health Center.

2.2.2 Environmental Safety Policies

2.2.2.1 Control of Hazardous Energy Program

Purpose

To establish procedures for ensuring safe work practices when servicing or maintaining equipment that possess, or has the potential of, hazardous energy. Commonly referred to as Lockout/Tagout, this program has been expanded to include other energy sources.

Definitions

1. Energy Source: All sources of actual or potential energy. This may include electrical, mechanical, hydraulic, pneumatic, chemical, thermal, or other.
2. Lockout: Is the physical protection placed on equipment and/or systems to prevent the flow of energy from a power source to a piece of equipment and keep it from operating. This can include a covering device to prevent movement of valves or electric control, but must include a locking mechanism that only one person has the ability to remove.
3. Tagout: Is the placement of numbered and tracked informational warning tags on lock out devices indicating why the device is locked out and who locked the equipment.
4. OSHA: Occupational Safety and Health Administration.
5. Authorized Employees: Individuals trained in lockout/tagout and other energy control procedures and are qualified or licensed to work on specific systems.
6. Affected Employees: Individuals affected by equipment being locked out or energy controlled, they too must be trained in the purpose of lockout/tagout and other energy control procedures.

Discussion

1. OSHA requires all energy sources that can be locked out or controlled during service, maintenance, or repair will be accomplished by the servicing technician. **(Note: installed guards and/or internal devices are not considered legal substitutes for energy control procedures and do not comply as such.)**
2. In conjunction with these procedures, training and random inspections apply. Training will be conducted annually for those responsible to the program. Should an employee observe an instance where service or maintenance work is being done and these procedures are not followed, they should immediately notify the Director of Auxiliary Services.

3. All maintenance personnel will be instructed and trained in the requirements of this program. Only certain employees, with current training, are authorized to lockout/tagout or otherwise control energy to equipment. This primarily involves the electricians, oil burner, HVAC, plumber, and mechanical trades personnel. Others needing energy control assistance shall contact those authorized to exercise lockout/tagout control or their supervisor.
4. Maintenance personnel are required to utilize the Control of Hazardous Energy Procedures when working on equipment that has uncontrolled energy potential. The Director of Mechanical Services is responsible for ensuring that control devices are available for each trained employee and are used during maintenance activities and other potentially hazardous activities.
5. Appropriate surveillance of the work area conditions and degree of employee exposure shall be the responsibility of the Director of Mechanical Services or his/her assigned representative. Inspections of work sites where control devices are used shall be made to ensure compliance with this program.
6. This program and these procedures will be reviewed annually against applicable federal and state guidelines for safety and revised as needed.

Procedures

1. These procedures shall cover:
 - a. Notifications;
 - b. Preparing for shutdown;
 - c. Performing shutdown;
 - d. Isolating equipment;
 - e. Discharge of residual energy;
 - f. Applying controlling devices;
 - g. Power verification;
 - h. Restoring power;
 - i. Outside contractors;
 - j. Personnel changes;
 - k. Power sources that cannot be controlled;
 - l. Equipment information through electronic reporting (MP2);
 - m. Records and record keeping.
2. **Notifications** shall be initiated early to ensure supervisors and affected personnel are aware of the energy source being locked out or controlled. This notification should also include the anticipated duration of the shutdown. Authorized personnel will also advise on any support equipment that may be impacted, additional safety precautions being taken, and the type of control device being used.
3. **Preparations for the shutdown** shall begin after all notifications have been made. Authorized personnel must be fully aware of the type and magnitude of the energy involved, associated

hazards of the energy involved, and control methods of the energy involved. Authorized personnel shall refer to owner/service manuals as needed to ensure they are fully aware of any and all potential hazards associated with the equipment they are working on.

4. **Performing the shutdown**, authorized personnel shall first advise affected personnel that shutdown is taking place. Locate the energy source (**Always look for hidden energy sources**). Some machines have more than one power source. Follow the procedures established to shut down the equipment as prescribed in the appropriate service manual. Paragraph #13 of these procedures addresses where additional power sources may be located for the equipment being serviced.
5. **Isolating equipment** is the next step in the process. The machine(s) or equipment energy sources to be shut down should already be capable of being controlled. Initial isolation should begin by turning off the energy at the main power source. This process should continue until all power sources have been turned off. Paragraph #13 of these procedures addresses additional energy source information from electronic reporting.
6. **Discharge of residual energy** will be performed prior to applying any controlling devices. The purpose is to release any residual hazardous energy (real or potential) before work commences that may pose a threat to technicians.
7. **Applying controlling devices**, every power source capable of being locked out shall be identified and appropriately locked out. Authorized personnel shall maintain a supply of lockout devices specific for their trade and area of expertise. Additional devices can be obtained from the lockout/tagout center located at the facilities shop. Locks, color code identified to individual technicians, will be kept at the facilities shop. This will include key-sets and tagout information. In the event that two or more trades are needed to work on the same equipment at the same time, each will affix a controlling device and lock to the energy control. As each technician completes their portion of the work, they will remove their lock only.
8. **Power verification**, once satisfied that all sources are controlled, technicians should attempt to restart the device to guarantee that the power is shut off (**Remember to return the switch back to the off position.**)
9. **Restoring power** should only occur after all work has been completed. Ensure all tools are removed from the immediate work area and replace all machine guards that may have been removed for servicing. Remove the control device and tag, reconnect energy sources, and ensure proper operation of the equipment and/or system. *The controlling device and tag shall be removed only by the technician who attached them.* Only after this has been completed should notification be made the equipment/system is back in service.
10. **Outside contractors** performing work at the University (requiring use of or around controlled energy equipment) should be aware of this process. Where conflicts arise in exercising this policy, both Auxiliary Services and contractor supervisor will consult to resolve the issue. Contractors may opt to use their own control devices, but will first notify Auxiliary Services of their use. Using their own devices in no way voids their adherence to these established procedures.
11. **Personnel changes**, as in normal shift change, dictate the need to change locks on the device. If the oncoming individual is not qualified/licensed in that specific trade, the equipment may

remain locked out by the initial worker until the next working day. Any equipment being locked out overnight shall be brought to the attention of the supervisor.

12. **Power sources that cannot be controlled** will be very rare. Should a technician or contractor be confronted with a situation, Auxiliary Services will be notified. It will be the supervisor's decision if tagout alone will be a sufficient safety measure.
13. **Equipment information through electronic reporting** will be used to the greatest extent possible. Information contained will include: location of energy sources, location of secondary or hidden power sources, preferred control devices and locations, and any vital safety information.
14. **Records and record keeping** shall be performed by Auxiliary Services personnel and kept on file with the Auxiliary Services, Office Manager. Those employing lockout/tagout procedures shall fill out the log and denote the identification number of the tag on the log sheet. In addition, the name of the facility, equipment and signature are required on the log sheet. Log sheets shall be retained for a period of three years.

2.2.2.2 Exposure to Blood Borne Pathogens

In accordance with the Occupational Safety and Health Administration's (OSHA) federal standard for Blood Borne Pathogens, those members of the campus community identified at high risk for the transmission of infectious disease include members of the Health Center, the Athletic Department, Campus Safety, and Facility Services. These members of the campus community must comply with all segments of this Policy. Failure to do so may result in discipline leading up to and including dismissal.

Universal precautions shall be observed to prevent contact with blood or other potentially infectious materials. Under circumstances in which differentiation between body fluid types is difficult or impossible, all body fluids shall be considered potentially infectious materials.

Compliance Methods

1. Universal precautions will be observed in order to prevent contact with blood or other potentially infectious materials. All blood or other potentially infectious material will be considered infectious regardless of the perceived status of the source individual.
2. Work practice controls will be utilized to eliminate or minimize exposure to employees. Where occupational exposure remains after implementation of these controls, personal protective equipment shall also be utilized. The following controls will be utilized:
 - a. Protective gloves will be worn during patient contact.
 - b. Needles will be disposed of in sharps containers.
 - c. Specimens and disposable equipment will be disposed of in appropriately marked containers.
 - d. Protective gloves will be worn when cleaning rest rooms.
 - e. Bodily fluid spill kits are available in all custodial closets.
 - f. Double gloves should be worn when cleaning bodily fluid spills.

- g. Infectious waste will be placed in red biohazard bags and then placed in designated red biohazard containers.
3. The above controls will be examined and maintained on a regular schedule. The schedule for reviewing the effectiveness of the controls is as follows:
 - a. Physical Plant personnel are responsible for reviewing the effectiveness of controls in cleaning rest rooms, repairing plumbing fixtures, and other maintenance related tasks.
 - b. The Physical Plant will also ensure that bodily fluid spill clean-up kits are available in all custodial closets.
 4. Hand-washing facilities are available to the employees who incur exposure to blood or other potentially infectious materials. OSHA requires that these facilities be readily accessible after incurring exposure.
 5. Immediately after removal of personal protective gloves or as soon as feasible, employees and students shall wash hands and any other potentially contaminated skin area with soap and water.
 6. If employees or students incur exposure to their skin or mucous membranes, those areas shall be washed or flushed with water as appropriate as soon as feasible following contact.

Contaminated Equipment

1. Equipment which has become contaminated with blood or other potentially infectious materials shall be examined prior to servicing or shipping and shall be decontaminated as necessary unless the decontamination of the equipment is not feasible.
2. Everything is either disposable or can be decontaminated.

Laundry Procedures

Laundry contaminated with blood or other potentially infectious materials will be handled as little as possible. Such laundry will be placed in marked bio hazard bags at the location where it was used. Such laundry will not be sorted or rinsed in the area of use. All employees who handle contaminated laundry will utilize personal protective equipment to prevent contact with blood or other potentially infectious materials.

Personal Protective Equipment

All personal protective equipment used at the University will be provided without cost to employees. Personal protective equipment will be chosen based on the anticipated exposure to blood or other potentially infectious materials. The protective equipment will be considered appropriate only if it does not permit blood or other potentially infectious materials to pass through or reach the employees' clothing, skin, eyes, mouth, or mucous membranes under normal conditions of use and for the duration of the time that the protective equipment will be used.

Personal protective equipment is kept in all areas designated as having the potential for exposure. Gloves are worn on all occasions where there is potential for contact with bodily fluids. Utility gloves are kept with cleaning supplies and worn by custodians when cleaning restrooms.

All personal protective equipment will be cleaned, laundered, repaired, replaced, and/or disposed of by the employer at no cost to employees.

The OSHA standard also requires appropriate protective clothing to be used, such as lab coats, gowns, aprons, clinic jackets, or similar outer garments. All garments that are penetrated by blood shall be removed immediately or as soon as feasible. All personal protective equipment will be removed prior to leaving the work area. All personal protective equipment is disposable and shall be disposed of in properly marked, red biohazard bags and then placed in red receptacles located throughout campus. All reusable equipment is disinfected in a disinfectant solution after each use.

Gloves shall be worn where it is reasonably anticipated that employees will have hand contact with blood, other potentially infectious materials, non-intact skin, and mucous membranes.

Gloves shall be worn for any procedure with the potential for contact with body fluids.

Disposable gloves used at the University are not to be washed or decontaminated for re-use and are to be replaced as soon as practical when they become contaminated or immediately if they are torn, punctured, or when their ability to function as a barrier is compromised. Utility gloves may be decontaminated for re-use provided that the integrity of the glove is not compromised. Utility gloves will be discarded if they are cracked, peeling, torn, punctured, or exhibits other signs of deterioration or when their ability to function as a barrier is compromised.

Masks in combination with eye protection devices, such as goggles or glasses with solid side shield, or chin length face shields, are required to be worn whenever splashes, spray, splatter, or droplets of blood or other potentially infectious materials may be generated and eye, nose, or mouth contamination can reasonably be anticipated.

University facilities will be cleaned and decontaminated according to the following schedule:

1. Custodians do routine cleaning depending on room usage;
2. Rest rooms are cleaned daily.

Decontamination will be accomplished by utilizing approved disinfectants.

All contaminated work surfaces will be decontaminated after completion of procedures and immediately, or as soon as feasible, after any spill of blood or other potentially infectious materials, as well as the end of the work shift if the surface may have become contaminated since the last cleaning.

All bins, pails, cans, and similar receptacles shall be decontaminated following each use. The person using these receptacles shall be the one responsible for its cleaning. The person doing the clean-up shall wear gloves and use appropriate disinfectant.

Any broken glassware which may be contaminated will not be picked up directly with the hands. Glass shall be collected with dustpan and broom from blood spill kit, located in each area, and placed in red bag container for disposal. The broom and dustpan will be soaked in a disinfectant after use.

All contaminated sharps shall be discarded as soon as feasible in sharps containers.

Regulated waste other than sharps shall be placed in appropriate containers.

Needles

Contaminated needles and other contaminated sharps will not be bent, recapped, removed, sheared or purposely broken. OSHA allows an exception to this if the procedure would require that the contaminated needle be recapped or removed and no alternative is feasible and the action is required by the medical procedure. If such action is required then the recapping or removal of the needle must be done by the use of a mechanical device or a one-handed technique. All contaminated needles and other sharps are disposed of in red, marked, puncture resistant, leak-free containers.

Containers for Reusable Sharps

Immediately after use, or as soon as possible, reusable contaminated sharps are to be placed in appropriate sharps containers. All contaminated needles and sharps that are not to be reused, shall be disposed of in red, marked, puncture resistant, leak-free containers.

Specimens

1. Specimens of blood or other potentially infectious materials will be placed in leak-proof containers during collection, handling, processing, storage, and transport of the specimens.
2. The container used for this purpose will be red in color in accordance with the requirements of the OSHA standard. (Note that the standard provides for an exemption for specimens from the labeling/color coding requirement of the standard provided that the facility utilizes universal precautions in the handling of all specimens and the containers are recognizable as containing specimens. This exemption applies only while the specimens remain in the facility.) Universal precautions will be observed at all times.
3. Any specimens that could puncture a primary container will be placed within a secondary container that is puncture resistant.
4. Sharps containers, all contaminated equipment, and all specimens are placed in a red bag that is placed in an appropriately labeled box. These are disposed of through collection by a qualified medical waste disposal service.
5. If outside contamination of the primary container occurs, the primary container shall be placed within a secondary container that prevents leakage during the handling, processing, storage, transport, or shipping of the specimen.

Work Area Restrictions

1. In work areas where there is a reasonable likelihood of exposure to blood or other potentially infectious materials, employees and students are not to eat, drink, apply cosmetics or lip balm, smoke, or handle contact lenses. Food and beverages are not to be kept in refrigerators, freezers, shelves, cabinets, or on counter tops or bench tops where blood or other potentially infectious materials are present.
2. Mouth pipetting/suctioning of blood or other potentially infectious materials is prohibited.
3. All procedures will be conducted in a manner that will minimize splashing, spraying, splattering, and generation of droplets of blood or other potentially infectious materials. Methods at the University to accomplish this include:

- a. Contaminated sharps and other contaminated equipment are disposed of in appropriate containers;
- b. Covers are placed on centrifuges and/or coverings are placed on specimen containers.

Hepatitis B Vaccine

All employees who have been identified as having exposure to blood or other potentially infectious materials will be offered the Hepatitis B vaccine, at no cost to the employee.

The vaccine will be offered within 10 working days of their initial assignment to work tasks involving the potential for occupational exposure to blood or other potentially infectious materials unless the employee has previously had the vaccine or wishes to submit to antibody testing which shows the employee to have sufficient immunity.

Employees who decline the Hepatitis B vaccine will sign a waiver.

Employees who initially declined the offer to be vaccinated, but who later request it, may have the vaccine provided at no cost.

The Director of the Health Center is responsible for ensuring that employees have been previously vaccinated, receive the vaccine, or sign waivers declining the vaccination. The vaccine is administered by the Health Center. Records documenting the vaccination, or the signed waiver, shall be completed by the Health Center and maintained in the employee's personnel file.

Post-Exposure Evaluation Follow-up

When the employee incurs an exposure incident, it shall be reported to the employee's supervisor and the Director of Employee Services, or their respective designees, within 24 hours.

All employees who incur an exposure incident will be offered post-exposure evaluation and follow-up in accordance with the OSHA standard.

This follow-up will include the following:

1. Documentation of the route of exposure and the circumstances related to the incident;
2. If possible, the identification of the source individual and, if possible, the status of the source individual;
3. The blood of the source individual will be tested (after consent is obtained) for HIV/HBV infectivity;
4. Results of testing of the source individual will be made available to the exposed employee and the exposed employee will be informed about the applicable laws and regulations concerning disclosure of the identity and infectivity of the source individual;
5. The employee will be offered the option of having blood collected for testing of the employee's HIV/HBV serological status. The blood sample will be preserved for up to 90 days to allow the employee to decide if the blood should be tested for HIV serological status;
6. However, if the employee decides prior to that time that testing will or will not be conducted, the appropriate action can be taken and the blood sample discarded;
7. Note: Any employee who wants to participate in the medical evaluation program must have blood drawn;

8. The employee will be offered post exposure prophylaxis in accordance with the current recommendations of the U.S. Public Health Service;
9. The employee will be given appropriate counseling concerning precautions to take during the period after the exposure incident. The employee will also be given information on what potential illnesses to be alert for and to report any related experiences to the appropriate personnel; and
10. The Director of Auxiliary Services and the Director of the Health Center have been designated to assure that the Policy outlined here is effectively carried out as well as to maintain records to this Policy.

Interaction with Health Care Professionals

A written opinion shall be obtained from the health care professionals who evaluate employees of the University. Written opinions will be obtained in the following instances:

1. When the employee is sent to obtain the Hepatitis B vaccine/results;
2. Whenever the employee is sent to a health care professional following an exposure incident;
3. Health care professionals shall be instructed to limit their written opinions to:
 - a. Whether the Hepatitis B vaccine is indicated and if the employee has received the vaccine.
 - b. That the employee has been informed of the results of the evaluation, and that the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials. (Note that the written opinion to the employer is not to reference any personal medical information).

Training

Training for all employees who are identified as having a risk of contact with occupational exposure will be conducted prior to initial assignments of tasks where occupational exposure may occur and then annually. Training for employees will include the following explanation of:

1. The OSHA standard for Blood Borne pathogens;
2. The Epidemiology and symptomatology of Blood Borne diseases;
3. The modes of transmission of Blood Borne pathogens;
4. This exposure control plan, i.e., points of the plan, lines of responsibility, how the plan will be implemented, etc.;
5. Control methods that are used at the University to control exposure to blood or other potentially infectious materials;
6. Personal protective equipment available and who should be contacted concerning exposure;
7. Post-exposure evaluation and follow-up;
8. Signs and labels used at the University;
9. Hepatitis B vaccine program at the University;
10. Rubella titer for positive antibodies; and
11. Physical to assess physical status.

Record Keeping

The Office of Employee Services maintains all records required by the OSHA standard. These records will include:

1. Exposure Plan;
2. Observance of Universal Precautions;
3. Hepatitis B Vaccination;
4. Post-exposure Evaluation and Follow-up;
5. Hazard Communication;
6. Information and Training;
7. Record keeping.

2.2.2.3 Hazardous Materials Program

The Hazardous Materials Program of Lynn University fulfills the Hazard Communication Standard promulgated by the Occupational Safety and Health Administration.

The University's Hazardous Materials Program applies to employees who are exposed to hazardous chemicals under normal operating conditions or in the event of a foreseeable emergency. A review of all departments and employee positions has been completed to determine which have reasonable potential for occupational exposure to hazardous materials during the performance of work. Listed below are those departments or programs that employ individuals covered by the hazard communication program:

- Facility Services
- Mechanical Services
- Grounds Dept.
- Food Services
- Athletic Trainer
- Aviation
- Culinary Lab
- Science
- Health Services

In general, the hazard communication program does not apply to administrative office employees.

The OSHA Hazard Communication Standard has five primary components that Lynn University must fulfill:

1. Hazard determination;
2. Written program;
3. Container labeling;
4. Material Safety Data Sheets (MSDS); and
5. Training.

