

2023



FOCUS PERSONAL TRAINING INSTITUTE ANNUAL SECURITY REPORT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC 1092(f)) is a federal law commonly referred to as the "Clery Act." All institutes of higher education that receive Title IV funding are required to comply with the Clery Act, which is enforced by the U.S. Department of Education. Focus Personal Training Institute publishes an Annual Security Report in compliance with the Clery Act and makes this report publicly accessible to prospective and current students and employees.

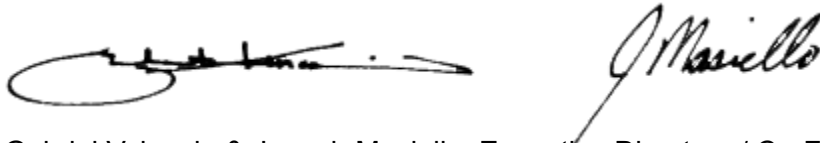
Contents

Welcome	2
Special Note	2
Introduction	2
Section 1 – Campus Security Authorities	3
Section 2 - Geography	3
Section 3 – Framing the Annual Security Report	4
Section 4 – Reporting	6
Section 5 – Timely Warnings	6
Section 6 - Emergency Notification & Evacuation	6
Section 7 – General Prevention & Awareness	7
Section 8 – Drug, Alcohol, & Substance Abuse	8
Section 9 – Sexual Assault, Domestic Violence, Dating Violence, & Stalking	9
Section 10 – Registered Sex Offenders	10
Section 11 – Missing Students	10
Section 12 – Counting Clery Act Crimes	10
Section 13 – Fire Safety Report & Statistics	11
Section 14 – Daily Crime Log	11
Section 15 – Reported Clery Act Crimes: 2017 – 2019	12
Section 16 – Clery Act Crime Definitions	14

Welcome

Focus Personal Training Institute (FPTI) is proud to present to you our 2023 Annual Security Report. The mission of our school is to educate and develop personal trainers who demonstrate technical proficiency, integrity, and professionalism. One way of meeting our mission is to ensure a safe, secure, and supportive environment both on-campus and online. To do this, it is important we all work together to be aware of crime, how to prevent it, and how to report it. Therefore, you will find this information included in our Annual Security Report, as well as many other important pieces of information. We hope you will take the time to read it and become familiar with the contents within it.

Sincerely,



Gabriel Valencia & Joseph Masiello, Executive Directors / Co-Founders

Special Note

Throughout this Annual Security Report, additional measures being taken by FPTI to ensure the safety of students, faculty, and staff in the remote learning environment will be discussed. Although not required by the Clery Act to be included within this report, FPTI understands these measures are necessary to share with the Focus Community. The updates specific to remote learning will be *italicized* to easily distinguish from the on-campus measures.

Introduction



In 1986, Jeanne Clery was a freshman studying at Lehigh University in Bethlehem, Pennsylvania. At the young age of 19, she was raped and murdered in her campus dormitory. Her parents believed that the university was not proactive with sharing important information to its students regarding campus safety. They fought for legislative reform for years after their daughter's death, and ultimately changed the future of campus safety requirements for years to come.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (better known as the Clery Act) was signed into existence in 1990. The act requires all institutions of higher education that participate in Title IV funding (Federal Student Aid) to keep and disclose information about crime on and near their campuses. The U.S. Department of Education oversees compliance with regulations laid out in the Clery Act, including the publication of the Annual Security Report.

Section 1 – Campus Security Authorities

Campus Security Authorities are school officials who have significant responsibility for student and campus activities and are designated to receive and report Clery Act Crimes, as defined later in this report.

Focus Personal Training Institute’s Campus Security Authorities are the School Directors listed below:

Gabriel Valencia, Co-Founder / Executive Director. gvalencia@fpti.edu
Joseph Masiello, Co-Founder / Executive Director. jmasiello@fpti.edu

The Campus Security Authorities collect and report allegations of Clery Act crimes that they conclude were made in good faith, as well as issue or facilitate the issuance of timely warnings and emergency notifications. They are not responsible for determining whether a crime took place and do not have the authority to apprehend an alleged perpetrator of a crime.

FPTI does not keep a daily crime log, as the institution does not have a campus police department or security office.

Section 2 - Geography

The Clery Act requires the disclosure of statistics for crimes occurring in the following geography, as defined below:

On-campus: Any building or property owned or controlled by an institution within the same reasonable contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes.

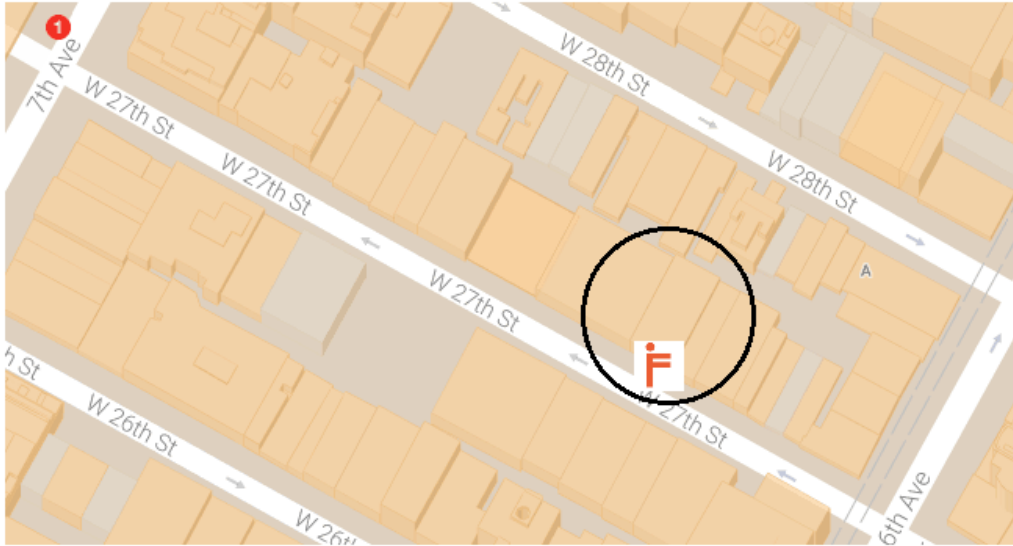
- FPTI’s on-campus geography includes the entire 11th floor of 115 W 27th St, New York, NY, as well as the building lobby, stairwell, and both the passenger and freight elevator.

Non-campus buildings or property: Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

- FPTI does not own or control non-campus buildings or properties that meet these criteria, and therefore does not report any Clery Act crimes for this category.

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

- FPTI’s public property is defined as the street and sidewalks on W 27th St between 6th and 7th Aves, including the subway exit for the 1 train on the northeast corner of W 27th St leading up to the turnstile.



Section Framing the Annual Security Report

Preparing the Annual Security Report

FPTI's crime statistics are compiled on a calendar year basis by the School Directors / Campus Security Authorities, who are responsible for collecting, classifying, and disseminating crime statistics that occur within FPTI's Clery Act geography, as well as applicable policies and procedures contained within the Annual Security Report.

On-campus Clery Act crime statistics are collected from FPTI's crime log, which is maintained by the Campus Security Authorities and is securely stored in the cloud-based platform used by the institution.

To facilitate reporting statistics from FPTI's public property, crime statistics are requested from the NYPD 13th Precinct Crime Analysis Unit.

Security & Access

FPTI strives to provide its students and employees with a safe and secure environment in which to learn and work. The following safety measures are in place at the institution's 115 W 27th St location in New York, NY:

- Facility alarm system
- Keyed elevator access when school is not in session
- Locked front door to the 11th floor requiring passcode for entry
- Video intercom located at front door
- 15 security cameras recording 24/7
- Locking doors to office and back staff area
- Locking doors to freight entrance and stairwell

- Fire extinguishers, as per NYS fire code
- Two fire exits and fire exits signs located in the classroom and the administrative office
- Automatic sprinkler system
- Means of egress and exit signs posted, as per NYC fire code
- AED device and CPR mask
- Fully stocked first aid kit
- Daily check by maintenance staff to ensure lights are working and means of egress are maintained and clear of debris
- On-site building superintendent

Since March of 2020, some of FPTI's programs have been offered online. The need for security in the virtual world exists as well. FPTI utilizes Zoom to create safe and secure virtual classrooms for its students. Zoom is also used to conduct meetings with faculty and staff, and current or prospective students.

To ensure the safety and security of everyone involved, FPTI routinely monitors updates released by Zoom and uses the following features:

- *Waiting rooms*
- *Passcodes*
- *Meeting locks*
- *Removal, muting, or disabling video of participants, if needed*
- *Breakout rooms*
- *Additional Zoom security features can be viewed here - <https://zoom.us/docs/en-us/privacy-and-security.html>*

Law Enforcement and Jurisdiction

FPTI does not employ campus peace officers or contractual security officers. As such, the institution's faculty and staff do not have powers of arrest and will call 911 in the event of a crime or other situation that warrants police intervention. FPTI does not have a written memorandum of understanding (MOU) or any other type of written agreement with any law enforcement agencies for the investigation of alleged criminal offenses.