The University maintains a copy of the OSHA Hazard Communication Standard, available for employee review during regular business hours at Auxiliary Services. A copy of the standard is also accessible on the internet at www.osha.gov.

Hazard Determination

Chemical manufacturers must evaluate their products to determine associated hazards. The information about the chemicals' hazards must be given to each purchaser of that chemical. Hazard warnings and other information are commonly provided on the container label and the Material Safety Data Sheets ("MSDS").

Container Labeling

As required by federal OSHA regulations, containers (e.g., spray bottles, 1-gallon jugs, 5-gallon pails, drums, etc.) of hazardous chemicals must be clearly labeled with the following information:

1. Chemical or Product Name;
2. Chemical formulas and acronyms are not acceptable forms of labeling when used alone;
3. Manufacturer Name, Address, and Telephone Number;
4. Applicable Hazard Information (e.g., "Flammable," "Corrosive," etc.);
5. Appropriate Health Hazard Warnings (e.g., "Inhalation Hazard," "Eye Irritant," etc.).

Chemical Inventory and Material Safety Data Sheets

As required by OSHA regulations, all employees must have unobstructed access to an MSDS for each chemical product they may use or potentially be exposed to during their work. The Director of Auxiliary Services is the administrator of the chemical inventory and MSDS for all of Lynn University. The position is to maintain the inventory in a computerized file and make the inventory available whenever requested by University personnel. In addition, MSDS for each chemical is available. It is the direct responsibility of each individual area around campus to supply their on-hand inventory and MSDS three (3) times per year on the first Monday in February, May and October of each calendar year directly to the Director of Auxiliary Services.

The areas responsible for collecting and reporting chemical inventory and MSDS are as follows (this includes vendors operating on campus within these areas that store material on campus):

Area	Responsible Person	Divisional Vice President
Facility Services	Director of Facility Services	Senior Vice President for Administration
Mechanical Services	Director of Mechanical Services	Senior Vice President for Administration
Grounds Dept.	Grounds Manager	Senior Vice President for Administration
Food Services	Food Service Manager	Senior Vice President for Administration
Athletic Trainer	Head Trainer	Senior Vice President for Administration
Aviation	Dean, College of Aviation	Vice President for Academic Affairs
Culinary Lab	Instructor, Culinary Lab	Vice President for Academic Affairs
Science	Chair of Science Department	Vice President for Academic Affairs
Health Services	Head Nurse	Vice President for Student Affairs

Responsible areas are to use the template provided by the Director of Auxiliary Services and submit their inventory electronically via email. Any questions regarding this Policy are to be addressed to the Director of Auxiliary Services.

Training

To effectively educate employees, Lynn University's has developed a training program to meet the training requirements of the Hazard Communication Standard. It is the responsibility of each department/program/division to provide its employees training for processes that are unique to that department/program/division. Department Heads therefore discuss the University's Hazardous Materials Program with employees on a periodic basis. Additional information will be provided whenever the potential for exposure to hazardous chemicals is altered or whenever new and significant information is received by the department/program/division concerning the hazard of a chemical. New or newly assigned employees shall be provided training before working with or in a work area containing hazardous chemicals.

Students registered in courses where they may be exposed to hazardous chemicals under normal operating conditions or foreseeable emergencies should be provided training before working with or in a work area containing hazardous chemicals/materials. Training is the responsibility of the instructor.

The training program shall include but is not limited to the following: information on interpreting labels and MSDS and the relationship between these two methods of hazard communication; how to obtain a MSDS, introduction to toxicology and risk assessment, acute and chronic effects, safety handling, protective equipment to be used, first aid treatment with respect to the hazardous chemicals used by faculty, staff and students; and general safety instructions on handling, cleanup procedures, and disposal of hazardous chemicals.

Departments/program/division and individuals providing training shall keep a record of the dates of training sessions and the names of the employees and/or students attending. Copies of training records shall be submitted to the Employee Services Office within 5 working days of the training session.

Rights of Employees and Students

1. Employees and students shall not be required to work with a hazardous chemical from a container that does not have a label, except for a portable container intended for immediate use by the employee or student who performs the transfer.
2. Employees that are routinely exposed to hazardous chemicals shall be informed of such exposures and shall have access to MSDS for the hazardous chemicals. In addition, such employees shall receive training on the hazards of the chemicals and on measures they can take to protect themselves from those hazards.
3. The University shall provide, at no expense to employees, appropriate personal protective equipment to protect employees from exposures to hazardous chemicals. Students may be required to purchase routine personal protective equipment (e.g., eye protection, lab coats, etc.); however, departments or division shall provide specialized personal protective equipment (e.g., respirator, face protection, gloves, barrier creams, etc.).
4. No department/program/division shall discharge, cause to discharge, or otherwise discipline or in any manner discriminate against an employee because the employee has filed a complaint, assisted an inspector of the State or Federal government, or has instituted or caused to be instituted any proceeding under or related to the Occupational Safety and Health Act or the

Right to Know Act or has testified or is about to testify in any such proceeding or because of the exercise of any rights afforded pursuant to the provisions of the Act on behalf of the employee or on behalf of others, nor shall pay, position, seniority or other benefits be lost for exercise of any right provided by the Act.

Old Equipment Disposal

All old A/C and mechanical equipment that is to be disposed of will be disposed of by Lynn University staff. Equipment removed from its operational position is to be moved to the maintenance yard. All hazardous materials are to be removed by and properly disposed of by the University or its vendors. The University or its authorized vendors can remove parts from the equipment prior to its ultimate disposal. Parts are to be properly labeled and stored in inventory for future use.

2.2.2.4 Personal Protective Equipment

This policy is designed to cover any Lynn University employee, who during the course of their duties must perform tasks in work areas where recognized hazards are present and personal protective equipment (PPE) may be required. PPE may not be necessary in areas where administrative or engineering controls are feasible and can provide protection equal to or greater than that offered by PPE. This procedure should serve as written compliance with OSHA's "Personal Protective Equipment" regulations. PPE will always be used in accordance with manufacturer's instructions as an interim measure until other control measures are identified so as to reduce the frequency and severity of injuries or illnesses.

Hazard Assessment

Auxiliary Services will conduct work site/task analysis to identify hazardous exposures to employees. The analysis will be reviewed semi-annually or updated when the hazardous exposures change. In those work sites/tasks that expose personnel to hazardous conditions that cannot be eliminated or controlled by other measures, PPE usage is the joint responsibility of both department heads and employees.

Training

Auxiliary Services is responsible for seeing that all personnel who are, or are likely to be, exposed to hazardous conditions are appropriately trained, supervised, and required to follow PPE safety rules. Auxiliary Services will certify and maintain records of training. Employees are responsible to use, maintain and dispose of PPE appropriately. Employees shall check the condition of their equipment before each shift. Employees should provide feedback to their supervisors about fit, comfort and suitability of PPE being selected. Employees must notify their supervisors any time they have a question concern about their safety of the safety of others.

Minimum training shall include:

1. When the use of PPE is necessary;
2. What PPE is appropriate;
3. How to properly put on, adjust, use, and remove PPE;
4. Limitations of PPE;
5. Where to get PPE;

6. The proper care, maintenance, useful life, and disposal of PPE.

Once training is completed, employees must demonstrate correct use, care, etc. of PPE. Retraining is necessary when any employee fails to properly utilize PPE or as conditions change, or PPE needs change.

General Guidelines

1. Ears: Employees shall use appropriate hearing PPE when required due to noise hazards associated with their job or workplace.
2. Eyes and Face: Employees shall wear appropriate protective safety glasses, goggles, or face shields when:
 - a. Working in or near areas where laser, ultraviolet, or other intense illumination is present;
 - b. Flying debris may strike the eyes;
 - c. There may be splashing of biologic agents including blood and other body fluids; and
 - d. There may be chemical splashes, mists, gases, or vapors that may cause illness, injury, or impairment.

Additionally, safety glasses, goggles, and face shields shall provide protection from flying debris entering from the side of the PPE and shall accommodate prescription lenses, either by fitting over prescription lenses, or by incorporating them into its design.

Prescription eyeglasses, alone, normally do not meet the requirements of this section. Employees should discuss prescription safety glasses with their eye-care provider to ensure that they meet all relevant standards. The University is not responsible for the cost of purchasing or providing prescription safety glasses.

3. Feet: Employees shall wear appropriate shoes or boots when:
 - a. Working in or near areas where heavy objects may fall onto the feet.
 - b. Working with or near objects that may penetrate footwear and cut or puncture the feet.
4. Head: Employees shall wear appropriate protective hard hats or helmets when:
 - a. Working in or near areas where falling or moving objects may strike the head; and
 - b. Working on or near exposed electrical conductors that could come into contact with the head.
5. Hands: Employee's shall wear appropriate protective gloves to protect their hands from:
 - a. Materials that may be absorbed through the skin or may damage the skin;
 - b. Objects that may cut or puncture the skin;
 - c. Biological agents;
 - d. Human or animal tissues;
 - e. Radioactive materials; and
 - f. Other hazard that may cause illness, injury, or impairment.

Protective lotions or creams are not adequate substitutes for gloves.

Gloves shall be chosen according to the type of work to be completed (*i.e.*, Gloves used for chemical work shall be chosen for resistance to specific solvents or other compounds and for adequate break through time; gloves used for general cleaning and trash removal shall be cut and puncture resistant).

6. Electrical Protection: Electrical protective equipment such as insulating blankets, matting, covers, lines hoses, gloves, and sleeves must be provided to employees who are exposed to electrical hazards.
7. Fall Protection: Fall protection must be provided when employees are exposed to a vertical fall of six feet or more over a lower level or at any height above dangerous equipment. Fall protection will consist of either passive (*i.e.*, safety net) or active (*i.e.*, lifelines, body belts, harnesses, or lanyards) fall preventing devices.
8. Respiratory System Protection: Employees will use appropriate respiratory protection when adequate ventilation, substitution of less toxic materials, or other primary control measures is not possible.

Monitoring

Department heads will monitor work site tasks for the introduction of new hazards or changes in existing hazards. If new hazards are discovered, task analysis will be conducted to identify appropriate PPE. Department heads at least semi-annually will conduct a work site inspection of PPE use and maintenance.

Auxiliary Services will monitor the effectiveness of this plan and make recommendations for improvement.

2.2.2.5 Spill Prevention, Control, and Countermeasure Plan

Lynn University is required to prepare, maintain and follow a Spill Prevention, Control and Countermeasure Plan (“SPCC”) since greater than 1,320 gallons of petroleum products are stored above ground and the release of oil in harmful quantities could potentially affect the nearest body of water, which are the freshwater lakes on campus and the L.W.D.D. Canal L-43 to the north of the campus. Lynn University’s SPCC Plan, which has been written to comply with the regulations defined under 40 CFR Part 112, is available for inspection in Auxiliary Services.

2.3 Campus Safety Policies

2.3.1 Access to Campus

The purpose of this policy is to establish the University’s policies and procedures regarding access to campus facilities and residential halls.

Lynn University is a private institution and it is the policy of the University that access to all campus facilities be limited to authorized personnel, students, and invited visitors. Individuals wishing to enter should have a legitimate purpose for their visit or be a student or employee’s invited guest. Visitors are at all times subject to University policies and conduct codes. Students and employees are responsible for the conduct of their guests at all times.

Students and employees are required to show a valid University identification card upon request by Campus Safety personnel. Members of the media are required to register with the Office of

Marketing and Communication prior to their arrival on campus so that Campus Safety can be advised to grant access.

Access to Campus During the Academic Year (August-May)

Between the hours of 7 a.m. and 9 p.m., visitors, students, faculty and staff are permitted access to campus. Drivers of automobiles without a Lynn bar code parking sticker will be stopped at the gate to check in.

Between the hours of 9 p.m. and 7 a.m., all persons, student or nonstudent, entering the campus must provide a valid form of photo identification (driver's license, passport or Lynn ID). This includes all of a vehicle's passengers. The N. Military Trail and West Potomac Road entrances are accessible 24 hours/day, while the East Potomac Road entrance will close each evening from 11 p.m. until 6 a.m. the following morning. All traffic entering or leaving the campus during these hours must use either the entrance on N. Military Trail or the West Potomac entrance.

Between the hours of 9 p.m. and 7 a.m., seven days a week:

- All vehicles will be stopped, and the driver and all passengers (regardless of status) will be required to show a photo ID. Residential students or staff may be permitted to enter campus with a Lynn ID.
- Nonstudents will be noted and reminded of the campus visitation policy.
- Hosts are responsible for their guests.
- During an emergency lockdown, no visitors will be permitted to access the campus.
- During any hour or time of the day, any vehicle may be stopped and the occupants questioned.

Summer Access

During the summer period (June-August), Mondays through Fridays, Campus Safety will stop and ask for the identification of all individuals who do not have a valid Lynn staff bar code parking sticker. Please note that student bar code parking stickers are null and void following the last day of summer classes. The safety of summer camp attendees (minors) remains a prime obligation, and therefore campus closes each day from 5 p.m. until 7 a.m., unless otherwise stated. Only Lynn staff, faculty, alumni, special event participants, and approved vendors are permitted on campus after hours.

Access to Residence Halls

All residence halls are secured 24 hours a day. Residents are supplied with an access card by the Office of Residence Life that allows them to enter their residence hall as well as a room key to access assigned rooms.

The Office of Housing and Residence Life works with the Department of Campus Safety to provide a safe environment within the residence halls. Students are expected to be cooperative with both Campus Safety and Housing and Residence Life staff. Resident Assistants (RAs) are on duty from 8 p.m. to 9 a.m. These student-staff members are available to assist students, provide programs, develop community and aid in securing the residence halls. Each residence hall is assigned a community advisor (CA) or upper-level student-staff member who lives in

the residence hall; the CA is on duty to assist students and the Campus Safety staff with emergency situations or with incidents that occur after regular business hours. An Area Coordinator (AC) is a full-time professional staff member who supervises two or three residence halls, and is available to assist with students' needs and issues as they occur in the halls. The CAs, RAs, and ACs are a valuable part of the University's resident hall supervision and security. They regularly patrol the halls and at least one RA is on duty every night in each hall. Security cameras are also located at the entrance of each residence halls. These are monitored by Campus Safety.

2.3.2 Annual Crime and Fire Safety Report

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Higher Education Opportunity Act of 2008 and additional revisions through 2015 require annual preparation and submission of the Campus Security and Fire Safety Report to the U.S. Department of Education. The purpose of this Policy is to establish expectations and procedures for report compilation, preparation, and record keeping.

In compliance with Student Right-to-Know and Campus Security Act of 1990, Public Law 101-542 as amended into the Jeanne Clery Act of 1998, revisions of the Higher Education Reauthorization Act and additional revisions through 2015, Lynn University prepares an Annual Security and Fire Safety Report (ASR) annually and revises its contents based on current federal regulations. The purpose of the report is to provide the campus community and general public with statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings, or property owned, leased, or controlled by Lynn University. The report also includes institutional policies concerning campus security, such as policies regarding sexual assault, alcohol and other drugs.

Content of the Annual Security and Fire Safety Report

The University's ASR, at a minimum, will include the following content:

- A statement of current campus policies regarding procedures and facilities to be used by students and others to report criminal actions or other emergencies occurring on campus and the University process for responding to such reports.
- A statement of current policies concerning security and access to campus facilities, including campus residences; security considerations used in the maintenance of campus facilities.
- A statement of current campus law enforcement policies, including, the law enforcement authority of campus security personnel; the working relationship between Campus Safety and state and local law enforcement agencies, including a description of any agreements or written memorandum of understanding with other law enforcement agencies for the investigation of alleged criminal offenses; and policies which encourage accurate and prompt reporting of all crimes to Campus Safety and the appropriate law enforcement agencies when the victim of such crimes elects to, or is unable to make such reports.
- A description of the type and frequency of campus programming designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.

- A description of University programs designed to inform students and employees about the prevention of crime.
- A report of the following crime statistics occurring on the University's Clery geography during the most recent calendar year and during the two preceding calendar years as reported to campus security authorities or local law enforcement: (1) **Criminal Offenses**—Criminal Homicide, including Murder and Non-negligent Manslaughter, and Manslaughter by Negligence; Sexual Assault, including Rape, Fondling, Incest and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson; (2) **Hate Crimes**—Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/ Vandalism of Property that were motivated by bias; (3) **VAWA Offenses**—any incidents of Domestic Violence, Dating Violence and Stalking. (Note that Sexual Assault is also a VAWA Offense but is included in the Criminal Offenses category for Clery Act reporting purposes); and (4) **Arrests and Referrals for Disciplinary Action for Weapons—Carrying, Possessing, Etc. Law Violations, Drug Abuse Violations and Liquor Law Violations**. Statistics will be disclosed separately for each of these four general categories. In addition, the ASR will include the total number of crime reports that were “unfounded” and subsequently withheld from the crime statistics.
- A statement of policy concerning the monitoring and recording, through local law enforcement, of criminal activity at off-campus student organizations which are recognized by the University, and that are engaged in by enrolled students, including student organizations with off-campus housing.
- A statement of policy regarding the possession, use and sale of alcoholic beverages and enforcement of state underage drinking laws.
- A statement of policy regarding possession, use and sale of illegal drugs and enforcement of federal and state drug laws.
- A description of drug or alcohol abuse education programs.
- A statement advising the campus community where information concerning registered sex offenders may be obtained.
- A statement of campus policies and procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus, unless issuing a notification will compromise efforts to contain the emergency. The statement must include the University's procedures to: publicize emergency response and evacuation procedures on an annual basis in a manner designed to reach students and employees; and test emergency response and evacuation procedures on an annual basis.
- A statement of procedures to make timely reports to the campus community about the occurrence of Clery crimes considered to represent a serious or continuing threat to students and employees that are reported to a CSA or Campus Safety. The procedures must confirm that reports will be provided to students and employees in a manner that is timely, will aid in the prevention of similar occurrences and that the names of victims will be kept confidential.

- A statement of policy regarding primary prevention and awareness programs to prevent domestic violence, dating violence, sexual assault, and stalking for all incoming students and new employees and ongoing prevention and awareness campaign for current students and faculty which includes: a statement that the University prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking; the legal definitions of domestic violence, dating violence, sexual assault and stalking in Florida; the definition of consent in reference to sexual activity in Florida; safe and positive options for bystander intervention; information on risk reduction; possible sanctions or protective measures that may be imposed by the University; procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault or stalking has occurred; and disciplinary procedures to be followed in cases of alleged domestic violence, dating violence, sexual assault or stalking.
- A statement of policy regarding missing student notification procedures for students who reside in on-campus housing facilities.
- A statement of campus fire safety policies and procedures, as well as a description of the University's current student housing fire safety systems.
- A description of the type and frequency of campus programming designed to inform resident students about campus fire safety procedures and practices.

Record Retention

It is the policy of Lynn University to retain the records included in the ASR for seven years from the latest publication of the ASR to which they apply. Support records must also be retained, including Crime and Fire Logs. These records include, but are not limited to: incident reports and referrals for disciplinary action; timely warning and emergency notification reports; correspondences to and from local police, CSAs, and the Department of Education having to do with Clery Act compliance; copies of notices to students and employees about the availability of the ASR. All documentation must be dated.

Definitions

Campus Security Authority— a University employee that has significant responsibility for student and campus activities, and as such is trained by the University to report certain crimes occurring on campus or at a University sanctioned event to Campus Safety for inclusion in the University's Annual Security and Fire Report.

Unfounded Reports—reports that have been fully investigated by sworn law enforcement personnel and, based on the results of this full investigation and evidence, have made formal determination that the crime report is false or baseless. Recovery of stolen property, stolen property that is of low value, the refusal of a victim to cooperate with law enforcement or the failure to make an arrest do not justify classifying a report as "unfounded."

Preparation and Distribution of the Annual Security and Fire Report Procedures

The Chief of Campus Safety collects data regarding crime and residence halls fire statistics and reviews the statistics with the Dean of Students on a monthly basis.

The statistics are drawn from the daily incident reports filed with Campus Safety, Department of Housing and Residence Life, and the Boca Raton Police Department.

The Chief of Campus Safety prepares a monthly report that is submitted to the Dean of Students.

The Annual Security and Fire Report policy statements are prepared and compiled by the Chief of Campus Safety, the Title IX Coordinator, Vice President for Student Affairs, Substance Abuse Prevention and Treatment Specialist, and Women's Center Coordinator in accordance with federal guidelines and is distributed no later than October 1 of each year.

Statistics are submitted to the Department of Education via the Crime Statistics Survey.

The Annual Security and Fire Report is published to the University community, new students, prospective students, faculty and staff. The ASR is available at the Department of Campus Safety administrative office, the Campus Communication Center and on the University's website. In addition, the websites for Employee Services and the Admissions departments will contain the exact wording below to inform prospective employees and students about the availability of the Annual Security and Fire Safety Report:

“Lynn University’s Annual Security and Fire Safety Report is available to all current employees and students, as well as prospective employees and students. This report includes statistics from the previous three years concerning reported crime that occurred on campus, in certain off-campus buildings or property owned or controlled by Lynn University and statistics for fires in on-campus student housing. The report also includes institutional policies concerning campus security and other safety information along with fire safety policies and procedures. You may obtain a hard copy of this report by contacting Campus Safety or by visiting the University Web site.”

2.3.3 Buildings and Grounds Security Maintenance

It is the policy of Lynn University to maintain a safe and secure working and learning environment. Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Buildings and grounds are patrolled and inspected regularly by Campus Safety to monitor safety and security concerns. Similarly, lighting surveys are routinely performed, fire equipment is checked daily, and maintenance issues regarding doors and locks are submitted for repairs.

2.3.4 Campus Closings and Cancellations

If there is a threat of hurricane, severe storm, or any other event that requires the campus to close:

1. The Critical Incident Management Team Leader will keep students and employees informed about procedures to be followed by utilizing the emergency notification procedures set forth in the Emergency Notification and Response Policy. If students feel they need to leave campus for the duration of a storm, they must fill out a campus departure form online at www.lynn.edu/hurricaneform.
2. University community members who live off campus will receive information through the University's Web site, telephone, local radio, television, and newspapers. Students needing additional assistance are to report to the Office of Student Affairs.

2.3.5 Campus Law Enforcement

The purpose of this Policy is to establish the University's policies and procedures regarding (a) the law enforcement authority of Campus Safety personnel; (b) the working relationship between

Campus Safety and law enforcement; and (c) the monitoring of criminal activity at off-campus student organizations.

Enforcement Authority and Working Relationship with Local Law Enforcement

Lynn's Campus Safety organization is committed to ensuring a safe environment in which to learn, live and work. At Lynn, the Chief of Campus Safety reports to the Dean of Students, and Campus Safety staff works cooperatively with Student Affairs staff in all matters involving student behavior, safety and emergency situations. Campus Safety also works closely with Employee Services in all matters involving employees.

Lynn provides its own in-house, non-sworn Campus Safety operation. A non-sworn force consists of Campus Safety officers who do not have arrest powers, unlike sworn police officers, who do. Campus Safety officers conduct patrols and investigations, provide safety escorts and transports, manage parking services and enforcement, respond to medical emergencies, oversee building and campus entrance access control, monitor Closed Circuit TV surveillance, and conduct safety and security programming events. Campus Safety officers patrol University grounds, bordering sidewalks contiguous to the University footprint, all gatehouse entrances, and all academic and residence hall buildings. Campus Safety staff is composed of officers with vast military, security, and law enforcement experience.

Campus Safety cooperates with the City of Boca Raton Police Department, Boca Raton Fire/Rescue, Palm Beach County Sheriff's Office, and the federal and state police agencies. These agencies can and may arrest students who violate the law on or off campus. Local law enforcement is notified immediately and respond to: crimes against persons, violent crimes, major felonies, crimes involving a known or identified suspect, all private persons arrests on campus, and are called when police presence and/or assistance is deemed appropriate. All crime reports initiated by Campus Safety are forwarded to the applicable law enforcement agency for investigation and mandated reporting as required by Uniform Crime Reporting Standards. Campus Safety also assists local fire/paramedic personnel as well as other local and county, state and federal law enforcement agencies when they respond to campus. There is no written memorandum of understanding between Lynn University and the City of Boca Raton Police Department.

Monitoring of Off-Campus Student Organizations

There are no student organizations officially recognized by the University with noncampus locations. As such, the University does not work with local law enforcement agencies to monitor and assess criminal activity by students at off-campus locations of student organizations.

2.3.6 *Child Abuse and Neglect*

Under the State of Florida's Protection of Vulnerable Persons Act, every individual in the state is required to immediately report known or suspected child abuse and child sexual abuse to the Florida Department of Children and Family Services' Abuse Hotline, with the definition of "child" including any person under the age of eighteen. This includes reporting suspected abuse committed by adults who are not the child's legal guardian and by juvenile sexual offenders.

Failure to report a known instance of child abuse of any kind is a third-degree felony, punishable by up to five years in prison and up to a \$5,000 fine. In addition, the failure of a University administrator to report suspected abuse potentially exposes the University to a \$1 million fine.

"Administrator" is defined as the President, Vice Presidents, Deans, Director of Campus Safety, the Athletic Director, and the Title IX Coordinator.

To report possible child abuse using the Abuse Hotline please go to: reportabuse.dcf.state.fl.us, call toll-free 1- 800-962-2873 (TDD 1-800-453-5145), or report by fax to 1-800-914-0004.

Reports may be made (24 hours a day, 365 days a year) by phone using a toll-free telephone number, by fax, or by web-based report. For more information and tips on successful reporting please go to: www.myflfamilies.com/service-programs/abuse-hotline/howtoreport. Anyone reporting in good faith is immune from any civil or criminal liability.

2.3.7 Daily Crime and Fire Logs

The Department of Campus Safety maintains a Daily Crime and Fire Log that records, by the date the incident was reported, all crimes and other serious incidents occurring on campus, within non-campus buildings or properties, on public property or within the campus patrol boundaries.

The daily Morning Report is available for public inspection at the Campus Communication Center, located between Freiburger Residence Hall and E.M. Lynn Residence Hall. Upon request, the Morning Report's most recent 60-day period may be inspected at Campus Safety during normal business hours (8 a.m.-5 p.m.), Monday through Friday, unless the University is closed. Any portion of the log older than 60 days may be inspected at Campus Safety within two business days of being requested. Logs are kept for seven years.

The Daily Crime portion of the Log includes the nature, date, time and general location of each crime reported to the department for the most recent 60-day period, as well as the disposition of the complaint, if the information is known at the time of publication. The Fire Log component lists all fires in the University residence halls that have been reported to Campus Safety for the most recent 60-day period. Campus Safety posts incidents in the Daily Crime and Fire Log within two business days of receiving a report and reserves the right to exclude reports under certain circumstances.

2.3.8 Disclosures to Victims of Alleged Crimes

The purpose of this policy is to establish the University's responsibilities for the disclosure of the results of any investigation and/or due process hearing conducted by the University against a student or employee who is the alleged perpetrator of a crime of violence or a non-forcible sex offense in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

Lynn University will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the results of any investigation and/or due process hearing conducted by the University against a student or employee who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of a crime of violence or non-forcible sex offense, the University will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

Note: The University will provide both the accused and the accuser with simultaneous written notification of any result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault or stalking. In these cases, it is not necessary for a victim to make a written request to the University.

Definitions

Violent Crimes—those offenses which involve force or threat of force including murder and non-negligent manslaughter, forcible rape, robbery, and aggravated assault.

Non-Forcible Sex Offense—unlawful, non-forcible sexual intercourse: a) incest – non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law, and b) statutory rape – non-forcible sexual intercourse with a person who is under the statutory age of consent.

Reporting Procedures

The Vice President for Student Affairs (or a designee), upon written request, will inform the alleged victim of a crime of violence or a non-forcible sex offense (or next of kin if the victim is deceased) the results of any student investigation and/or due process hearing conducted by the University.

The Director of Employee Services (or designee), upon written request, will inform the alleged victim of a crime of violence or a non-forcible sex offense (or next of kin if the victim is deceased) the results of any employee investigation and/or due process hearing conducted by the University.

2.3.9 Emergency Notification and Response

The purpose of this policy is to establish the University's responsibilities and procedures for responding to emergency incidents and/or dangerous situations involving an immediate threat to the health or safety of Lynn University students or employees, including the issuance of notifications to the University community.

Emergency Notification

According to Lynn University Policy (Volume II: Section 2.5.3.1), the Office of Marketing and Communication (OMC)—and specifically the Public Information Officer—operate as the university's crisis communication arm. In the event of a campus emergency, inclement weather event, or similar occurrence, working in collaboration with Campus Safety, the office will contact the campus community (faculty, staff and students, and those individuals they've registered as their emergency contacts) using the university's timely warning and emergency notification systems as applicable.

The method(s) used for notification will depend on the seriousness of the incident, as determined by the Chief of Campus Safety (Incident Commander). Coordination between OMC and Campus Safety will occur based on the timeliness of the message needing to be shared.

a. Communication methods and operations

Methods: Emergency notifications will be sent to faculty, staff and students (or a subset of the group). All system directories are updated based on data entered into the Jenzabar system and maintained by IT Services. Various communication methods are available and include, but are not limited to, the following:

- Email Alerts—Most common and usually in the form of a Campus Safety Update.

- Text Alerts—Typically used for imminent or more serious incident(s) that may be weather or emergency-related.
- Desktop Messaging—Temporarily “takes over” university computer systems to provide emergency message; typically, the same message communicated by email, voice, or text alerts.
- Voicemail Alerts—Used in conjunction with email and text alerts, if necessary.
- Public Address System—Outdoor campus-wide alert system that carries the same message as other alerts.

In addition to the above, the IMT may employ other methods for notifying those within the university community, including, but not limited to, cell phones, two-way radios, Campus Safety Officers, and other university personnel.

Operations:

- Blackboard Connect (email, text, voice communication) and/or Alertus (desktop, public address system) should be used if one of the following is true:
 - It is determined that there is an *immediate, imminent, and/or ongoing threat to the campus and/or community members*, e.g., a building fire, severe weather, gas leak, bomb threat, active shooter, chemical spill, intruder/sexual assault.
 - An event external to Lynn’s campus occurs that causes a campus-wide reaction: campus is locked down, evacuated, etc., e.g., police request campus lockdown due to external incident.
- When an incident is not deemed a threat, the proper mix of communications channels will be decided by the Chief of Campus Safety on a case-by-case basis.
 - A targeted* use of Blackboard Connect and/or Alertus may be deemed necessary. Specifically, if the incident creates fast-moving misinformation via word of mouth and/or social media, OMC staff may recommend an approach to address the rumors and reduce possible panic.
 - Additionally, a campus-wide email should be used in conjunction with other communications channels. If Blackboard Connect is used, the campus-wide email should be held until the incident is over. If it is determined that Blackboard Connect is not going to be used, then the campus-wide email should go out ASAP.

*A targeted deployment can also be used when an incident has occurred that, although initially believed to be a threat to the campus community, is quickly determined to be a false alarm.

b. University community

Official information will be made available as quickly as possible to the university Operator and to the entire campus community via the communication vehicles mentioned above. OMC, in cooperation with Campus Safety, will be prepared to issue the following types of alerts to the University community:

<p>Emergency Notifications</p>	<p>Used to immediately notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.</p> <p>The message would go to all university-owned cell phones and to the phones of any students or employees who have registered this information in Jenzabar.</p> <p>Two types of emergency notices are possible:</p> <ul style="list-style-type: none"> I. Emergency Alert—Text message alert when there is imminent danger. I. Weather Alert—Text message alert about severe weather and/or weather closures.
<p>Timely Warning Alerts</p>	<p>Depending upon the incident, this type of alert will be sent for Clery Act crimes reported to the Campus Security Authority (CSA) or local law enforcement occurring in specific geographical areas (on-campus, public property, noncampus) and representing a serious and/or continuing threat to students and employees, e.g., a robbery when no suspect is in custody.</p>

If a text message alert is issued, alerts will also be sent via e-mail and in any other way deemed appropriate given the circumstances.

4. Public Information

University policy mandates that only certain administrators may speak on behalf of the university. OMC serves as the authorized spokesperson for the university. All public information must be coordinated and disseminated by its staff with assistance from other university departments and/or personnel. Under certain circumstances, the previously named administrators may designate others as spokespersons, such as the Chief of Campus Safety, the President, or the Provost in certain situations.

5. Individuals and Groups Outside of the Campus Community

Means of notification may also occur, including dissemination of the notification to off-campus emergency contacts (i.e., Boca Police Department, fire rescue, etc.), the media, parents/guardians, or other methods Other designed to effectively notify the campus and broader community.

- 6. The University procedures on how it confirms that there is an alert/emergency notification must be issued is first through the report to Campus Safety made by the victim(s), the witnesses, or a third parties. Once the incident information is obtained, the Campus Safety Officer or dispatcher receiving the information will immediately assess the severity of the information and advised the on-duty supervisor. If it is determined to be an serious and urgent matter requiring campus alert notification the on-duty supervisor will immediately contact the Asst. Chief and Chief of Campus Safety explaining the

totality of the circumstances. The Chief of Campus Safety will determine the need for an alert based on the information provided and the criteria set forth in DOE guidance. If an alert notification is warranted, the Chief of Campus Safety will immediately contact the points of contact within the Marketing and Communications department and provide those facts and circumstances of the particular incident. Marketing and Communications staff, along with the Chief of Campus Safety, will draft and review the content of the alert notification. Once the alert/emergency notification content is finalized, the Chief of Campus Safety will initiate the notification system to disseminate the information quickly and widely to the Lynn community (Marketing personnel may assist with various forms of communication portions of the notification system upon the Chief of Campus Safety's request).

Title of the Person(s) and Organization carrying out the above tasks are as follows:

Campus Safety team:

Chief of Campus Safety (Event and Emergency Management team Incident Commander)

Asst. Chief of Campus Safety

Campus Safety Captain, Lieutenant and/or Sergeant

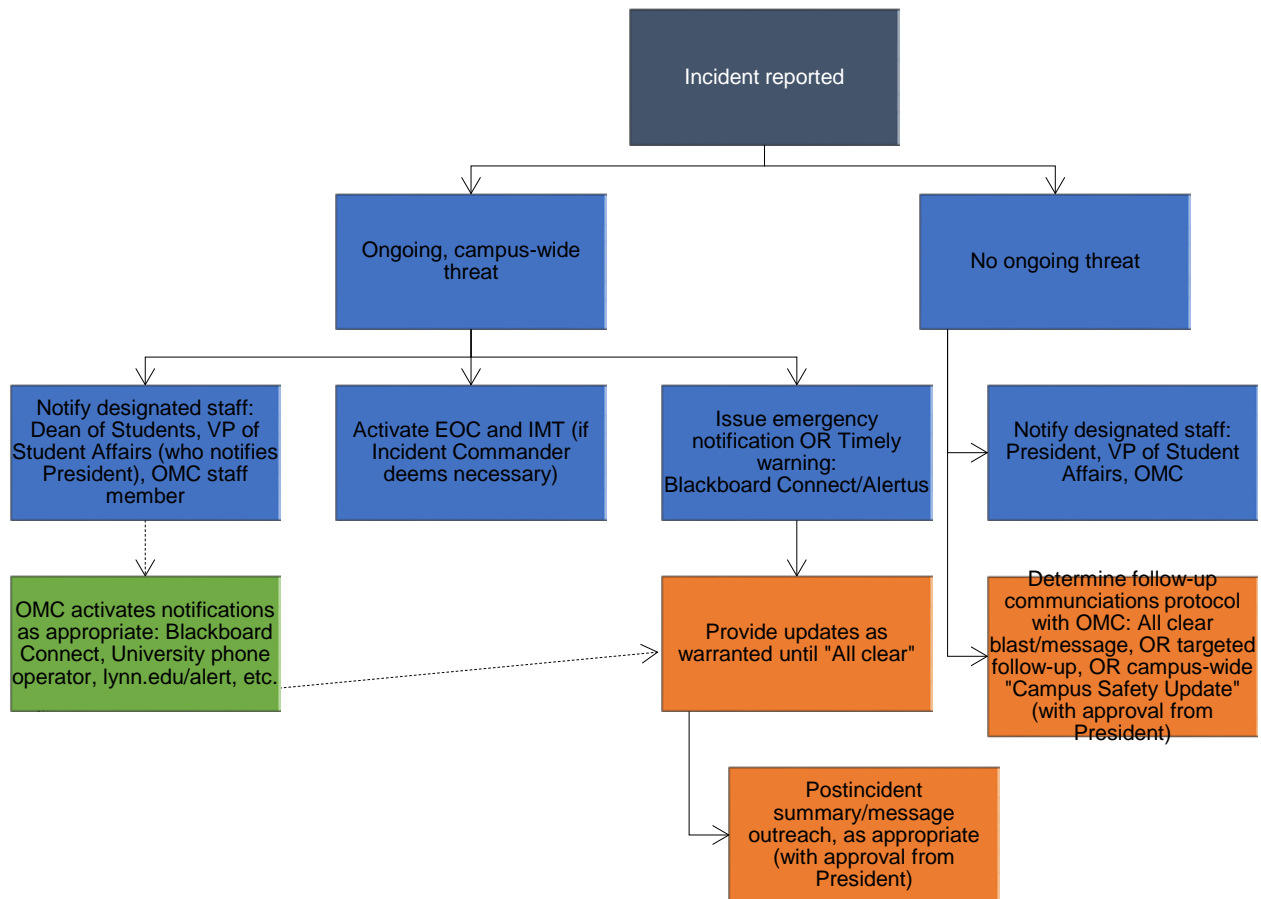
Campus Safety Dispatchers

Marketing and Communications team:

Marketing and Communications Director (Event and Emergency Management team Public Information Officer)

Public Relations Manager

A responsibilities chart for the key members has been established for critical incidents as well as the protocol for the response.



Color Key:

Blue = Campus Safety Responsibility

Green = Communications Responsibility

Orange = Joint Responsibility

Blackboard Connect/Alertus emergency notification systems will be used if one of the following is true:

- It is determined that there is an immediate, imminent and / or ongoing threat to the campus and / or community members. Examples include an active shooter, armed intruder, bomb threat, building fire, chemical spill or gas leak.
- An event external to Lynn’s campus occurs that poses a significant and / or ongoing threat to the community surrounding and including Lynn. For example: the police request a campus lockdown due to an external incident near the campus.

Upon the Camus Safety Team confirming that one of the emergency situation exist, the team will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the Blackboard Connect/Alertus emergency notification systems, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

A targeted “outreach” message can also be used when an incident has occurred that although initially believed to be a threat to the campus community is quickly determined to be a false alarm. Outreach messages predominantly are received via email, but can also be distributed as text messages or voicemails.

Students and employees are encouraged to keep their emergency contact information up to date for the timely warnings/emergency notifications. To update contact information, click on “Emergency Contact Information” on under “Quick Links” on the left-hand side of my.lynn.edu.

Note: Users must be signed in to use this function.

Emergency Response

Campus Safety confirms and actively responds to all on-campus dangerous or emergency incidents. Specifically, the Critical Incident Management Plan establishes an organizational structure for response to emergencies that cause a significant disruption of “normal operations.” The plan reflects Lynn’s effort to coordinate response internally and with external agencies (i.e., city, county, etc.).

The Incident Management Team works with individual departments and personnel to develop and / or refine plans and procedures that meet specific University needs. This effort includes annually updating first-responder information and reviewing current plans and best safety practices. These plans may be tested through periodic tabletop exercises. Specifically, pre-designated Incident Command personnel may meet in a selected conference room to walk through the planning process and develop scenarios to test the plan (i.e., chemical spill). These scenarios allow personnel to work through tough issues to test the plans and response procedures.

Furthermore, the Department of Housing and Residence Life holds quarterly fire drill evacuations. These drills provide residents with a chance to familiarize themselves with evacuation routes and meeting points. Campus Safety, Auxiliary Services, and the Department of Housing and Residence Life use these drills as a chance to test systems and egress situations.

Lynn additionally conducts one test exercise or drill annually to test the emergency response procedures. In conjunction with or prior to the test, the university’s emergency response and evacuation procedures are made available on my.lynn.edu. In addition, the university documents the test it performs each year, describing the exercise, the date/time, and whether it was announced or unannounced. Such documentation is retained by the university for a period of seven years.

Alarm Response Procedures

Fires, explosions, bomb threats, and chemical spills are among the occurrences that may require emergency evacuation of University facilities. The continuous sound and flashing of fire alarm horns and strobes, in any University owned, leased or operated facility, is the evacuation signal. Everyone who is alerted by this alarm is required to evacuate the facility as quickly and as calmly as possible.

The University’s “Zero Tolerance Fire Alarm Response Protocol” demands that all facility occupants respond to the alarm signal by immediately initiating the evacuation procedures outlined below:

- Conclude activities immediately.

- Follow facility EXIT signs to the nearest safe exit. Do not use elevators! Special care should be taken with some footwear, such as clogs, that could hamper rapid and safe descent.
- Walk briskly down stairs. Do Not Run! Stay on the right in order to allow emergency response personnel clear access up the stairs, along the left side.
- As you approach the landing of each floor, allow evacuees from that level to enter the stairwell.
- If evacuation becomes difficult via a chosen route, because of smoke, flames or blockage, re-enter the facility on a safe floor. Continue evacuation via the nearest safe exit route.
- Once you have exited the facility, move away from the building. Stay clear of the building and exit doors!
- Do not, under any circumstances, re-enter the facility unless authorized by a Campus Safety Officers, fire department personnel, or until a recognized University authority broadcasts the “All Clear” directive.

Responsibilities

1. Chief of Campus Safety: Based on the scope and impact of an “occurrence” or life safety threat, the Chief of Campus Safety may authorize the notification of the Incident Management Team (IMT) and/or activation of the Event and Emergency Management Plan (EEMP).
2. Employees, Students, and Facility Occupants:
 - a. Shall familiarize themselves with the University’s, and their units, emergency response procedures.
 - b. Shall cooperate with University Campus Safety Officers, fire department personnel, and designated emergency response personnel charged with responding to, or investigating an occurrence or any other life safety threats.
 - c. Shall notify Campus Safety and/or activate the nearest fire alarm pull station to alert others if a life safety threat, such as the presence of smoke or flames is detected.
 - d. Shall notify the Campus Safety of any individuals with mobility limitations who intend to take refuge in stairwells or specific areas for rescue assistance.
3. Campus Safety:
 - a. Shall immediately dispatch an officer to the facility reported as the location of occurrence.
 - b. Shall confirm transition of the alarm to Simplex and that BRFD has been notified by Simplex.
 - c. Shall provide subsequent notification to the following:
 - i. Auxiliary Services or Auxiliary Services or on-call personnel;
 - ii. Director of Auxiliary Services;
 - iii. Select members of the Incident Management Team (IMT), as appropriate (based on building involved).

- d. The responding officer, upon arrival at the building from which the alarm originated, shall conduct a threat evaluation by attempting to verify the existence of a fire or life safety threat.
 - e. Whenever it is possible to clearly establish that the signal/situation under evaluation is a “False Alarm”, the officer shall immediately notify the Dispatcher, who will immediately notify the Fire Department and other agencies.
 - f. If a fire or life safety threat is suspected or verified, the officer shall immediately notify the Dispatcher of his or her observations. The Dispatcher shall immediately relay this information to the Fire Department and other emergency response agencies and shall provide as much relevant additional information as is available.
 - g. Fire alarms shall not be silenced unless/until the threat evaluation has been completed by the responding personnel of the BRFD.
 - h. Fire Department Personnel are the only persons authorized to silence, or to grant authorization to silence a fire alarm.
4. Facilities Management:
- a. Shall respond to the appropriate location, upon receipt of notification from the Campus Safety Dispatcher.
 - b. Auxiliary Services personnel shall remain accessible and await the authorization from the Campus Safety or Fire Department Personnel to silence or reset fire alarm and other building systems that may require reactivation.
 - c. Shall maintain University fire alarm system at optimal functional effectiveness.
 - d. Shall assure that timely and widespread notification is provided to the University community regarding any and all scheduled testing of the fire alarm system in any University facility.
5. Housing and Residence Life Staff:
- a. Shall familiarize themselves with the University’s emergency response procedures.
 - b. Housing and Residence Life staff members who are in the alarm location shall immediately evacuate the building. While exiting the building, each staff member shall knock on each door and loudly alert all residents to evacuate.
 - c. Once outside of the building, all Housing and Residence Life staff shall assist with crowd control and moving the evacuated persons to the designated gathering area.
 - d. Shall cooperate with University Campus Safety Officers, fire department personnel, and designated emergency response personnel charged with responding to, or investigating an occurrence or any other life safety threats.
 - e. Shall notify Campus Safety and/or activate the nearest fire alarm pull station to alert others if a life safety threat, such as the presence of smoke or flames is detected.
 - f. Shall notify the Campus Safety of any individuals with mobility limitations who intend to take refuge in stairwells or specific areas for rescue assistance.

Persons with Disabilities

It is the responsibility of each person with a physical limitation, likely to impair their ability to safely and independently evacuate a building at the time of an emergency, to make the necessary arrangements with the Office of Disability Services, and/or Campus Safety to provide assistance as may be appropriate to facilitate their safe and timely evacuation of University facilities at the time of an emergency.

2.3.10 Fire Safety

The purpose of this Policy is to promote fire safety and awareness at the University and to enable the University to comply with the The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the Higher Education Opportunity Act of 2008 and applicable implementing regulations, which require each institution of higher education that maintains on-campus student housing to establish certain fire prevention and safety procedures and programs and to make annual disclosures regarding these procedures and programs as well as statistics regarding fires in its residence life facilities.

Lynn University complies with the The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Higher Education Opportunity Act of 2008 fire safety policies and reporting requirements by (i) maintaining a fire log and statistics regarding any fires in on-campus housing facilities; (ii) maintaining fire safety systems in all student housing facilities; (iii) conducting regular fire drills in residence halls; (iv) maintaining evacuation plans for each residence hall; (v) providing and publicizing fire safety and training programs for students and employees; and (vi) annually disclosing fire statistics and fire safety program information as part of the University's Annual Security and Fire Safety Report. The components of University's fire safety program are set forth more fully below.

Reporting a Fire

If a fire occurs in a Lynn building, community members should immediately notify Campus Safety at +1 561-237-7226 or Housing and Residence Life at +1 561-237-7236. Campus Safety will initiate a response, as the department can summon the fire department quickly and provide detailed directions to the location.

If a member of the Lynn community finds evidence of a fire that has been extinguished, and the person is not sure whether Campus Safety has already responded, immediately notify Campus Safety to investigate and document the incident.

Inform the following personnel that a fire occurred "after the fact": Campus Safety Chief Larry Rickard at +1 561-237-7118 and / or Assistant Chief Brian Siliquini at +1 561-237-7401.

Fire Protection Equipment / Systems

A majority of University buildings are equipped with automatic fire detection and alarm systems that are monitored by staff at Campus Safety and/or the Simplex Alarm Center. Refer to the Annual Security and Fire Report (see Fire Safety Amenities in the Residential Facilities Chart) for information about fire detection, notification and suppression systems in each residential facility. In accordance with Florida law, when a building alarm sounds, all occupants are required to leave the building. Occupants cannot re-enter a building until permitted by appropriate University staff.

Fire Statistics

Campus Safety maintains a database of all reported fires and fire alarms in the residence halls. Data collected includes for each residence hall the number and cause of each fire; the number of persons who received fire-related injuries that resulted in treatment at a medical facility, including the Health Center; the number of death related to fire; and the dollar values for property damaged by the fire.

Inspections

The University has will have its facilities inspected by representatives of the local fire department at least annually. Also, Campus Safety makes periodic inspections checking on lighting, emergency phones, and other areas of concern. All noted conditions are submitted for repairs.

Fire Drills

Fire drills in the University residence halls will be held throughout the year. When the alarm sounds, residents must vacate the building immediately. Residents are expected to know all exits in their building. Residents that fail to leave the building during a drill and are discovered by the fire department are subject to civil fines. In addition, the University may impose disciplinary action.

Fire Safety Practices

If a fire occurs in a Lynn University building, community members should immediately notify Campus Safety at 561-237-7226. Campus Safety will initiate a response, as the department can summon the fire department quickly and provide detailed directions to the location. If a member of the Lynn community finds evidence of a fire that has been extinguished, and the person is not sure whether Campus Safety has already responded, the community member should immediately notify Campus Safety to investigate and document the incident. Fire alarms alert community members of potential hazards. Community members are required to heed their warning and evacuate buildings immediately upon hearing a fire alarm in a facility. Use the nearest stairwell and/or exit to leave the building immediately. Lynn community members should familiarize themselves with the exits in each building.

When a fire alarm is activated, the elevators in most buildings will automatically stop at the first floor. Occupants should also use the stairs to evacuate the building, and move to the designated assembly area for that building. If caught in the elevator, push the emergency phone button. The emergency phones in elevators on campus ring to Campus Safety.

Residence Hall Rally Points During Fire Alarms

Lynn University has several rally points for its residence halls in case a fire alarm is activated. Campus Safety, Residence Life and other staff will direct students, faculty and staff to these “rally points/safe zones,” which have been designated for each residence hall. Please review the locations below for each building:

Trinity – Individuals should exit the building and be directed to the McCusker Pool Center.

E.M. Lynn – Individuals should be directed either to the McCusker Pool Center or to the east lawn of deHoernle Residence Hall and away from the roadway.

deHoernle – Individuals should be directed to the softball field (east) or to the athletic (soccer) field (west), keeping everyone out of the roadways.

Freiburger – Individuals should be directed to the outfield of the baseball field or down toward the dining commons.

Lynn – Individuals should be directed to the quad between EML and Trinity or down toward the dining commons.

Fire Safety Education and Training

Lynn University promotes campus fire safety on an ongoing basis through various safety education and training programs. Residence life staff members receive orientation to the operations and locations of the fire alarm system, as well as a review of their roles during a fire or fire drill. They also receive general fire safety and fire extinguisher training during fall training. Students receive a general orientation to the fire systems present in the building during the first week of the residents' arrival. Staff also review evacuation and emergency procedures with residents. Finally, residence hall students participate in fire drills during the academic year.

2.3.11 Identity Theft Prevention

Identity theft is a modern-day phenomenon. According to the Federal Trade Commission, millions of Americans will have their identities stolen this year. The most common types of identity theft are:

- Using or opening a credit card account fraudulently;
- Opening cell phone or utility accounts fraudulently;
- Passing bad checks or opening new bank accounts; and
- Getting loans in another person's name.

What You Can Do

- Look at your credit card and bank account statements. This is usually the first place unauthorized activity will show up.
- Don't give out personal information on the phone or through the mail unless you initiate the contact or know the caller. Thieves will pose as bank representatives, Internet service providers and government agents to get you to reveal personal information.
- Never reveal personal or financial information in response to an email request, no matter who appears to have sent it. No organization, financial institution or government agency will ever ask you to reveal personal information, such as Social Security numbers, account numbers, credit card numbers, PIN numbers, etc. Don't click on the link in the email. If you are concerned about your account, contact the organization mentioned in the email using a telephone number you know to be genuine, or open a new Internet browser session and type in the company's correct Web address yourself. Don't cut and paste the link from the message into your Internet browser. Phishers can make links look like they go to one place, but they actually send you to a different site.
- Tear or shred any documents that contain personal information. These include credit card receipts, insurance forms, physician and bank statements, and even credit card offers.
- Deposit outgoing mail directly into post office boxes, not in your own mailbox. A large number of thieves search mailboxes for your personal information.

- Don't carry your Social Security card with you, and only carry your ID and a minimum number of credit cards.
- Don't preprint your Social Security or driver's license numbers on your checks.

2.3.12 Inclement Weather

2.3.12.1 Lightning Horns

The campus lightning detection system senses lightning within 2.5-5 miles from Lynn's campus. The system will alert the campus of lightning in the area by sounding one long horn blast. Once the horn sounds, all individuals on intramural and athletic fields must take shelter inside a building. The lightning horns are only a warning device; their activation does not cancel events or classes. Once lightning is clear from the local area, three short horn blasts will sound.

2.3.12.2 Hurricanes

If there is a threat of severe or dangerous weather, including tropical storms or hurricanes, the University will inform employees and students about procedures to follow. Residential students will receive information from their resident assistants, my.lynn.edu and other available means.

If students wish to leave campus for the duration of the storm, they must complete a campus departure form, which will be available from the Office of Housing and Residence Life. University community members who live off campus will receive information through the University's website, and email, phone or text, as necessary. Students needing additional assistance are to report to the Office of Housing and Residence Life.

2.3.13 Lynn University ID

The Lynn University ID is the official University identification card. The card can be used to access many campus services: library materials, meal plans and residence hall door access.

Students and employees are issued an official ID. It is essential that each student carry his/her ID card at all times while on campus. This card must be presented upon request by any member of the University's administration, faculty, or staff, including Campus Safety Officers or other authorized persons.

The ID is only for personal use. It is NOT to be lent or given to anyone else at any time. Residential students, faculty and staff will need the card for campus access after visitation hours. To protect cardholders, University and food service staff will examine the student's ID card when presented to confirm that the card is being used by the person to whom it is issued.

The student or employee is responsible for any activity, service or privilege accessed by his/her ID card. If the card is lost or stolen, he or she must immediately notify Campus Safety.

2.3.14 Missing Students

The purpose of this policy is to convey the procedures of the University's response to reports of on campus missing students, as required by the Higher Education Opportunity Act of 2008.

Lynn University will investigate any report of a missing student residing in any of the on-campus residence halls and take appropriate action to ensure all notifications and actions comply with legal mandates. Campus Safety will notify law enforcement when a student is determined to be missing.

For purposes of this Policy, a student is considered missing when a student residing in on-campus housing has been absent from Lynn University for more than 24 hours without any known reason.

Registering Information

All students residing in on-campus housing are annually provided the option of identifying a contact person or persons whom the University will notify if the student is determined to be missing by the University or a local law enforcement agency. The contact information will be confidential, accessible only to authorized campus officials and law enforcement, and may not be disclosed except in a missing person investigation. For a person under the age of 18 (who is not emancipated), and for purposes of missing student notification, the person(s) to be contacted must be a custodial parent or guardian.

Reporting a Missing Student

The purpose of this policy is to convey the procedures of the University's response to reports of on campus missing students, as required by the Higher Education Opportunity Act of 2008.

Lynn University will investigate any report of a missing student residing in any of the on-campus residence halls and take appropriate action to ensure all notifications and actions comply with legal mandates. Campus Safety will notify law enforcement when a student is determined to be missing. For purposes of this Policy, a student is considered missing when a student residing in on-campus housing has been absent from Lynn University for more than 24 hours without any known reason.

Registering Information

All students residing in on-campus housing are annually provided the option of identifying a contact person or persons whom the University will notify if the student is determined to be missing by the University or a local law enforcement agency. The contact information will be confidential, accessible only to authorized campus officials and law enforcement, and may not be disclosed except in a missing person investigation.

For a person under the age of 18 (who is not emancipated), and for purposes of missing student notification, the person(s) to be contacted must be a custodial parent or guardian.

Reporting a Missing Student

If a student living in on-campus housing is determined to be missing, Campus Safety should be contacted immediately. The University will then initiate its notification and investigation procedures. There is no time period that will delay this notification procedure.

Investigation

Upon being notified of a missing student, Campus Safety will initiate an Incident Report and immediately investigate the report of a missing student utilizing established investigative procedures and appropriate University resources as necessary. Campus Safety will also notify the

Boca Raton Police Department or other appropriate law enforcement agency within 24 hours if the student is determined to be missing.

Specifically, when a student who resides in on-campus housing is determined to have been missing for 24 hours, the University will:

- Determine length of time since student was last seen or reporting parties last made contact;
- Attempt to contact any person who may have information or has any type of relationship with the missing student, to include roommates, friends, instructors, Housing and Resident Life staff and teammates;
- Inform University administration as information becomes available;
- Determine if there are extenuating circumstances involved. If the investigation reveals any unusual activity or information, local law enforcement will be contacted immediately.
- Notify the contact person if the student has designated one, within 24 hours;
- Notify the student's custodial parent or guardian and/or any other designated contact person within 24 hours if the student is under 18 years of age and is not emancipated;
- Inform the local law enforcement agency that the student is missing within 24 hours; and
- Cooperate with any investigating agency to assist in locating the missing person.

Methods of Contacting a Reported Missing Student

University officials may work in cooperation and share records and information as appropriate to assess the status of a student reported as missing. Methods of attempting to locate a reported missing student include, but are not limited to, the following:

- Checking phone numbers and e-mail addresses provided as well as social networking sites;
- Surveying the student's room, including contacting those with whom the student may live;

- Contacting friends, family members, known associates, faculty, and other campus community members;
- Contacting extra jurisdictional law enforcement for assistance; and
- Assessing student's use of campus resources, such as ID card access or computer network systems.

If contact is reestablished:

- Local investigating agencies will be contacted with the appropriate information.
- The emergency contact person will be contacted and advised of the situation.
- University administration will be made aware of the situation as known to Campus Safety at the time of re-contact.

If contact is not reestablished:

- Campus Safety will assist any group in all reasonable efforts to find the missing person.
- University administration will be updated on the situation when information becomes available.
- The family / contact person will be kept informed of the University's information without disrupting any outside agency investigations.

2.3.15 Registered Sex Offenders

The purpose of this policy is to comply with the Family Educational Rights and Privacy Act, as amended by the Campus Sex Crimes Prevention Act, which require each institution of higher education to disclose information concerning registered sex offenders.

In accordance with the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the following link is provided to the Sex Offender Registry: nsopw.gov/core/publicregistriesites.

The law requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a state concerning registered sex offenders may be obtained. It also mandates sex offenders already required to register in a state to provide notice of each institution of higher education in that state at which the person is employed, carries a vocation or is a student. Unlawful use of the information for purposes of intimidating or harassing another is prohibited by law.

Sex Offender Registration Procedure

All registered sex offenders are required to self-report their status to Campus Safety upon employment or enrollment at Lynn University. If designated as a registered sex offender after employment or enrollment, the self-reporting must occur within three working days of the designation. Failure to self-report may result in disciplinary action up to and including termination of employment or enrollment.

2.3.16 Reporting Accidents

If you have an accident or you witness an accident:

- All accidents that result in injury, however slight, must be reported to Campus Safety and to the Health Center. An accident report will be filed with Campus Safety. Should you be in a serious accident, do not move until help arrives. Try to remain as calm as possible.
- Should you find someone injured, do not move the victim. Have someone call 911 for medical attention or the Department of Campus Safety at 561-237-7226. If you are certified in first aid or CPR, proceed to stabilize the injured person. Once a representative from Campus Safety or the Health Center arrives on the scene, complete a report stating what occurred.
- Anyone observing unsafe conditions should report those conditions to Campus Safety immediately at 561-237-7226.

If your vehicle is damaged:

- Immediately upon finding your vehicle damaged, report the incident to Campus Safety.

2.3.17 Reporting Crimes and Emergencies

The purpose of this Policy is to establish the University's policies and procedures regarding the accurate and prompt reporting of all crimes and emergencies that take place on and around the University's campus that pose a threat to the safety of the University community.

Prompt and accurate reporting of criminal offenses assists the University in providing timely response and timely warning notices on-campus and aids in compiling accurate crime statistics. There are a number of ways for members of the University community and visitors to report crimes, serious incidents, and other emergencies to appropriate Lynn University officials. While the University encourages all community members to promptly report all crimes and other emergencies directly to Campus Safety, it recognizes that some may prefer to report to other individuals or University offices. A list of each person or office to which members of the University may report criminal activities and other emergencies is set forth below. The names of victims will be kept confidential to the extent possible by the University.

Reporting to Campus Safety

All persons are strongly encouraged to accurately and promptly report all crimes or emergencies to the Campus Safety at 561-237-7226/7227, or by speaking directly with a Campus Safety Officer on campus or by reporting the incident at the Campus Communication Center. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the residence halls should be immediately reported to Campus Safety. When Campus Safety receives a report of an urgent situation, it will dispatch officers to the scene to lend assistance, investigate, prepare a report and conduct follow-up as needed. When appropriate, Campus Safety will notify the Boca Raton Police or Fire/Rescue Department depending on the circumstance of the incident. Reporting an incident to Campus Safety will ensure a prompt and effective investigation and appropriate follow-up actions, including the issuance of a Timely Warning designed to help prevent crime or an Emergency Notification to inform the campus of life threatening emergencies.

Reports to Campus Safety may be made as follows:

In Writing – Any member of the University community may file a complaint, in writing, against an individual or group who violates University regulations, policies, and/or is breaking the law. The complainant should file the written report with the Campus Communication Center (CCC) located between Freiburger and E.M. Lynn Residence Hall, which is manned 24 hours per day, seven days per week, or by speaking directly with a Campus Safety Officer. If the allegation is presented in writing, it should include:

- A statement of the policy, rule or regulation that is alleged to have been violated;
- A statement of the facts and evidence in support of the claim, made with sufficient clarity to disclose the time and place of the occurrence and the actions or behavior of the respondent;
- A statement naming witnesses to the alleged violation (if any).

In Person – Any member of the University community may also file a verbal complaint, in person, against an individual or group who violates University regulations, policies and/or is

breaking the law. The complainant should visit the Campus Communication Center (CCC) located between Freiburger and E.M. Lynn Residence Hall, which is manned 24 hours per day, seven days per week, or by speaking directly with a Campus Safety Officer.

Voluntary Confidential Reporting – Any victim or witness can also report crimes on a confidential basis by calling the Lynn TIP line at 237-7800. Only the Chief of Campus Safety and the Assistant Chief have access to the Lynn TIP Line.

Reporting Crimes to Campus Security Authorities

While the University encourages members of the community to immediately report all crimes and other emergencies directly to Campus Safety, it also recognizes that some may prefer to report to other individuals or University offices. The Clery Act, is a federal law requiring institutions of higher education to collect and report statistics on certain crimes in an Annual Security Report, recognizes certain University officials and offices as “Campus Security Authorities” (CSA) and members of the University community may report any crime or emergency occurring on campus or at a University-sanctioned event to them.

At Lynn University, the following individuals, as defined by the Clery Act, have been designated as CSA’s: all Campus Safety staff; deans (or other senior student administrative personnel); all coaches; all directors; all vice presidents; the Coordinator of the Women’s Center; the Dean of Students; the Director of Auxiliary Services; all Center for Student Involvement (OSI) staff; all Housing and Residence Life staff; all faculty advisers, overseers and advisors to student clubs and organizations; and other campus officials who have “significant responsibility for student and campus activities,” such as, but not limited to, the Department of Student Affairs. Others designated as CSAs include the Director of Employee Services; all advisors to student groups, clubs and organizations; and all non-counselors (staff mentors and peer mentors).

The Clery Act requires CSAs to promptly report incidents of a Clery crime occurring on campus or at a University sanctioned event to Campus Safety. In this way, CSAs facilitate timely warnings and help ensure accurate statistics for the Annual Security and Fire Safety Report.

Health Services and Counseling Center professionals are exempt from the reporting requirement while working within the scope of a license or certification.

Reporting to Local Law Enforcement

Members of the University community may report all crimes occurring on campus or at a University-sanctioned event or activity to the Boca Raton Police Department:

- Emergency: 911
- Non-emergency: +1 561-338-1333

Reporting to Counseling and Health Center Professionals

Lynn University students who are victims of a crime may also choose to discuss the incident with professionals who are mandated by law to protect the confidentiality of a disclosure. On campus, these professionals include the counselors at the Counseling Center, or any physician or nurse at the Health Center. Reports of crimes shared with these individuals may be made on a confidential basis to the extent possible by the law. This means that personally identifiable information shared with a professional at the centers are not part of students’ education record and will not be reported to other University personnel (including the Title IX Coordinator) or to others unless the disclosing

individual gives his or her consent to the disclosure or the law requires it (as may be the case with alleged Sexual and Gender-Based Misconduct involving a minor or under conditions involving imminent harm to one or more members of the University community, for example)). The University has no policy encouraging professional counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them.

2.3.18 Security Awareness and Crime Prevention Programs

It is the policy of Lynn University to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the Higher Education Opportunity Act of 2008, the Violence Against Women Reauthorization Act of 2013 and applicable implementing regulations by conducting programs throughout the year to inform the campus community about the University's (i) security awareness practices; (ii) crime prevention practices on campus; and (iii) sexual assault, dating violence, domestic violence and stalking primary and ongoing prevention and awareness programs. The components of University's educational programs are summarized below, with more specific information published annually in the University's Annual Security and Fire Safety Report.

Definitions

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

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

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

Bystander Intervention—means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking.

Sexual Assault—physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol or other incapacity, such as being a minor or having an intellectual or other disability. This includes the following:

*Sex Offenses-Forcible*⁸—Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

⁸ Sex Offenses Definitions From the National Incident Based Reporting System Edition of the Uniform Crime Reporting Program.

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/her temporary or permanent mental or physical incapacity (or because of his/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/her youth or because of his/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 of 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/her youth or because of his/her temporary or permanent mental or physical incapacity.

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/her youth or because of his/her temporary or permanent mental incapacity.

Sex Offenses-Nonforcible—Unlawful, nonforcible sexual intercourse.

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

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

Note: The above definitions will be utilized in determining whether an incident of Sexual Assault in violation of the university's Sexual and Gender-Based Misconduct Policy by the preponderance of the evidence standard has occurred (and not to determine whether a crime has been committed). The above definitions will also be utilized by the university for Clery Act Reporting purposes.

Dating Violence—violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence— a felony or misdemeanor crime of violence committed: By a current or former spouse or intimate partner of the victim; By a person with whom the victim shares a child in common; By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking— means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Note: The above definitions will be utilized in determining whether an incident of Dating Violence, Domestic Violence or Stalking in violation of the university’s Sexual and Gender-Based Misconduct Policy by the preponderance of the evidence standard has occurred (and not to determine whether a crime has been committed). The above definition will also be utilized by the university for Clery Act Reporting purposes.

Summary of Lynn University Programs

Campus Safety Programs

Each year, Campus Safety, along with other on- and off-campus constituencies, provide programs to further promote personal safety. They begin during Welcome Weekend and continue throughout the year. Campus Safety programs include, but are not limited to, campus safety forums, a monthly “For Your Safety” column that publicly addresses various safety tips via My.Lynn.edu, a “lock it or lose it” program focused on personal property security within residence halls, and crime prevention and awareness training sessions.

Student Affairs and Academic Programs

Housing and Residence Life, the Health Center, the Counseling Center, and the Women’s Center provide health and safety programs on an ongoing basis. The University annually sponsors National Collegiate Alcohol Awareness Week and Safe Spring Break events. A substance abuse treatment and prevention specialist supplements the Peer Training program in addressing a variety of wellness issues.

The Counseling Center, the Health Center, the Women’s Center and the Lynn Library each have current publications and videos about sexual assault, safety, substance abuse, acquired immunodeficiency syndrome (AIDS) and sexually transmitted diseases for University and personal use. Professional community referrals also are available upon request.

Sexual and Gender-Based Misconduct Primary Prevention and Awareness Programs

Lynn has developed primary prevention and awareness programs for all incoming students to prevent sexual and gender-based misconduct. This includes, but is not limited to, information on (a) Title IX and a review of the University’s prohibition against dating violence, sexual assault, domestic violence and stalking, including both state and federal definitions of each offense prohibited under the policy, (b) how to file a formal Title IX complaint with the University, (c) resources available to sexual and gender-based misconduct victims such as counseling, health services and interim measures, and (d) options for reporting an incident of sexual and gender-based misconduct to campus or local law enforcement. In addition, all incoming students are educated regarding the legal

definitions for dating violence, sexual assault, domestic violence, stalking and consent in the state of Florida.

Through a comprehensive prevention and awareness campaign, the University seeks to empower individuals to make smart decisions and take responsible actions. The University's prevention and awareness programming has been designed to reduce the risk of sexual and gender-based misconduct and to encourage students, staff and third parties to play an active role in creating a safe and respectful living, learning and working environment. Primary and ongoing awareness and prevention campaigns and programming seek to stop domestic violence, dating violence, sexual assault or stalking before it occurs and to increase awareness of issues of sexual and gender-based misconduct while sharing information and resources to prevent interpersonal violence, promote safety and reduce perpetration. Complete and up-to-date descriptions of the University's current primary prevention and awareness educational program offerings are set forth in the University's Annual Security and Fire Safety Report.

Sexual and Gender-Based Misconduct Ongoing Awareness and Prevention

In an effort to reduce the risk of sexual and gender-based misconduct, various programs and safety measures, including but not limited to a comprehensive bystander intervention program, the creation of individual and community safety plans and strategies, self-defense courses, and general crime prevention education, have been created and are available to members of the campus community during new student and new staff orientations and throughout the academic year. Educational programs are offered each year for all students and staff. Complete and up-to-date descriptions of the University's current ongoing and awareness prevention educational program offerings are set forth in the University's Annual Security and Fire Safety Report.

Bystander Intervention Program

The bystander intervention program was started in 2012. Since then, various student leaders, staff and faculty members have been trained to facilitate presentations in the classroom to educate the campus community on bystander intervention. Starting in the fall of 2015, all incoming first-year students will be required to complete a bystander intervention course. Participants will learn the definitions of consent, sexual assault, dating violence, domestic violence, stalking and bystander intervention. They will learn how to identify red flags in common University scenarios, how to assume personal responsibility in order to better assist someone who might be in trouble, as well as the different techniques of intervening, both directly and indirectly. Participants will also learn about on- and off-campus resources, prevention strategies and what to do if they know someone who has been the victim of a sexual assault. Complete and up-to-date descriptions of the University's bystander intervention educational program offerings are set forth in the University's Annual Security and Fire Safety Report.

2.3.19 Timely Warnings

The purpose of this Policy is to establish the University's responsibilities and procedures for issuing a timely warning to the University community about criminal activity to help them avoid a continuing threat and aid in the prevention of similar crimes.

Lynn University will issue a Timely Warning Notice in the event it receives notice of an alleged Clery Act crime (identified below) occurring on campus, on public property within or immediately adjacent to the University's campus or in or on non-campus buildings or property controlled by the University, where the University determines, in its judgment, that the allegations present a serious or continuing threat to the University community.

The Chief of Campus Safety is responsible for determining whether to issue a Timely Warning Notice to the campus community.

Definitions

Bias—a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation or ethnicity/national origin.

Clery Act Crime—arson, criminal homicide, burglary, robbery, sex offenses, aggravated assault, motor vehicle theft, domestic violence, dating violence, stalking and hate crimes, as defined by the Clery Act.

Hate Crime—a criminal offense of murder and non-negligent murder, forcible sex offenses, non-forcible sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property, domestic violence, dating violence, or stalking incidents, where the criminal offense was committed against a person or property which is motivated, in whole or in part, by the offender's bias.

Timely—as soon as reasonably practicable, after an incident has been reported to: Campus Safety, a Campus Security Authority (CSA), or a local police agency.

Timely Warning—a communication triggered when a Clery Act crime is reported and the University determines there is a continuing threat to the campus community. Crime reports do not always require an Emergency Notification, but are released once the pertinent information is available.

Procedures

Crimes covered by the Clery Act that are known to Campus Safety and that represent a serious or continuing threat to the campus community will result in a campus-wide "Timely Warning" notification. Whether to issue a Timely Warning Notice is determined on a case-by-case basis for Clery Act reportable crimes. Timely Warning Notices may also be issued for other crimes as determined necessary by the Chief of Campus Safety. The University will document and retain the justification for determining whether to issue a Timely Warning Notice for a seven-year period.

Timely warnings may be issued via a variety of methods, depending on the circumstances of the crime. These can include:

- Campus-wide email – disseminated by the Office of Marketing and Communication.
- Alertus Campus-wide public address system – Activated by Campus Safety to alert students and employees on campus grounds and offices. The community will receive a computer desktop message and/or hear a short siren followed by a spoken message that will provide instructions on appropriate action(s) to take. The public address message formatted to repeat itself several times to ensure the message is received by as many in the Lynn community as possible.

- Printed notice – When appropriate, printed notices may be posted at campus locations affected by the emergency.
- Website posting – Ongoing concerns to the campus community may be posted on Lynn.edu and the Alert.Lynn.edu website by the Office of Marketing and Communication (i.e., Level 3 crisis; school closings, weather, important events).
- Blackboard Comment/Alertus Systems –Campus Safety or the Office of Marketing and Communication may use this notification system to contact the campus community in crisis situations. The Blackboard Comment/Alertus systems are designed to provide information relative to an emergency via text, email, desktop, public address messaging systems, and / or voicemail. A targeted use of Blackboard Comment/Alertus, or full deployment of all modalities of communication, may be deemed necessary based on the nature of the event.

Written Timely Warning Notices typically contain in the subject line the phrase “Timely Warning Notice” or “Crime Alert” depending on the nature and severity of the threat. The body of each Timely Warning Notice will include a short description of the crime or incident giving the time and date, location, reported offense, suspect description, weapon used (if any), suspect vehicle (if any) and method of operation used to facilitate the crime. The notice will also include personal safety information to aid members of the University community in protecting themselves from becoming victims of a similar crime and to promote overall safety for the University community. In no instance, however, will a Timely Warning Notice include the name of the victim or other identifying information about the victim. Finally, in developing the content of the Timely Warning Notice, the University will take all reasonable efforts not to compromise on-going law enforcement efforts.

2.3.20 Unauthorized Handling of Safety Equipment

The unauthorized alteration, misuse or tampering with of any equipment or device intended for use in preserving or protecting the safety of members of the Lynn University community, including but not limited to keys, exit signs, fire extinguishers, fire alarms, fire boxes, standpipes, first aid equipment or telephones, is prohibited. Violation of this Policy is subject to appropriate discipline.

2.3.21 Use of the University Pool

All persons using the pool facility are responsible for the following posted rules at poolside, including, but not limited to:

1. Swimmers enter the pool at own risk;
2. The pool is open from dawn to 11:00 pm.;
3. Jumping or diving from pool buildings, lounge chairs or lifeguard chairs is prohibited;
4. The maximum number of swimmers allowed in each pool is 81; and
5. No food or glass containers are allowed in the pool area unless approved.

Individuals abusing pool privileges will have pool privileges revoked.

Special Notice: Thunderstorms with severe lightning develop very quickly in Florida and are extremely dangerous. For safety purposes, please vacate the pool area immediately upon seeing lightning or hearing thunder.

2.3.22 Vehicle Use on Campus

2.3.22.1 Driving Regulations

All persons at Lynn University who park or operate a motor vehicle on campus do so under the laws of the State of Florida and the rules of the University. Any unsafe or illegal operation of a motor vehicle may be considered a violation of University policy and subject to appropriate discipline.

All persons who drive automobiles and/or motorcycles while attending Lynn University must obtain a parking permit (decal). The appropriate decal may be obtained in Campus Safety.

Parking in the designated lots on campus is considered a revocable privilege. The University reserves the right to ask anyone to remove a vehicle at any time. All unregistered motor vehicles may be ticketed and towed at the owner's expense.

2.3.22.2 Motorcycles, Hoverboards, Mopeds, Bicycles, Rollerblades, or Skateboards

Riding motorcycles, hoverboards, motorized scooters, bicycles, mopeds, rollerblades, skateboards, or other conveyances in rooms, hallways, courtyards, lounges, and lobbies, as well on all University steps and stairways, presents an immediate hazard to all members of the University community and their use in these areas is therefore prohibited. All motorcycles and mopeds must be parked in an appropriate parking lot. Motorcycles and mopeds may not be parked or driven on sidewalks at any time. Bicycles can be stored in one's room or locked on bike racks located outside of buildings. Bicycles may not be secured to trees, light poles, posts, handrails, or buildings.

In addition to the above, the following regulations must be observed:

1. No person shall operate a skateboard, hoverboard, rollerblades, or a bicycle on a sidewalk or walkway that duly interferes with pedestrian traffic; caution is to be exercised at all times and the right of way yielded to pedestrians;
2. Motorized vehicles, other than wheelchairs, may not be operated on sidewalks;
3. No person shall operate a motorcycle, motorized scooter, bicycle, moped, rollerblades, skateboard, hoverboard, or other conveyance on any artificial or specially prepared surface (i.e., running tracks and basketball courts);
4. Any person who operates a motorcycle, motorized scooter, bicycle, moped, rollerblades, skateboard, hoverboard, or other conveyance on campus is expected to comply with and is subject to any state or local ordinances or campus regulations, including adhering to all posted warning, caution, or speed limit signs; and
5. In the absence of posted speed limits, operators are expected to act in a responsible manner and in respect of local conditions.

Violators may be subject to appropriate discipline, and unauthorized motorized vehicles that violate state or local ordinances, or campus regulations, or these Policies, and which present a continuing danger to the campus community may be subject to confiscation. .

2.3.22.3 Parking Regulations

Campus Safety enforces parking and driving regulations and conduct on all property owned and controlled by the University. Students and employees parked in non-designated University areas will be ticketed. Motorcycles must be parked in the appropriate, specifically designated areas.

Parking spaces marked for handicapped use may only be used by persons who have a valid handicap permit issued by a government agency. Any vehicle parked in a handicapped area without a valid permit or parked in a marked fire lane will be ticketed by the Department of Campus Safety and/or the Boca Raton Police Department. Vehicles may also be towed at the owner's expense in accordance with the City of Boca Raton fire codes.

Lynn University is private property and reserves the right to tow a vehicle at the owner's expense should the vehicle be parked in non-designated areas, be in violation of University and/or state and local parking regulations or be a chronic offender of the parking policy.

Individuals wishing to discuss a ticket issued by Campus Safety, may do so by filing a request with the Office of Student Affairs in the E.M. Lynn Residence Center.

2.3.22.4 Traffic Regulations

1. Pedestrians have the right-of-way on campus.
2. Maximum speed limit on campus is 15 miles per hour.
3. All loading zones must be cleared after loading and/or unloading of vehicles is complete.
4. Driving is permitted only on designated roads.
5. All vehicles are to STOP at intersections marked with a stop sign. Vehicles must come to a full stop before proceeding.
6. Driving, stopping or parking on a lawn or sidewalk is prohibited.
7. Drivers must have their vehicles under control at all times.
8. The driver and vehicle must be properly registered in accordance with the State of Florida statutes.
9. Reckless driving of any kind, including but not limited to, persons endangering pedestrians or riding on the outside of car, may result in loss of campus driving privileges.

2.3.23 Weapons and Other Dangerous Instruments

Lynn University recognizes the importance of a safe and secure environment for all persons on University premises. Accordingly, the possession and/or use of weapons or other instruments that can be used as weapons are strictly prohibited on University premises, including University parking lots, or at any other location while engaged in University business regardless of whether the person is licensed to carry a weapon or not. This Policy applies to all University employees, students, visitors, customers, and contractors on University property, regardless of whether they are licensed to carry a concealed weapon or not. The only exceptions to this Policy are security guards or other persons who have been given explicit consent by the University to carry a weapon on the property and police officers. This policy also prohibits unauthorized weapons at any University-sponsored function.

For the purposes of this Policy, weapons or dangerous instruments are broadly defined to include, but are not limited to: rifles, shotguns, machine guns, semiautomatic rifles, B.B. guns, dart guns, pellet guns, and other firearms; stilettos, razors and other knives capable of inflicting harm. For the purposes of this Policy, a firearm is broadly defined as a weapon capable of firing a projectile and using an explosive charge as a propellant. Individuals with questions about whether an item is covered by this Policy, have the responsibility to contact Campus Safety.

For purposes of this policy, “University property” includes, without limitation, all University owned or leased buildings, and surrounding areas such as sidewalks, walkways, driveways, and parking lots under the University’s ownership or control. University-owned or leased vehicles are covered by this policy at all times regardless of whether they are on University property at the time.

Violators of the University’s Weapons policy are subject to immediate corrective discipline, including termination or expulsion as applicable.

2.4 Information Technology Policies

Below please find information technology policies that apply to all users of Lynn University’s computing assets. In addition to these policies of general applicability, the University has developed employee and student specific information technology policies that must be followed whenever these constituencies utilize University’s computing assets. Information technology policies that apply specifically to employees are set forth in Volume III of the *Lynn University Policy Manual*. Student information technology policies are located in Volume VI of the *Lynn University Policy Manual*. Should you have questions about University information technology policies, please do not hesitate to contact the Lynn University Information Technology Department.

2.4.1 Acceptable Use

It is the policy of Lynn University to maintain access for its community to local, national, and international sources of information and to provide an atmosphere that encourages the open exchange of ideas and sharing of information. Access to this environment and the University’s information technology resources is a privilege and must be treated with the highest standard of ethics and in accordance with all applicable laws.

The University expects all members of the community to use computing and information technology resources in a responsible manner, respecting the public trust through which these resources have been provided, the rights and privacy of others, the integrity of facilities and controls, state and Federal laws, and University policies and standards.

This Policy outlines the standards for acceptable use of University computing and information technology resources by faculty, staff, students, guests, external organizations and affiliated individuals which include, but are not limited to, equipment, software, networks, data, and telephones whether owned, leased, or otherwise provided by the Department of Information Technology (IT) at Lynn University.

The Information Technology department is responsible for the maintenance and distribution of all University owned Laptop and Desktop computers. As the owners of the University computers, the Information Technology department is also responsible for the management, distribution and approval of all software and software licenses. The installation of any non–University owned or

approved software on any University owned computer, unless otherwise specifically allowed under published guidelines for certain University owned computers (such as student designated iPads) is strictly prohibited.

Preserving the access to information resources is a community effort that requires each member to act responsibly and guard against abuses. Therefore, both the community as a whole and each individual user have an obligation to abide by the following standards of acceptable and ethical use:

1. Use only those computing and information technology resources for which you have authorized;
2. Protect the access and integrity of computing and information technology resources;
3. Abide by applicable laws and University policies and respect the copyrights and intellectual property rights of others, including the legal use of copyrighted software;
4. Use computing and information technology resources only for their intended purpose; and
5. Respect the privacy and personal rights of others.

Failure to comply with the appropriate use of these resources threatens the atmosphere for the sharing of information, the open exchange of ideas, and the secure environment for creating and maintaining information property, and subjects one to discipline. Any member of our community found using information resources for unethical and/or unacceptable practices has violated this policy and is subject to disciplinary proceedings including revocation of system privileges, expulsion from school, termination of employment and/or legal action as may be appropriate.

IT reserves the right to limit or restrict the use of its computing and information technology resources based on institutional priorities and financial considerations, as well as when it is presented with evidence of a violation of University policies, contractual agreements, or state and federal laws.

Although all members of the community have an expectation of privacy, if a user is suspected of violating this policy, his or her right to privacy may be superseded by the University's requirement to protect the integrity of information technology resources, the rights of all users and the property of the University. The University, thus, reserves the right to examine material stored on or transmitted through its resources if there is cause to believe that the standards for acceptable and ethical use are being violated by a member of the University community or a trespasser onto its systems or networks.

Individuals using computer systems owned by the University do so subject to applicable laws and University policies. The University disclaims any responsibility and/or warranties for information and materials residing on non-University systems or available over publicly accessible networks. Such materials do not necessarily reflect the attitudes, opinions, or values of the University, its faculty, staff, or students.

2.4.2 Account Creation

Utilizing the Lynn University owned network, IT infrastructure and/or information is a privilege, not a right. The IT Department extends this privilege to staff, faculty, students and other authorized users by creating a unique network identifier (user account Id) to access the network at the University. Network accounts will be requested, granted and created following IT procedures and

guidelines. The University recognizes the importance of maintaining user accounts in an organized, secure manner to achieve maximum performance of our network. The University retains the right to revoke this privilege or to conduct in-depth examinations into the use of (this privilege) the network or user accounts at any time.

2.4.3 Account Revocation

Utilizing the Lynn University owned network, IT infrastructure and/or information is a privilege, not a right, and it can be revoked at anytime. In the event that a staff member, faculty, student or other authorized user is separated, terminated or otherwise no longer affiliated (has a relationship) with the University, all network, IT infrastructure, and/or information privileges may be revoked, deactivated and/or removed.

In addition, any misuse or non-compliance with Lynn University agreements (policies/procedures) may result in the revocation, deactivation or removal of network access.

2.4.4 Card Office

The University requires and issues an official Lynn University photo identification card to all Staff, Faculty, Student, Alumni, and other affiliated individuals. The identification card is recognized as the primary form of identification on campus and is required to gain access to University facilities and services.

The loss of a University issued identification card may result in a fee to obtain a replacement card; notification of loss of identification card should be reported to the Card Office as soon as possible.

2.4.5 Change Management

The primary objective of this Policy is to ensure that a consistent and systematic approach is used for modifying Lynn University's IT services and resources. The intent is to streamline processes while mitigating security vulnerabilities and potential loss due to system outages. Modifications to IT services require serious forethought, testing, appropriate communication and post-change evaluation. Changes to University IT resources must have intended impact and avoid unintended consequences.

Any change that might affect IT services upon which University personnel rely to conduct normal business operations are within the scope of this policy. The following non-exhaustive list show common types of change:

1. Software upgrades, updates or additions;
2. IT Infrastructure changes;
3. Preventative maintenance;
4. Security patches;
5. System architecture and configuration changes;
6. Hardware upgrades;
7. Product management;
8. New System Implementations.

The IT department has defined change as “The addition, modification or removal of anything that could have an effect on IT Services.”

Any change to the University’s IT resources will be documented, coordinated, communicated and approved with all stakeholders as well as adhere to the University’s Change Management Procedures and Guidelines. The CIO, IT Units, and Change Management Team (CMT) approval will be obtained prior to updating or modifications being made to any IT resource.

2.4.6 Computing Security Responsibilities

User of Lynn University’s computers and networks must take necessary steps to protect the University from unwanted viruses. Recommended processes to prevent virus problems include but are not limited to:

1. NEVER open any files or macros attached to an email from an unknown, suspicious or untrustworthy source. Delete these attachments immediately, then “double delete” them by emptying your Trash;
2. Delete spam, chain, and other junk email without forwarding, in accordance with Lynn University’s Acceptable Use Policy (see Section 2.4.1);
3. Never download files from unknown or suspicious sources;
4. Avoid direct disk sharing with read/write access unless there is absolutely a business requirement to do so;
5. Keep your machine, especially laptops, physically secured. Confidential and sensitive information must be safeguarded. Take appropriate measures (e.g., encryption for electronic information, physically secure physical media) to prevent unauthorized disclosure;
6. Be alert and aware of information stealing methods such as: social engineering, phishing scams, and shoulder surfing to obtain personal and sensitive information about you;
7. Implement credible and reputable anti-virus software, perform continuous and/or scheduled scanning, and keep it up-to-date;
8. Implement anti-spyware to protect private personal information;
9. Implement current technology security preventive solutions to protect your computers from unwanted threats;
10. Enable the built-in firewall that is included in major operating systems and/or install a firewall application;
11. When logged into the network, remember to log out after you are finished. Also, enable a password-protected screen saver when leaving your computer temporarily;
12. Never download or open any files or macros attached to an email from an unknown, suspicious or untrustworthy source. Delete these attachments immediately, and then permanently delete them by emptying your trash;
13. Delete spam, chain and other junk email without forwarding it; and
14. Avoid creating shared folder with open or full access.

2.4.7 E911 Services

The University utilizes an electronic 911 solution for its telephone users, to facilitate emergency responders with a finer geographic location within the University. This service advises emergency responders regarding general building locations, such as floors and areas within buildings. It will not provide room or exact locations.

The e911 solution does have some specific limitations:

1. In order for e911 calls to be properly directed to emergency services using the University phone system, Lynn University must have the correct location of the telephone programmed in its solution. If a user moves to a different location without consulting and notifying, IT calls may be directed to the wrong geographic location.
2. The University phone system uses electrical power. If there is an electrical power outage or interruption, the University phone system will fail and users will not be able to make 911 calls.
3. Telephone calls, including 911 calls, on the University phone system may not be completed if there is a problem with network facilities, including network congestion, network/equipment failure or scheduled outages, or other technical problems.

2.4.8 Electronic Devices

Cellular phones, pages, and other electronic devices shall not be used in a manner that causes disruption in the classroom, library, or within any Lynn University owned or operated facility. Abuse of cellular devices with photographic and videotaping capabilities for purposes of photographing test questions or other notes and materials is prohibited and considered a violation of the University's Academic Honesty Policy (see Lynn University Catalogs). Photographing or videoing individuals in secured areas such as bathrooms, locker rooms, residential halls or other areas where there is a reasonable expectation of privacy, and/or taking photographs of an individual against their will is strictly prohibited. Electronic transmission of photographs of any person without express permission is strictly prohibited. Please refer to the University's Photography Policy for additional information. Moreover, photographing or videoing confidential or sensitive University information is strictly prohibited.

Violators of this policy are subject to appropriate corrective action, including, when appropriate, suspension, dismissal, or expulsion.

2.4.9 Encryption

It is Lynn University's IT Department policy to limit the use of encryption to those algorithms that have received public review and acceptance, and must have been proven to work effectively. All requests to encrypt hard drives, files, databases or any other information technology resource must be submitted and approved by the IT Department.

All web sites; public or private, hosted by Lynn University or hosted by 3rd parties, collecting personal information require the use of SSL certificates. The issuing and maintenance of certificates must be made to the IT Department and are assigned and implemented by the IT department.

2.4.10 Network Connectivity

This policy describes the security measures implemented at Lynn University to safeguard access to the network by authenticated users.

Every device receiving an IP address and connected to the Lynn University network via wireless or wired should meet the following requirements:

1. The latest hotfixes, patches and service packs should be installed on all devices in a timely manner and set to automatically download and install.
2. Complex passwords should be used for any account on the device which has administrative privileges.
3. A host based firewall for all computers must be installed and configured.
4. An anti-virus product should be installed and running on the latest definition file.
5. If FTP services are installed and used; Lynn University will not allow the use of anonymous login to the FTP site.
6. All shares should be secured as the use of everyone access will not be allowed.

2.4.11 Password Maintenance

Password maintenance is the most important activity a user can participate in to secure institutional data. Passwords help protect against misuse by seeking to restrict use of University systems and networks to authorized users. Each authorized user of the University is assigned a unique password that is to be protected by that individual and not shared with others. The University has implemented a password maintenance policy that requires authorized users to maintain a password in accordance with a minimum acceptable password standard. The password should be changed on a regular basis to prevent the accidental exposure of a password to others.

2.4.12 Peer to Peer File Sharing Programs

In accordance with the Higher Education Opportunity Act (HEOA), Lynn University must make an annual disclosure informing students that illegal distribution of copyrighted materials may lead to civil and/or criminal penalties. Also, the HEOA requires institutions to take steps to detect and punish users who illegally distribute copyrighted materials. In an effort to comply with these requirements, Lynn University prohibits the installation and use of peer-to-peer file-sharing programs (P2P) that violates copyright material on computers using the Lynn University network. Moreover, the installation or operation of any program or service that assists others in the use of copyright violations is likewise prohibited. Users will be considered in violation of this policy if their internet traffic is identifiable as using a prohibited P2P programs or protocols. Lynn University reserves the right to suspend or terminate network access to any campus user if the violation is deemed severe. Likewise, network access will be suspended if any user is impacting the operations of the network. Repeat or severe violations are also subject to appropriate corrective action and may be reported to appropriate authorities for criminal or civil prosecution, or, where appropriate, student code of conduct adjudication.

2.4.13 Wireless Network Use

This policy describes the usage and security measures implemented at Lynn University to safeguard wireless access to the network by authenticated users. In addition, it outlines the practices that must be adhered to when using Lynn University wireless access points.

All client PC's wanting to access the Lynn University Campus Network will be required to use Unencrypted Wireless Network (Stunet) Separate Vlan from wired network.

In addition, the following practices must be adhered to when using Lynn University wireless access points:

1. All wireless access points within the University's firewall must be approved and centrally managed by the IT Department. The addition of new wireless access points within campus facilities will be managed at the sole discretion of IT. Non-sanctioned installations of wireless equipment or use of unauthorized equipment on campus premises are strictly forbidden.
2. The IT Department will occasionally conduct sweeps of the wireless network to ensure there are no rogue access points present.
3. The IT Department reserves the right to turn off without notice any access point connected to the network that it feels puts the University's systems, data, and users at risk.
4. Any device or equipment found to be interfering with access point signals may be subject to relocation or removal, including cordless phones, microwave ovens, cameras, light ballasts, etc.
5. All computer equipment and devices used to connect to the University's network must display reasonable physical security measures. Users are expected to secure their University-connected devices when they are physically at their machines as well as when they step away.
6. Wireless access users agree to immediately report to the University's IT Department any incident or suspected incidents of unauthorized access point installation.
7. Use of the wireless network is subject to the same guidelines as the University's Acceptable Use Policies.

2.5 Public Relations Policies

2.5.1 Office of Marketing and Communication

Lynn University employs a central office for the external and internal distribution of key institutional messages, news and other articles, publications, videos and Web sites. All large-scale (non-personal) on- and off-campus messaging must be approved by, and/or communicated through, this department.

2.5.2 Communications Policy

Design and/or editorial approval from the Marketing and Communication office is required for all communications that:

- Bear the name or likeness of Lynn University;
- Are to be paid for with Lynn University funds;

- Are intended for distribution off campus to external audiences.
- Use the University seal, logotype or trademarks or service-marks by internal or external persons or groups;
- Deviations from the Lynn University Marketing and Communication brand guidelines.

Items exempt from this policy include

- Materials produced by student organizations not bearing the Lynn University name or logo;
- Scholarly publications;
- Person to person internal correspondence;
- Internal reports (exception: report covers and reports with off-campus distribution).
- Course materials

All communications shall reflect the non-biased, non-discriminatory nature of Lynn University.

2.5.3 External Communications

2.5.3.1 Crisis Communication

The Office of Marketing and Communication - and specifically the public information officer - operate as the University's crisis communication arm. In the event of a campus emergency, inclement weather event or similar occurrence, working in collaboration with Campus Safety, the office will contact the campus community (faculty, staff and students, and those individuals they've registered as their emergency contacts) using the University's timely warning and emergency notification systems as applicable. See the Annual Security and Fire Safety Report for additional information.

2.5.3.2 Media Relations

Contacting News Media

Lynn University's Director of Marketing and Communication and Public Relations Manager are the initial points of contact for all media requests, inquiries, pitches, etc. These two University officers alone should direct, initiate and nurture any activities with all media personnel, be they individuals or institutions, traditional outlets or citizen journalists, bloggers, etc. The Athletics Communications Director may engage in media activities related to sports information.

Members of the Lynn community interested in publicity or engaging the general public via media, events, partnerships or other such collaborations, should contact the Director of Marketing and Communications or a public relations manager.

Communicating as a Lynn Representative

Lynn faculty, staff and students will be routinely called upon—and encouraged—to speak with members of the media through the facilitation of the Office of Marketing and Communication. In all instances, students and employees (when they are willing and able) will be made available by the media relations team to offer their honest opinions, speak about issues related to their field and expertise, and otherwise help support the news media's coverage of a particular issue through their participation.

Any employee or student receiving media inquiries directly should first forward such requests to the Office of Marketing and Communication for clearance and tracking purposes. Please contact the Director of Marketing and Communication or Media Relations Specialist.

- The Office of Marketing and Communication is accountable and responsible for the University and its employees' communication with the media.
- All incoming media inquiries related to Lynn University or requesting representation from the institution should be forwarded to the Director of Marketing and Communication and the Public Relations Manager. They are responsible for evaluating opportunities and determining an appropriate course of response.
- University Marketing promotes University-wide events and stories; On occasion the department will invite employees to serve as spokespersons on behalf of the University or to provide expert commentary. Marketing is responsible for preparing talking points in the former scenario and may provide media or communications coaching to ensure employees' preparedness in either scenario.

Faculty and administrators may engage, as experts in their fields, with the media. In such instances, they should very clearly and explicitly indicate that their opinions are solely their own and do not represent those of their employer. Employees must inform the Director of Marketing and Communication or the Public Relations Manager of any media opportunities they participate in.

2.5.3.3 Print and Electronic Communications for External Audiences

To ensure a consistent and unified representation of the Lynn University brand, anyone producing print and electronic communications for an external audience is required to use the writing and design services of Marketing and Communication. Individual units are not authorized by the University to initiate design or printing projects for any external audiences. External materials may include, but are not limited to, broadcast e-mails, social networking sites, ads, brochures, posters, postcards, and other collateral pieces that market the University to an external audience(s).

No student, faculty or staff member or University department or organizational unit may purchase a domain name or create a Web site that explicitly or implicitly represents Lynn University, any unit within the University or individual representing the University without approval by the Director of Marketing and Communication.

2.5.3.4 Social Media Opportunities and Requirements

See guidelines at Lynn.edu/brand.

University Marketing monitors social media in the context of everyday business. Should Marketing identify content - on Lynn University, student, employee or vendor accounts - that potentially violates University policy, it will flag the content to the Dean of Students and/or the supervisor, as appropriate. Should Marketing identify content that poses a risk to its reputation, it will activate and deploy an appropriate response to mitigate risks and manage the situation or scenario.

Faculty and Staff

Marketing maintains the record of official/allowed Lynn University social pages and accounts and maintains the right to suspend or delete accounts that do not adhere to University policy and brand guidelines found at lynn.edu/brand. Changes and additions to Lynn University social media accounts must be approved by the Public Relations Manager who helps establish goals, confirm appropriate use and define strategy.

If an employee's account names his or herself as a Lynn employee, the account must clearly and explicitly indicate that their opinions are solely their own and do not represent those of Lynn University. Any employee who wishes to use a personal social media account as a representative of Lynn must receive permission from the public relations manager and adhere to University policy and marketing guidelines. University Marketing maintains the right to revoke this permission for accounts that do not adhere to stated policies.

Student Clubs/Organizations

The Office of Student Affairs maintains the record of official/allowed student organization and student club social media accounts. The Office of Student Affairs and the Office of Marketing and Communication each maintain the right to suspend or delete accounts that do not adhere to University policy and student Code of Conduct.

2.5.3.5 Website Advertising

Lynn University's Website and Marketing Materials must not be used for commercial, non-mission-related purposes. Accordingly, advertising for commercial purposes by businesses, organizations, entities, or individuals not associated with Lynn University is generally prohibited. For purposes of this policy, "advertising" refers to any situation in which Lynn University or one of its departments, divisions, or colleges receives payment or in-kind gifts in exchange for a link or brand placement on a Lynn University Web page.

While advertising cannot be sold at any level, links to vendors or other commercial entities may be made in the following specific situations upon written approval from the Vice President for Development and Alumni Affairs or the Chief Marketing Officer, as appropriate, and as determined on a case-by-case basis:

1. **Links to a Contracted Vendor:** The logo or link is to a vendor or other entity separately contracted to provide services to the University.
2. **Sponsorship Recognition:** The logo or link acknowledges a vendor or other entity's support of a University mission related activity through sponsorship. The sponsorship announcement must meet IRS guidelines and be exempted from unrelated business income tax assessments; payment may not be accepted for the link or logo.
3. **Educational Purposes:** The text link provides information for educational or other mission-related purposes and the University has received no consideration for incorporating that link.
4. **Links to Licensed Software Required for Web Viewing:** The logo or graphic represents licensed software that represents a core function of the page at issue, e.g., Adobe Acrobat Reader.

In all of these cases, the link, as approved by the Vice President for Development and Alumni Affairs, or the Chief Marketing Officer, as appropriate, shall provide information for educational

or other mission-related purposes and the University cannot have received financial consideration for incorporating the link.

Such links should in no way imply endorsement of products or services offered by the external commercial vendor or entity. Moreover, approval of links to web pages of commercial vendors and entities does not convey or imply approval to use the Lynn University seal, logos, or other images without specific permission from the Chief Marketing Officer.

2.5.4 Internal Communication

2.5.4.1 myLynn

myLynn is the University's intranet and serves as an internal resource for all Lynn students, faculty and staff. Information posted includes any University-sponsored or affiliated information, including event and activity announcements, student and employee accomplishments (Lynn People), post-event coverage, and any other campus-related information.

Content Submission Guidelines

1. All news and information submissions for myLynn should be sent to news@lynn.edu.
2. All submissions are subject to editing by the editor of myLynn.
3. Most submissions are posted within 48 hours.
4. All copy should be typed and submitted as raw text (please *do not* send pdf, Publisher, Adobe or other application programs).
5. Attachments of graphics and photos may be sent with your submission in a jpg format.
6. Before an event is posted, a request form must be submitted and approved through University Events (with the publicity box checked).*
7. Lynn People items (accomplishments - *i.e.*, papers published/presented, conferences attended, awards won) are posted after the event has taken place.
8. LynnBay items must include name and contact information (phone and/or e-mail); if an item is for sale, prices should be included. You may submit photos to news@lynn.edu.
9. LynnBay is a private, University service; submissions are limited to Lynn students, faculty and staff members.
10. LynnBay *does not* accept any 3rd party submissions and reserves the right to refuse any submissions that do not meet the guidelines.

Many applications found on myLynn - Blackboard, Help Desk, Cashnet, etc. - are supported by the IT department. Questions about those should be directed to IT Support Services at itsupport.lynn.edu or 561-237-7979.

*Event Publicity: Once an event is approved through University Events and posted on the R25 calendar system, the Office of Marketing and Communication will then publicize the event through other avenues and formats it deems appropriate.

Lynn Minute

This weekly e-mail to all employees produced by the Office of Marketing and Communication is a digest of information gathered from our various communication outlets (Facebook YouTube, myLynn, lynn.edu, news clips and blogs) and includes a “Seen & Heard” column with people news. As the information is taken from content already in place, no submissions are requested. You may, however, send in a “people” tip for the column.

Broadcast “Everyone at Lynn” and “All Students” E-mails and Text Messages

The Office of Information Technology and Office of Marketing and Communication restrict broadcast e-mail rights to a select group of University staff and administrators. These restrictions are in place for two reasons:

1. To limit the amount of e-mail traffic within the campus network; and
2. To avoid diminishing the effectiveness of e-mail and text communications (which are a primary channel for communicating emergency information), among other reasons related to privacy and best practice use of personal information.

Guidelines for Broadcast E-mails

The following guidelines are meant to further outline appropriate usage:

Information communicated by broadcast e-mail will be distributed by the Office of Marketing and Communication. Appropriate messages include:

1. Announcements impacting the health and/or safety of employees and students;
2. Information regarding emergency closings and re-openings, such as those occurring during the hurricane season;
3. Urgent announcements of IT system problems or changes affecting employees and/or students;
4. Communications from the Office of the President (including condolence notices).

Please note: Individuals and/or campus groups, departments, offices, etc. must not circumvent this policy by creating individual lists, sending out e-mails in “batches” around campus, etc.

Guidelines for Mass Texting

Mass texting is allowed only under the following circumstances:

- Mass texts must be delivered through a system which allows centralized scheduling to ensure that no more than one text is sent from Lynn University to the same audience in the same day;
- Audiences must have the option to opt out.

Exceptions to the above are emergency texts (which are sent by Campus Safety or Marketing and Communication) and administrative texts from Student Financial Services and Registrar to ensure that necessary business transactions are completed.

Student Notifications

The offices of Academic Affairs, Registrar, Student Account Services, and Student Affairs (to name a few examples) may have reason to occasionally communicate directly with students regarding an important federal deadline, advising requirement, etc. These offices are permitted to

use their All Students privileges for these purposes. Such communications, however, should not include event-related notifications or other notices more appropriately communicated via myLynn, through faculty announcements or on Blackboard.

The Office of Marketing and Communication will consider requests for sending global or broadcast e-mail for any other purpose on a case-by-case basis. All such requests, along with the message that needs to be communicated, must be forwarded via e-mail to the Director of Marketing and Communication, the University's crisis communications officer in the Office of Marketing and Communication, whose decision is final.

2.5.4.2 Photography and Videography

The Office of Marketing and Communication maintains a large collection of photography and videography that tells the University's brand story. These photos are used for marketing purposes. Assets are stored in the database for a minimum of 2 years and are then sent to the archives department.

Requesting a Lynn Photo

Marketing maintains a digital asset management system that grants employees access to Marketing approved University photography. These photographs are for use only in professional University marketing capacities and must not be altered in any way without Marketing's prior approval. Marketing maintains the right to revoke database access for any user who violates University policy or brand guidelines found at lynn.edu/brand.

Members of the media must request permission from the director of marketing and communication or public relations manager for use of Lynn videography and photography.

Student organizations must contact the Office of Marketing and Communication for special permissions.

Requesting a Headshot

Marketing maintains a database of all employees' professional headshots that are used on the University website and in other marketing materials. Contact the multimedia producer to schedule a professional heads hot session.

Requesting Project or Event Photography and Videography

The Office of Marketing and Communication provides videography and photography support for University-wide events and special occasions. University marketing maintains the right to prioritize projects that meet the University's marketing and strategic objectives; it retains the right to decline projects that do not fit the University's overall marketing and communication goals; it also retains the right to creative control on all productions. Requests for videography support requires the completion of a creative brief. Marketing is not responsible for videography that achieves instructional or training objectives; such requests should be made to the Department of Instructional Design. Marketing retains the right to outsource all photography that does not meet strategic marketing objectives, including non-artistic or event documentation photography. Marketing restricts the use of stock imagery. See guidelines at lynn.edu/brand for more information.

Permission to Photograph

Lynn University is located on private property; thus, any professional photographers or videographers who are not members or agents of the University or members of the University community, including media members, may obtain photos/video on University property only with permission of the subject(s) of their photography and the Office of Marketing and Communication.

Amateur photography by members of the University community and guests/visitors at University events are generally allowed provided the photographer has permission of the photo subjects or is photographing general crowd shots of an event considered open to the public (i.e., athletic events). If any photography is deemed disruptive, intrusive, or out of compliance with Lynn University policies, University faculty or staff are empowered to restrict and/or forbid photography anywhere on campus. Prior to confronting the individual, however, an effort should be made to contact Campus Safety.

2.5.5 Use of the Lynn University Name, Seal, Logo, Trade and Service Marks

Members of the Lynn University community, either individually or collectively, shall not officially use the name, seal, logo, or trade, and service marks of Lynn University in any activity outside of the regular work of the University. Violation of this rule is regarded as sufficient cause for dismissal or expulsion. Lynn University's name, seal, logo, trade and service marks are the exclusive property of Lynn University and, consequently, may not be used in connection with goods or services offered by any outside organization without the prior permission of the Chief Marketing Officer.

Use of official Lynn University stationery, as well as the University name, seal, logo, woodmark, trade or service mark must be utilized in conformance with the Marketing and Communication Resource and Policy Handbook.

2.6 Institutional Advancement Policies

2.6.1 Development Office Commitment

At Lynn University, philanthropy is a tradition of giving to the University's priorities and for its general fiscal strength. To ensure that philanthropy merits the respect and trust of our community, our donors and prospective donors, Lynn University's Office of Development and Alumni Affairs is committed to standards as follows:

1. Constituents are informed of Lynn University's mission, vision and strategic plan including the University's fundraising priorities;
2. Constituents are informed of the identity of those serving on the University's Board of Trustees;
3. Philanthropic files and personal records are confidential;
4. Gifts are used for the purposes designated by the donor;
5. Prompt acknowledgement and appropriate recognition is provided by the University;
6. Individuals representing Lynn University are professionals;
7. "Anonymous" donors and gifts are appreciated and directives are followed and respected;

8. The University and development office does not release its mailing list to any outside person or agency not conducting business on behalf of the University; and
9. All legal procedures are respected (IRS, State of Florida and Federal).

2.6.2 Mission Statement

Lynn University is a 501(c)(3) not-for-profit organization. The University accepts gifts and grants that serve its students and support the mission and the strategic plan of the University.

The Office of Development and Alumni Affairs has two purposes:

1. To secure financial support through the cultivation of relationships with the University's constituencies (alumni, parents, friends, corporations and foundations); and
2. To provide an alumni program to engage, inform and educate alumni for a lifetime relationship with their alma mater.

The department is responsible for fundraising, coordinating all requests for outside support, and assuring that professional and effective approaches are made to potential donors for support of the University. The University does not accept gifts that are used for purposes outside of the mission and goals of the University. **All fundraising for the University must receive approval from the Vice President for Development and Alumni Affairs.**

The development staff provides appropriate stewardship to inform and engage prospective donors, and to thank and acknowledge benefactors. A gift that is given to Lynn University, whether it is undesignated or given for a particular program, is recorded immediately. Both a tax receipt and a thank you letter are issued immediately. The University advises all donors to seek their own tax and legal counsel and does not render tax, legal or financial advice.

The Vice President for Development and Alumni Affairs provides regular reporting of gifts received to the president, cabinet and Board of Trustees.

The alumni program ensures that all University alumni programs and activities are conducted professionally and are consistent with the overall goals of the University. The alumni staff develops authorized alumni organizations of the University and assists in the planning and implementation of programs and events locally, nationally and internationally.

2.6.3 Gift Acceptance and Processing Policies

Lynn University reserves the right to treat each gift on an individual basis, and thereby reserves the right to accept, reject or modify any agreement and/or gift. It is the policy of Lynn University to gratefully accept gifts of cash, security and property that are designated for the mission of the University.

2.6.3.1 Authority to Solicit and Accept Charitable Gifts

The President and Vice President for Development and Alumni Affairs, on behalf of the Board of Trustees, are the officers working with relevant individuals and groups to solicit and accept all contributions to Lynn University. All gifts to the University, solicited or unsolicited, of any description are immediately reported to, and receipted by, the Office of Development and Alumni Affairs.

The management and reporting of gifts is guided by the standards of accounting and reporting established by the Internal Revenue Service (IRS), the Council for Advancement and Support of Education (CASE) and the National Association of College and University Business Officers (NACUBO).

Naming opportunities and levels of gifts are determined by the University President and the Vice President for Development and Alumni Affairs.

2.6.3.2 Gift Acceptance

As a general rule, a solicitation for a gift or bequest stresses the advantages of an unrestricted gift in the form of cash or liquid securities. Other forms of giving, such as planned gifts, are acceptable and may offer qualified donors an attractive alternative. Such gifts may enable donors to significantly increase the level of their gifts while taking advantage of some meaningful commemorative or named gift opportunities. Individuals should consult their tax advisers concerning the treatment of these specialized gift techniques for their individual circumstances. The University advises all donors to seek their own tax and legal counsel and does not render tax, legal or financial advice.

Gifts are valued on the date the donor relinquishes control of the assets in favor of Lynn University. The University adheres to the rules of gift acceptance required by the IRS:

1. Mail: the postmark date;
2. Hand delivery: the date of physical receipt;
3. Wire/electronic transfer: the date received in the brokerage account of the University;
4. Journal entry: the date of transfer into the University's account;
5. Charitable remainder trusts, charitable lead trusts and charitable gift annuities are created on the date they are funded according to the above rules. No payments may be made to an income beneficiary until that date.

When a gift is given to Lynn University, it is not considered legally consummated until Lynn University agrees to the conditions and notifies the donor of acceptance of the gift. If a gift or bequest is received without disclaimer by Lynn University, the University assumes the legal obligation to administer the gift or bequest in a manner consistent with the terms specified by the donor.

Prior to acceptance, restricted gift must be appraised to assure it does not place unreasonable constraints on Lynn University.

Scholarship gifts may not be accepted by Lynn University if they are offered on the condition, or with the understanding, that the award will be made to a student of the donor's choice.

As a condition of gift acceptance, Lynn University pays no fees to any person in consideration of directing a gift or for the completion of a gift instrument to Lynn University.

2.6.3.3 Outright Contributions

1. The Office of Development and Alumni Affairs provides a tax receipt and an acknowledgement letter as well as additional recognition appropriate to the gift level.
2. Gifts may be made anonymously.

3. The Office of Development and Alumni Affairs is PCI (Payment Card Industry Security Standards Council) compliant for credit card processing.
4. Gifts may be made in honor or in memory of individuals. In such cases, the family of the person honored or remembered is given a notice of all donors' names and addresses (if requested). Donors' gift amounts are not shared.

Outright gifts may be given for:

1. Current operations (unrestricted or restricted for a particular college, athletics or other purposes).
2. Capital purposes (buildings, improvements to facilities and equipment).
3. Endowment (unrestricted or restricted).

Outright gifts may be given as follows:

1. **Cash** – Gifts in the form of cash and pledges are recorded in the amount of the actual gift.
 - a. Any amount is welcomed.
 - b. Unrestricted contributions are encouraged. A donor has the option to restrict some or all of a gift to a specific program or department.
 - c. The donor is credited with the full amount of the cash gift. In cases where the donor receives something of value in return for the donation, the donor is made aware of the cost of the benefit received. In these cases, the gift processor deducts the cost of the benefit received against the donation.
 - d. Gifts of cash may be made in the form of currency, personal check, credit card charge, cashier's check or money order. All checks are made payable to Lynn University and not to an employee, agent, or volunteer for the credit of the University. Checks are deposited in the ordinary course of business and no employee or agent of Lynn University shall delay deposit of such.
 - e. Donors may make gifts to Lynn University through donor-advised funds or charitable checking accounts. Receipts are not generated for gifts from donor-advised funds or charitable checking accounts, however, acknowledgment letters are completed as requested by the organizations or charities administering the accounts.
 - f. Donors whose gifts are matched by a company receive soft credit for the matching amount. The donor is recognized for the combined total of the donation and the matching gift in any donor listing. A tax receipt is sent to the matching gift company.
2. **Marketable, Publicly Traded Securities** – Stocks, bonds and other negotiable securities that are regularly traded on a public stock exchange
 - a. Marketable, publicly-traded securities are receipted at the average of the high and low market value on the date the donor relinquishes control of the assets in favor of Lynn University or other valuation techniques approved by the IRS.
 - i. Stock certificates mailed to Lynn University are recorded according to the postmark date.

- ii. Stock certificates sent to Lynn University via a third party provider, such as UPS or Federal Express, are considered to be legal gifts as of the date of receipt by the University.
 - iii. Stock shares transferred electronically are considered legal gifts as of the date the stock is credited to the account of the University.
 - b. Lynn University's policy is to immediately liquidate any gifts of publicly-traded securities unless retention of the specific security is consistent with the University's investment practices.
 - c. If a donor is an officer or director of the issuing corporation, the University inquires as to whether any Securities and Exchange Commission (SEC) Rule 144 restrictions apply that limit the University's ability to sell the donated securities.
 - d. Lynn University does not receive or process proposed transfers of stock that have no current market value (i.e., "worthless stock") at the time a transfer to the University is proposed.
 - e. Securities controlled under SEC Rule 144 are held until the restriction on the sale expires and then they are immediately sold in the manner indicated above.
 - f. If the fair market value of gifted securities is greater than \$500, the donor must complete Section A of Form 8283 and attach such to the donor's current tax return.
3. **Closely-Held Stocks** – A gift of stock of a private or family-held corporation, which includes not only debt and equity positions in non-publicly traded companies, but also interests in limited partnerships and limited liability companies or other ownership funds.
- a. Any amount is welcomed, provided the stock may be readily sold or is likely to be redeemed.
 - b. The donor is credited with the appraised fair market value of the stock, or an estimated value if an appraisal is not available.
 - c. Gifts of closely-held stock exceeding \$10,000 are receipted at the fair market value placed on them by a qualified independent appraiser as required by the IRS for valuing stocks that are not publicly traded. Gifts of less than \$10,000 may be valued at the per share cash purchase price of the most recent transaction. All such gifts of closely-held stock are held until liquidated, at which time the funds are used consistent with the gift intentions of the donor and the established policies of the University.
4. **Gifts of Real Estate** – Gifts of real estate may be accepted by the University. Almost any type of real property can be donated to the University including, but not limited to, personal and vacation homes, farms and ranches, commercial and rental properties, and undeveloped lots. The real estate may be given outright or by using a variety of planned giving methods. In such cases, the University administration works with the donors and legal counsel.
5. **Bargain Sales** – A donor may elect to sell a piece of real estate to Lynn University at a price less than fair market value. The IRS considers the difference between the fair market value and the selling price to be a gift and therefore produces an income tax deduction for the donor. Lynn University benefits by acquiring property or by selling the property to a third party at market value.

- a. Bargain sales are receipted, reported and recognized at fair market value (less any encumbrances) at the time the asset is transferred to Lynn University. The fair market value of real estate gifted through a bargain is determined by an independent, qualified appraiser in the employ of the donor.
 - b. Gifts of mortgaged real estate are treated as bargain sales are accepted only on prior approval of the president, vice president for finance, and the vice president for development and alumni affairs. Generally, the University does not accept a gift of mortgaged real estate unless:
 - i. There is an assurance that the stated property can be sold within a reasonable period of time.
 - ii. There is substantial equity in the property that will be realized at the time of sale.
6. **Gifts of Tangible Personal Property** (gifts-in-kind) – Gifts of personal property (i.e., antiques, works of art, collections, musical instruments, etc.) are welcomed by the University with prior approval from the Vice President for Development and Alumni Affairs and in cooperation with other appropriate University staff. In most cases, the donor is responsible for delivering the gifts to the University.
- Gifts of tangible personal property valued at \$5,000 and above are credited and recognized at the appraised value of the property at the time it is transferred to the University. The donor is responsible for securing appraisals on such property according to IRS guidelines. In certain circumstances, Lynn University may secure its own appraisal.
7. **Gifts of Equipment** (gifts-in-kind) – Gifts of equipment may be accepted by the University. However, when such equipment requires additional and/or ongoing maintenance that is not yet budgeted, prior approval must be received from the Vice President for Development and Alumni Affairs and other appropriate vice presidents. All gifts of equipment are governed by the policies and procedures applicable to the acceptance of Gifts of Tangible Property as outlined above.
8. **Challenge Gifts or Pledges** – Challenge gifts, grants or pledges requiring matching funds by the University are accepted and acted upon only through collaboration with the University’s president and the Vice President for Development and Alumni Affairs and other appropriate University representatives.