Section 4 – Reporting

Accurate and Prompt Reporting

Students, faculty, and staff should report crimes that occur on campus as soon as possible to a Campus Security Authority, using any method of communication available (phone, email, text), as well as to the local law enforcement. If the crime has occurred outside of business hours and

a Campus Security Authority cannot be reached, local law enforcement should be contacted immediately by calling 911. The crime should then be reported directly to a Campus Security Authority as soon as possible.

When the victim of a crime elects to or is unable to make a report, a Campus Security Authority will assist with contacting the local police department. In addition, it is FPTI policy to allow for victims or witnesses to report crimes on a voluntary and confidential basis for inclusion in the Annual Security Report.

Campus Security Authorities are mandated to investigate incidents and to coordinate with local law enforcement agencies to apprehend those who violate these regulations or commit crimes on campus. When necessary, FPTI will press charges against criminal violators.

Institutions operating with only distance education are exempt from the requirements under the Clery Act. During the COVID-19 pandemic, FPTI has transitioned temporarily to distance education, however, the institution is committed to a safe learning and work environment, and encourages accurate and prompt reporting for any and all crimes, regardless of if they fall under the Clery Act classification of crimes to report. If a crime has taken place during school hours within the Zoom classroom, via text or email, or through any other method of communication, a Campus Security Authority should be notified immediately.

Section 5 – Timely Warnings

FPTI will issue a timely warning for any Clery Act crime that represents an ongoing threat to the safety of students or employees, or for a Clery Act Crime that may be repeated. Campus Security Authorities will collect all the necessary facts and crime prevention information before issuing a timely warning, which provides details of the crime, a description of the suspect, if known, and information on whom to contact about the incident.

Timely warnings may be issued via email, text message (using the Remind web / app service), class announcements, or other methods if deemed necessary and effective.

As defined in section 40002(a)(20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)(20)), the names and other identifying information of victims or witnesses are not disclosed in the timely warnings.

Section 6 - Emergency Notification & Evacuation

Preparing and Distributing

If there is an immediate threat to the health or safety of students or employees occurring on campus, FPTI will without delay, and taking into account the safety of the community, determine the content of the notification and initiate the emergency notification system, 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.

Emergency notifications will include the type of emergency, the location of the emergency, and what individuals should or should not do. FPTI will provide adequate follow-up information to the community as needed.

Emergency notifications may be issued via email, text message (using the Remind web / app service), class announcements, or other methods if deemed necessary and effective.

Section 7 – General Prevention & Awareness

Instruction on crime awareness, prevention, and campus security is provided to new employees upon being hired and new students during the first week of class. While FPTI attempts to provide a safe and secure environment, students, faculty, staff, and visitors are ultimately responsible for their own safety. As the institution becomes aware of relevant programs that address responsible practices and procedures that enhance personal safety, this information will be added. If requested, such information may be obtained from a Campus Security Authority.

Tips on risk reduction:

- Reduce or eliminate opportunities that may make you a target.
- Increase awareness in places you are most comfortable.
- Trust your instincts regardless of feeling embarrassed.
- Prepare your schedule daily with safety in mind.

Purse/wallet safety

- Carry purses, portfolios, or other baggage in a manner that will allow you to let go. Straps placed across shoulders, around necks, or wrapped around waists have caused injuries when victims could not free themselves during a purse snatch.
- Be aware of surroundings and carry pocketbook clasps facing inward, close to the body, tucked in the bend of your elbow as if it were a football. If there is a long strap, wrap it around the bag.
- If someone attempts to snatch your purse, let go of it, especially if there is a weapon involved. When dining out, the only place for your purse should be your lap. The back of a chair is an easy target for a thief. Never carry a wallet in a rear pocket; use a front trouser or an inside coat pocket.
- Minimize the amount of money, credit cards, and valuables you carry by only taking items that are necessary for the day.

Walking - be street smart

- If you suspect you are being followed, stay away from deserted areas and head toward an area where there are people or to the nearest open store.
- Be aware of your surroundings. Do not walk with your head down, looking at your cell phone. Do not have your headphones in with the music blaring.

Elevator

- When waiting for an elevator, leave the lobby or hallway if someone makes you feel uncomfortable.
- Check the elevator's mirror before entering.
- Stand between the control panel and door when in the elevator.
- Exit the elevator if someone enters that makes you feel uneasy.

Section 8 – Drug, Alcohol, & Substance Abuse

Policy Statement

The school has no tolerance for illegal activity, or any other harmful conduct influenced by drugs or alcohol. Unlawful possession as well as the distribution of illegal drugs or alcohol is prohibited on school property or as part of its activities. The school will cooperate fully with law enforcement agencies and will apply appropriate internal disciplinary processes should a student or an employee violate criminal statutes with regard to illegal drugs or possession or sale of alcohol.

Students who are aware of the use or existence of any such substances at FPTI should notify a school employee immediately. The terms “illegal drugs” and “controlled substances” include all chemical substances and drugs described in any controlled substances laws or regulations, such as the Federal Controlled Substances Act of 1988. Prescription medications that have not been properly prescribed by a doctor to the individual are also included in this policy.

Members of the FPTI community are bound by federal, state and municipal laws. The institution is committed to a campus free of illegal drug use, misuse and abuse of prescription drugs, underage drinking, and alcohol abuse. The unlawful manufacturing, distribution, possession or use of illegal drugs or other controlled substances and the unauthorized use of alcohol by students on school property and by employees at work is prohibited.

FPTI adheres to stringent guidelines that comply with the New York State Alcoholic Beverage Control Law prohibiting the sale, delivery, or providing of alcoholic beverages to people under the age of 21. Any person found to have violated the policy on alcohol use is subject to discipline.

The possession or use of illegal drugs is a crime in the State of New York. Anyone found in possession of or using such drugs on school property will be dealt with severely and may be suspended from the school, in addition to facing criminal charges and arrest.

Drug-Free Schools and Communities Act (DFSCA)

FPTI maintains a Drug Abuse & Alcohol Prevention Program that is distributed annually to all students, faculty, and staff. This policy can be reviewed in detail, along with the institution’s other Consumer Information, at www.FPTI.edu/consumerinfo.

Section 9 – Sexual Assault, Domestic Violence, Dating Violence, & Stalking

FPTI is committed to creating and maintaining an educational environment free from all forms of sex discrimination, including sexual misconduct. Any act involving sexual harassment, violence, coercion, and intimidation will not be tolerated. Specifically, FPTI strictly prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking.

FPTI encourages the reporting of sexual misconduct that is prompt and accurate. This allows the school’s directors to quickly respond to allegations and offer immediate support to the victim. FPTI is committed to protecting the confidentiality of victims and will work closely with students who wish to obtain confidential assistance regarding an incident of sexual misconduct. All allegations will be investigated promptly and thoroughly, and both the victim and the accused will be afforded equitable rights during the investigative process.

It is the collective responsibility of all members of the FPTI community to foster a safe and secure campus environment. To promote this environment and prevent acts of sexual

misconduct from occurring, FPTI engages in ongoing prevention and awareness education programs. All incoming students and employees are required to receive educational materials about these subjects, and all members of the school community are encouraged to participate in training focused on the prevention of sexual misconduct.

This policy applies to all members of the FPTI campus community, including students, faculty, staff, visitors, independent contractors, and other third parties who are on campus and involved in an incident of sexual misconduct (this can be someone who witnessed an incident or who wishes to report an incident on behalf of another). The policy applies to these parties regardless of sexual orientation or gender identity.

FPTI's Sexual Assault and Related Crimes policy prohibits all forms of sexual misconduct. This broad term includes, but is not limited to, acts of sexual harassment, sexual violence, sexual coercion, sexual threats or intimidation, domestic violence, dating violence, sexual assault, stalking, and cyber-stalking. This policy covers conduct that takes place on FPTI's campus and public property within or immediately adjacent to and accessible from the 11th floor campus

This policy covers all educational programs, and campus and school-related activities, including, but not limited to, student organizations (course review sessions, tutoring sessions, clubs), community organizations with student and/or faculty participation, and all other educational or extracurricular events hosted by or at FPTI.

This policy covers sexual misconduct occurring between individuals in various types of relationships. These include, but are not limited to, student to student, staff to staff, faculty member to faculty member, visitor/contracted employee to faculty/staff, faculty member to student, staff to student, supervisor to subordinate, and Focus Integrated Fitness employees and FPTI students. Sexual misconduct may be acts committed by an individual or collective actions committed by members of a group or organization. These acts may be committed against an individual or against a group or organization. These acts may be committed by a stranger, an acquaintance, or someone with whom the victim has a social, romantic, or intimate relationship. These acts may be committed by or against any individual, regardless of sexual orientation or gender identity.