2.6.3.4 Pledges

1. **Written Pledges** – A donor may stipulate the amount, purpose and payment period in a written pledge form to the institution. A letter of intent from Lynn University to the donor may outline the same details based on a conversation held with the donor. The pledge form or letter of intent requires the signature of the donor. Copies of the signed pledge form or letter of intent are provided for the donor’s and the University’s records.
2. **Oral Pledges** – Oral pledges may be made through an authorized telephone solicitation program. These pledges are counted and reported in annual fund totals. A confirmation notice that includes a thank you and a pledge amount is mailed to the donor immediately following the solicitation.

3. **Pledge Write-offs** – The Vice President for Development and Alumni Affairs, in consultation with the University President and the University’s CFO, makes the final determination regarding write-offs of pledges greater than \$5,000.
4. **Capital and Endowment** – Once a year the development office reviews all “old” pledges, including:
 - a. Partially paid pledges dated two or more years prior to the end of the last fiscal year and for which payments should have been, but were not, received
 - b. Pledges for which no payments at all have been received.
 - c. The Vice President for Development and Alumni Affairs determines whether these pledges should remain open or be written off.
5. **Annual Fund Pledges** – The purpose of the annual fund is to generate operating support to the institution for the current fiscal year.
 - a. A review of annual pledges of more than \$1,000 is conducted by the Vice President for Development and Alumni Affairs.
 - b. Within 30 days after the close of the fiscal year, all open pledges of less than \$1,000 are automatically written off.

2.6.3.5 Planned Gifts

Deferred gifts, also called “planned gifts” or “future commitments” are different from outright gifts, as Lynn University does not realize an asset until some point in the future. It is for this reason – the uncertainty of timing of realization – that the University records deferred gifts separately from outright gifts. The University reports the planned gift’s face value and present value.

Planned gifts may be made through the following:

1. **Bequest by Will or Living Trust** – A donor may name Lynn University as beneficiary in his/her will or trust directing that Lynn University receive an outright distribution or annual payments from the donor’s estate.
2. **Gifts of Retirement Plan Assets** – A donor may contribute retirement plan assets to Lynn University by means of testamentary bequests and transfers to charitable remainder trusts.
3. **Charitable Trusts** (irrevocable) – Trusts are legal documents and are not the property of the University.
 - a. **Charitable Remainder Unitrust** – This trust pays a set percentage of the trust’s principal, as calculated annually, to the income beneficiary for life or a set term of years (i.e., the amount of the annual payments fluctuate). Additional gifts may be made to the trust at any time. When the income beneficiary dies or the term of years expires, the principal goes to the University and perhaps additional charitable beneficiaries. Trust assets must be managed separately for each trust.
 - i. Proposed charitable remainder annuity trusts for which Lynn University is trustee and/or administrator are funded initially with assets of at least \$100,000.

- b. **Charitable Remainder Annuity Trust** – This trust differs from the unitrust in that the annual income payment is a set dollar amount determined when the trust is established. No additions to the trust are allowed after the trust is established. Trust investments are managed separately for each trust.
 - i. Proposed charitable remainder annuity trusts for which Lynn University is trustee and/or administrator shall be funded initially with assets of at least \$100,000.
 - ii. Lynn University recommends that trusts be limited to one or two income beneficiaries.
 - iii. Donors are encouraged to name a trust company, the trust office of their bank, or their community foundation as trustee.
 - iv. Charitable remainder annuity trust funds for which Lynn University is named as trustee are managed by professional investment managers selected and advised by the board of trustees (or a committee thereof).
- c. **Charitable Lead Trust** – This trust pays to Lynn University (and perhaps another charitable organization) a stream of payments for a specified period of years, at the end of which time the assets of the trust are distributed to non-charitable designees (e.g., the donor’s children or grandchildren). The assets of this trust must also be managed separately.
 - i. Proposed charitable lead trusts shall normally be funded initially with assets of at least \$200,000.
 - ii. Income received by Lynn University as the result of a charitable lead trust is used and/or invested by the University for the purposes specified in the trust agreement. In those cases where the trust agreement indicates no specific purpose, income received is treated as an unrestricted asset of the University.
- 4. **Charitable Gift Annuities** (irrevocable) – Annuities are owned by the University and are managed by professional investment managers selected and advised by the Board of Trustees (or a committee thereof). Proposed charitable gift annuities are funded initially with assets the fair market value of which is at least \$10,000.
 - a. **Immediate Payment of Gift Annuity** – In exchange for a gift, the donor/annuitant is guaranteed a fixed annual income during each annuitant’s life. Lynn University is required to maintain gift annuity assets in a separate fund as specified by the State of Florida. Upon the death of the annuitant(s), the funds are directed to the University as designated by the donor. The annuity ends with the death of the last income beneficiary.
 - i. Annuity payments are made at the donor’s choice: quarterly, semi-annually or annually. In order to control the cost of annuity administration, the University prefers to make payments annually and by direct deposit.
 - b. **Deferred Payment Gift Annuity** – A deferred payment gift annuity is governed by the same rules described in the preceding paragraph, with the exception that the first annuity payment to the annuitants is delayed for one or more years following the effective date of the agreement. The interest earned in the interim is credited to the contract, which increases the amount of the annuity.

5. **Gift of Life Insurance** – A donor may give all rights to a life insurance policy to Lynn University. The donor makes ongoing annual gifts sufficient to pay the premiums. Such gifts are tax deductible. A donor also may elect to give a single premium policy or paid-up policy (thus, further premiums will not be required).
 - a. Lynn University accepts non-fully-paid-up whole life insurance policies if:
 - i. Lynn University is designated as owner and sole beneficiary;
 - ii. The original policy is transferred to Lynn University; and
 - iii. The donor agrees to continue making premium payments that may qualify for current charitable deductions. Lynn University makes no commitment to continue making premium payments should the donor cease to do so.
 - b. The donor may specify that all or a portion of the proceeds be restricted to a specific program or department.
 - c. Fully paid or functionally equivalent life insurance policies assigned to the University are credited at the net cash surrender value of the policy as irrevocable gifts.
 - d. The assignment of a policy that is not paid up ordinarily is credited at the net cash value of the policy; subsequent premium payments are added to the value credited.
 - e. Donors must obtain an appraisal for gifts of insurance valued in excess of \$5,000 and Section B of Form 8283 must be completed and filed with their federal income tax returns. If required, the University will file a Form 8282 if the insurance is surrendered for its cash value within two years of receipt.
6. **Retained Life Estates in Real Property** – In such an arrangement the donor gives a remainder interest in a personal residence, second home or farm. The property is gifted to Lynn University but the donor retains the right to occupy the property until death, at which time all rights to the property pass to Lynn University. The donor usually pays all expenses related to the property during his/her lifetime, but various alternative arrangements may be negotiated by the University President and the Vice President for Development and Alumni Affairs.

2.7 Copyright Policies

2.7.1 Copyright

The copyright law of the United States (Title 17 of the United States Code) governs the making of photocopies or other reproductions of copyrighted material. The making of an electronic copy of a copyrighted work by any means constitutes reproduction that is governed by copyright law.

The copyright principles that apply to instructional use of copyrighted works in electronic environments are the same as those that apply to such use in paper environments. For additional information, please refer to the University's Digital Millennium Copyright Act Policy in Subsection 2.7.2 below.

“Fair Use”, in Section 107 of the Copyright Act, recognizes the importance of accessing, using, and building upon copyrighted works in the context of teaching, research, and scholarship. The law establishes “fair use” protection for copying or disseminating copyrighted works without

obtaining permission from the copyright owner under certain circumstances. The analysis of “fair use”, whether in the paper or electronic environment, includes:

1. The purpose and character of the use, including whether the material will be for non-profit, educational or commercial use. (Absence of financial gain is insufficient for finding fair use);
2. The nature of the copyrighted work, with specific consideration given to the distinction between a creative work and informational work;
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. The effect of the use upon the potential market for or value of the copyrighted work.

Permission may be required for the use of copyrighted material such as electronic course content even when such material is:

1. Available elsewhere on the internet;
2. Being used in a course for the first time; or
3. Characterized for purposes of course use as optional, supplemental, or ancillary reading material, rather than as required, assigned, or recommended reading material.

No one shall post course content consisting of copyrighted works or portions of such works in electronic form without first either:

1. Obtaining the permission of the copyright owner; or
2. Concluding after reasonable inquiry, with the benefit of resources made available by the University for these purposes, that the use qualifies as a fair use or other exempt or licensed use for which permission is not required.

Copies of copyrighted works, regardless of their format, should include proper attribution and copyright notices.

For more information on Copyright and Fair Use, visit www.copyright.gov

Some Important Guidelines

Audiovisuals

Legally produced and obtained audiovisual works may be used in non-profit educational institutions under the following conditions:

1. The work must be part of the educational program;
2. The work must be shown by a student, instructor, or guest lecturer;
3. The work must be shown in a classroom or other school location devoted to instruction; and
4. The work must be shown only to students in the class, that is, no guest viewing the work for entertainment or enrichment.

Prohibited Use

Use is prohibited in non-profit educational institutions when:

1. The work is used for entertainment, recreation, or even cultural or intellectual value unrelated to teaching activities;
2. The work is transmitted by radio or television (this includes closed circuit) from an outside location; and
3. The work is shown in an auditorium before an audience not confined to students.

Photocopying

Researchers or teachers preparing to teach a class may make or request to have made a single copy of: 1) a book chapter; 2) an article; 3) a short story, essay, or short poem; 4) a chart, graph, diagram, cartoon, drawing, or picture.

Teachers may duplicate enough copies to provide one copy for each student in a course, as long as each copy includes a notice of copyright and as long as they meet the following three tests:

1. Brevity. For poetry the suggested maximum is 250 words, for prose, the guidelines offer two different limitations. Educators may copy any complete story, essay, or article under 2,500 words or excerpts of not more than 1,000 words or 10% of the text. For illustrations, the guidelines suggest no more than one chart, graph, diagram, drawing, cartoon, or picture per book or periodical issue.
2. Spontaneity. The “inspiration and decision to use the work” must occur so soon prior to classroom use that it would not be feasible to write for and receive permission from the publisher to duplicate the material. It is also imperative that the copying occur at the request of the teacher, not at the directive of an administrator or other “higher authority.”
3. Cumulative Effort. Generally, only one copy may be made of a short poem, article, story or essay. No more than three of these items may be from the same collective work or periodical volume during one class term. The most limiting restriction further specifies no more than a total of nine instances of such multiple copying for one course during one class term. Finally, all multiple copying of a particular work is limited to one course; in other words, copying a work to be used in several courses is not likely to be considered a fair use of the material.

Prohibited Copying

1. Educators are not to create, through photocopying, their own anthologies, compilations or collective works whether brought together in one collection or reproduced and used separately.
2. Copying must not substitute for the purchase of books, periodicals, or reprints; this prohibition especially applies to the duplication of “consumable” materials such as workbooks, test booklets and standardized tests.
3. A teacher must not duplicate the same item from one term to another.

2.7.2 Digital Millennium Copyright Act

Lynn University complies with the provisions of the Digital Millennium Copyright Act (DMCA). Pursuant to the DMCA, it is illegal, as described in the federal law (Title 17 of the US Code, and more recently the Digital Millennium Copyright Act, 105 PL 304), to download, upload, or distribute in any fashion, copyrighted material in any form including, but not limited to electronic data, information, voice, video, and software without permission or a license to do so from the copyright holder. Lynn University neither condones nor supports in any way the use of

copyrighted material in ways in which it was not intended. The designated agent for Lynn University to receive notification of claimed infringement under Title II of the DMCA is the General Counsel for the University. This designation will be listed on the University's public facing Web site.

Procedure to Resolve the Matter

1. If IT is informed about a copyright infringement, they will send the entire complaint to the General Counsel for the University, who will follow the takedown procedure outlined in the Digital Millennium Copyright Act – US Copyright Law, Chapter 5, Section 512(c)(3).
2. If the complaint involves faculty, administrators, or staff, the General Counsel for the University will send the entire complaint to the person involved, with copies also being sent to the appropriate supervisor, with a request to produce proof that they have explicit permission or license to use that material in the manner described in the complaint. If the complaint involves a student, the complaint will be also be sent directly to the Vice President for Academic Affairs or the Dean of Students to investigate.
3. Violations of copyright will subject the infringer to appropriate disciplinary action up to and including termination of employment for employees or expulsion from the school for students. The General Counsel for the University will retain the record for three years from the date of receiving the complaint.

2.7.3 Intellectual Property

The purpose of this policy is to inform members of the Lynn University community concerning their rights and responsibilities regarding intellectual property. It describes ways in which intellectual property ownership rights are allocated among Lynn University and its faculty, staff, and students and how the intellectual property they develop can be protected for their benefit as well as to reflect the interests of Lynn University.

A policy of this nature does not address every situation that may arise in the development, enforcement, and management of intellectual property rights but instead serves as a set of guidelines for Lynn University's faculty, staff, and students. Any questions, concerns or issues that may arise concerning this policy or any intellectual property that is created by faculty, staff or students should be referred to the Vice President for Academic Affairs, who shall consult with the Office of General Counsel.

2.7.3.1 Works of Authorship

Copyrights in works of authorship such as books, articles, scholarly publications, art works, musical compositions and recordings, personal websites, business plans, literary works, films, and videos (hereafter known as "Materials") created by faculty or students, individually or jointly, are the property of the authors or co-authors, who are entitled to determine how the works are to be disseminated and to keep any produced income, with the following exceptions:

1. Assigned Tasks: Ownership of Materials developed as a result of a separate written contract or agreement between the author or co-authors and Lynn University and/or for which the author or co-authors were specifically compensated by Lynn University in addition to any other compensation to which such individual(s) were regularly entitled resides with Lynn University.

2. Outside Agreements: When Materials are developed through a sponsored grant or contract, then the special provisions in that grant or contract must prevail.
3. Significant use of University Resources: Ownership of Materials whose development is assisted by significant use of University facilities, resources, equipment or personnel resides with Lynn University. “Significant use” is the use of resources other than those ordinarily available to most or all faculty or students. Examples of significant use of resources include, but are not limited to, the following:
 - a. Significant use of Lynn University staff or other assistance;
 - b. Significant use of Lynn University facilities or equipment;
 - c. Use of any funds provided by Lynn University or provided to Lynn University by any third party;
 - d. Significant use of special or rare Lynn University holdings, such as art collections.
4. Special Materials: Ownership of copyrights in the following Materials created by faculty or students resides with Lynn University:
 - a. Materials developed for any purpose other than Lynn University’s educational programs whose development is assisted by any use of University facilities, resources, or equipment;
 - b. Computer software developed for any purpose with any use of University facilities, resources, or equipment;
 - c. Materials in digital form developed for distance education purposes;
 - d. Materials developed by staff within the scope of their employment.

Lynn University will share with faculty authors and faculty co-authors revenue (exclusive of costs incurred by the University in connection with applicable licenses thereof, such as but not limited to costs of negotiating license agreements) that the University receives from Materials owned by Lynn University that are licensed to third parties.

Faculty, staff and students may not (a) reproduce, distribute, perform or display any Materials for which ownership of the copyright resides with Lynn University without permission from the University, or (b) distribute or display any Materials that contain an image of a faculty member, a staff member or a student from which any such individual can be identified without written permission from the identifiable individual(s).

Any faculty member or student who creates Materials, individually or jointly, grants to Lynn University a nonexclusive, perpetual, irrevocable, paid up license to use such Materials for instructional, educational, and administrative purposes, including satisfying requests of accreditation agencies for authored syllabi and course descriptions.

2.7.3.2 Inventions and Discoveries

Ownership of inventions and discoveries made by a faculty member, staff member, or student, individually or jointly, with any use of University facilities, resources, or equipment resides with Lynn University, and Lynn University has the exclusive right, at its expense, to seek patent protection for such inventions and discoveries. Lynn University will share with the faculty member inventor(s) revenue (exclusive of costs incurred by the University in connection with

applicable inventions and licenses thereof, such as but not limited to costs of prosecuting patent applications and maintaining and defending patents and costs of negotiating license agreements) that Lynn University receives from inventions and discoveries that are licensed to third parties.

If Lynn University elects not to assert ownership of an invention or discovery made by a faculty member, staff member, or student, individually or jointly, with any use of University facilities, resources, or equipment or elects not to seek patent protection for such an invention or discovery at University expense following a request by the inventor(s), Lynn University may release all claims to the invention or discovery to the inventor(s), who shall then be entitled to seek patent protection in their own name(s) at their own expense.

Ownership of inventions and discoveries made by a faculty member, staff member, or student, individually or jointly, with no use of Lynn University facilities, resources, or equipment resides with the responsible individual(s), who shall be entitled to seek patent protection in their own name(s) at their own expense.

All inventions and discoveries made by a faculty member, staff member, or student, individually or jointly, must be disclosed to the Vice President for Academic Affairs and the Office of General Counsel regardless of whether the invention or discovery is made with any use of Lynn University resources, and disclosure is without prejudice to the determination of ownership.

2.7.3.3 Confidential or Proprietary Information

Information designated as "Confidential," "Proprietary," or the like, and information disclosed to Lynn University by a third party subject to a confidentiality obligation, may only be disclosed to authorized users. Anyone disclosing any such information must keep a written record of the date of disclosure, the information disclosed, the names and addresses of the persons to whom the disclosure is made, and the purpose of the disclosure. Nothing in this paragraph shall limit or restrict the right of faculty members or students to publish the results of their research, subject to reasonable delays to preserve eligibility for patent protection.

2.7.3.4 Trademarks and Service Marks and Logos

Ownership of trademarks, service marks and logos that are used for purposes of identifying the source of goods or services distributed by Lynn University reside with Lynn University. Ownership of trademarks, service marks and logos that are used by faculty, staff or students for purposes of identifying themselves as the source of Materials, inventions or discoveries to whom this Policy allocates ownership resides with such individual(s).

2.7.3.5 Dispute Resolution Process

If a faculty member, staff member or student disputes the applicability of this policy to any materials, invention, discovery or any intellectual property right, especially with respect to unforeseen issues arising out of new media or technology, if one or more authors dispute an assertion by Lynn University of ownership of the copyright in such Materials or a determination regarding allocation of revenues among them, or if one or more inventors dispute an assertion by Lynn University of ownership of any invention or discovery or a determination regarding allocation of revenues among them, such individual(s) may submit their dispute to the Vice President for Academic Affairs. Throughout the process, the responsible individual(s) are encouraged to provide all information that is relevant to the dispute. The determination of such

dispute by the Vice President for Academic Affairs, after consultation with General Counsel and the President, shall be final and binding.

2.8 Public and SACSCOC Related Complaints

2.8.1 Public Complaints

Public complaints directed to Lynn University should follow the procedures outlined below. Lynn University students and employees desiring to file complaints must follow the University's various Grievance Procedures as outlined in Volumes III, IV and VI respectively.

Informal Complaints

Informal (verbal) complaints by members of the public shall be submitted to the Vice President supervising the area. If through this process a mutually satisfactory resolution of the complaint cannot be reached, the complainant may pursue the formal complaint resolution process outlined below.

Formal Complaints

1. Formal written complaints by members of the public are to be submitted to and addressed by the responsible Vice President supervising the area at issue.
2. The Vice President addressing the complaint is to gather information relevant to the complaint.
3. A written response is to be sent to the complainant. A copy of the complaint and the written response is to be sent to the President.
4. If the complainant is not satisfied with the response, he/she may file a written complaint to the President. In such cases, the President will gather information and provide a final written response to the complainant.
5. The file of all formal complaints is to be securely housed and maintained in accordance with the University's Record Retention policy.

2.8.2 Complaint to the Southern Association of Colleges and Schools

Individuals who believe that the Lynn University is in significant non-compliance with a Southern Association of College and Schools ("SACSCOC") requirement or standard may file a complaint with the Commission. (See "Complaint Procedures against the Commission or its Accredited Institutions" at <http://www.sacscoc.org/pdf/081705/complaintpolicy.pdf>).