Section 10 – Registered Sex Offenders

As per New York State law, Level 2 (medium risk of re-offense) and Level 3 (high risk of re-offense) sex offenders are listed on the public directory. To search the New York State Sex Offender Registry, go to the following website:

<http://www.criminaljustice.ny.gov/nsor/>

FPTI will, upon request, disclose the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of any crime of violence or a non-forcible sex offense to the alleged victim or next of kin if the victim is deceased.

Section 11 – Missing Students

FPTI does not have missing student notification procedures because it does not have on-campus student housing facilities.

Section 12 – Counting Clery Act Crimes

FPTI classifies crime statistics in this report according to four general categories of crime statistics. A detailed description of each category can be found in Chapter 3 of *The Handbook for Campus Safety and Security Reporting* and in Section 16 of this report.

- Criminal Offenses
 - Criminal homicide: murder and non-negligent manslaughter, manslaughter by negligence
 - Sexual assault: rape, fondling, incest, statutory rape
 - Robbery
 - Aggravated assault
 - Burglary
 - Motor vehicle theft
 - Arson

- Hate Crimes (any of the above-mentioned offenses, and any incidents of)
 - Larceny-theft
 - Simple assault
 - Intimidation
 - Destruction / damage / vandalism of property

- VAWA Offenses
 - Domestic violence
 - Dating violence
 - Stalking

- Arrests and Referrals for Disciplinary Action
 - Weapons law violations
 - Drug abuse violations
 - Liquor law violations

Section 13 – Fire Safety Report & Statistics

FPTI does not report fire safety statistics because it does not have on-campus student housing facilities.

Section 14 – Daily Crime Log

FPTI does not keep a daily crime log because it does not have a campus police or campus security department.

Section 15 – Reported Clery Act Crimes: 2019 – 2021

Reported Offenses	Year	Geographic Location		
		On-campus	Non-campus	Public property
Murder and non-negligent manslaughter	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Manslaughter by negligence	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Rape	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Fondling	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Incest	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Statutory rape	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Robbery	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Aggravated assault	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Burglary	2020	0	N/A	*
	2021	0	N/A	1
	2022	0	N/A	*
Motor vehicle theft	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Arson	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*

Hate Crimes	Year	Geographic Location		
		On-campus	Non-campus	Public property
Murder and non-negligent manslaughter	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Rape	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Fondling	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Incest	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Statutory rape	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*

Robbery	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Aggravated assault	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Burglary	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Motor vehicle theft	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Arson	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Larceny-theft	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Simple assault	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Intimidation	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Destruction/damage/vandalism of property	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*

VAWA Offenses	Year	Geographic Location		
		On-campus	Non-campus	Public property
Domestic violence	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Dating violence	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Stalking	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*

Arrests and referrals for disciplinary action	Year	Geographic Location		
		On-campus	Non-campus	Public property
Weapons: carrying, possessing, etc.	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Drug abuse violations	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*
Liquor law violations	2020	0	N/A	*
	2021	0	N/A	0
	2022	0	N/A	*

** Despite several attempts to contact the NYPD's Department of Community Affairs of the 13th Precinct, FPTI was unable to collect Clery Act Crime statistics for the school's public property for 2020 and 2022. FPTI attributes the collection challenges to the COVID-19 pandemic.*

Section 16 – Clery Act Crime Definitions

Murder and non-negligent manslaughter: The willful (non-negligent) killing of one human being by another

Manslaughter by negligence: The killing of another person through gross negligence

Sexual assault: Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent

Rape: The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim; includes the rape of both male and females

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity

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

Statutory rape: Sexual intercourse with a person who is under the statutory age of consent.

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

Aggravated assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury; usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm

Burglary: The unlawful entry of a structure to commit a felony or a theft

Motor vehicle theft: The theft or attempted theft of a motor vehicle

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

Hate crime: A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim

Violence Against Women Act (VAWA) offenses: Dating violence, domestic violence, sexual assault, stalking

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

Domestic violence: A felony or misdemeanor crime of violence committed (a) by a current or former spouse or intimate partner of the victim; (b) by a person with whom the victim shares a child in common; (c) by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (d) 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; (e) 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: 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

Unfounded crimes: Sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless