Greetings,

Eastern Florida State College has prepared this Annual Security Report to provide safety and security information for all students, employees, and visitors. This report is published in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Violence Against Women Reauthorization Act of 2013, and is part of our ongoing effort to inform the College community about security policies and procedures, and to promote safety awareness on each of our four (4) campuses located in Cocoa, Melbourne, Palm Bay, and Titusville.¹

The College, and its Security Department, is committed to providing the highest quality of services, and the safety and security of students, employees, and visitors is our top priority.

The Security Department consists of dedicated and experienced officers, providing 24-hour security services to each campus. Many of these officers are authorized to carry firearms while on duty. In addition, the College shares an excellent rapport with local law enforcement agencies and the Brevard County Sheriff’s Office. Law enforcement substations are available on each campus for use by officers. This relationship has improved the overall mission of keeping our campuses safe.

The information contained in this Annual Security Report is important and we encourage all students, employees, and visitors to read it.

Through dedicated service, delivery of information and programming, and continuous promotion of safety awareness, the EFSC Security Department is devoted to providing students, employees, and visitors with a safe environment.

Sincerely,

Joe Ambrose
Chief of Security

¹ All information contained in this Annual Security Report, including College Security Policies and Procedures, is applicable to each of the four (4) separate campuses of Eastern Florida State College. See 34 C.F.R. §668.46(d).
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Summary of the Jeanne Clery Act

Originally known as the Campus Security Act, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) (the “Clery Act”) is the landmark Federal law that requires colleges and universities across the United States to disclose information about crime on and around their campuses. The law is tied to an institution’s participation in Federal student financial aid programs and it applies to most institutions of higher education both public and private. The Clery Act is enforced by the United States Department of Education.

The law was amended in 1992 to add a requirement that schools afford the victims of campus sexual assault certain basic rights, and was amended again in 1998 to expand the reporting requirements. The 1998 amendments also formally named the law in memory of Jeanne Clery. Subsequent amendments in 2000 and 2008 added provisions dealing with registered sex offender notification and campus emergency response. The 2008 amendments also added a provision to protect crime victims, "whistleblowers” and others from retaliation.

In 2013, the Violence Against Women Reauthorization Act (“VAWA”) added additional requirements to colleges which resulted in the reporting of incidents involving stalking, domestic violence and dating violence.

Want to Know More?

Please visit www.CleryCenter.org
Reporting Crime

Eastern Florida State College encourages its students, faculty, staff, and guests to report crime, suspicious activity, or emergency situations to Security Department personnel and to the appropriate law enforcement agency in a timely and accurate manner, even if the victim of a crime elects not to, or is unable to, make such a report.

To report a crime in progress, or to report an incident requiring immediate police or fire/rescue response, please first contact 911, immediately followed by a call to the campus Security Department Office so that Security Officers can help stabilize the scene and assist arriving first responders.

If using a campus/classroom phone, you may dial 8911, 9911 or 911 to reach 911 emergency dispatchers.

**Campus Security Offices:**

Palm Bay Campus Security Office:  (321) 403-5911
Melbourne Campus Security Office:  (321) 403-5909
Cocoa Campus Security Office:  (321) 403-5907
Titusville Campus Security Office:  (321) 403-4200

EFSC Security Officers serve as liaisons with the local law enforcement agencies and are accessible to students, faculty, staff and guests 24 hours a day, every day of the year, on all campuses. Students and employees are encouraged to contact an EFSC Security Officer if they have any knowledge or suspicions that a crime has taken place (or may take place) or if a student has been a victim of a crime on or off campus. All persons are encouraged to report any suspicious activity or persons to the Campus Security Officers immediately for investigation. EFSC Security Officers will quickly assess the situation and contact local law enforcement if needed.

Students, faculty, staff, and guests are also welcome to directly contact the jurisdictional law enforcement agency serving the campus in non-emergency situations.

Palm Bay Campus:  Palm Bay Police Department  (321) 952-3456
Melbourne Campus:  Melbourne Police Department  (321) 608-6731
Cocoa Campus:  Cocoa Police Department  (321) 639-7620
Titusville Campus:  Titusville Police Department  (321) 264-7800
Other:  Brevard County Sheriff’s Office  (321) 264-5209
In cases where students or employees may not feel comfortable reporting a crime or suspicious behavior to a police or security officer, individuals are also free to report any crimes or suspicious behavior to any Campus Security Authority (see page 10 for a list of EFSC Campus Security Authorities).

However, in cases requiring an immediate response from law enforcement, students and employees are encouraged to call 911. Students and employees who may be concerned or fearful about reporting the incident are not required to identify themselves to 911 dispatchers.

It is never too late to report criminal or suspicious information. Sometimes unusual or suspicious incidents are not readily apparent to the casual observer and it may be hours, or sometimes even days later when a person realizes the event should have been reported. In these cases, persons are encouraged to report the information immediately as the information may still be critically needed to solve or prevent a crime.

**Confidential Crime Reporting**

Because police reports are public records under Florida’s government in the sunshine law, local police departments serving our campuses cannot hold reports of crime in confidence.

Persons who are victims of a crime and do not want to pursue action within the College or the criminal justice system still may want to consider making a confidential report. The Chief of Security or his or her designee can file a report on the details of the incident without revealing a victim's identity. The purpose of a confidential report is to comply with the victim's wish to keep the matter confidential, while taking steps to ensure the future safety of the victim and others. With such information, the College and local police can keep accurate records of the number of incidents involving students; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger.

These confidential reports of crimes can be given to any Campus Security Authority. Reports filed in this manner are counted and disclosed in the annual crime statistics for the College, however, identifying information remains anonymous.
CRIMELINE

If you have information about a crime that has occurred, you can report that information anonymously by calling “CRIMELINE” at 1-800-423-TIPS. Your identity is confidential and you may be entitled to a cash reward of up to $1,000. To learn more about CRIMELINE, please visit their website at https://crimeline.org/.

Campus Crime Log

The Eastern Florida State College’s Security Department maintains a Crime Log for each campus at its Campus Security Office. The log is immediately available for public inspection upon request.

Law Enforcement Partnership

Eastern Florida State College utilizes the personnel of its Security Department coupled with assistance from various law enforcement agencies to provide security and emergency services for each campus.

The College maintains close working relationships with the Cocoa Police Department for matters concerning the Cocoa campus, the Melbourne Police Department for matters concerning the Melbourne campus, the Palm Bay Police Department for matters concerning the Palm Bay campus, and the Titusville Police Department for matters concerning the Titusville campus. The Brevard County Sheriff’s Office has countywide jurisdiction and may be seen conducting law enforcement business on campus or assisting municipal agencies with patrol or investigative functions.

The College desires to maintain an outstanding relationship with each of these agencies. To encourage a strong partnership, the College provides law enforcement substations on each campus for the convenience of law enforcement officers and to encourage their presence on campus to the highest extent possible. Law enforcement officers are welcome and patrol all four (4) campuses on a routine basis and visit with students, faculty, staff, and guests whenever time permits. Students and employees are encouraged to share any suspicious or criminal information they have with law enforcement officers both on and off campus.
A “Campus Security Authority” or “CSA” is a Clery Act specific term that encompasses several groups of individuals and organizations associated with an institution. Regarding Eastern Florida State College, Campus Security Authorities consist of any of the following:

- All members of the EFSC Security Department.
- Any individual specified in the institution’s campus security policies as an individual to which students and employees should report criminal offenses.
- An official of the institution who has significant responsibility for student and campus activities, including, but not limited to, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

**Eastern Florida State College Campus Security Authorities**

The following College personnel have been designated as Campus Security Authorities:

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<thead>
<tr>
<th>Title</th>
<th>Name</th>
<th>Phon</th>
<th>Email Address</th>
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<tbody>
<tr>
<td><strong>Campus Security Officers</strong></td>
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<td>Director, Financial Aid</td>
<td>Eileen Brzozowski</td>
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<td>Director, Printing &amp; Graphics</td>
<td>Jo Ann Noth</td>
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<td>Director, Student Recruitment</td>
<td>Christine Tripp</td>
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<td>Director, C/W Advising</td>
<td>Renee Roth</td>
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<td>Director, C/W Admissions</td>
<td>Michelle Loufek</td>
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<td>Director, Corporate Services</td>
<td>James Oriani</td>
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<td>Director, Custodial Serv Cntrct</td>
<td>Bob Jones</td>
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<td>Director, EFSC Foundation</td>
<td>Jennie Kriete</td>
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<td>Director, EMS Program</td>
<td>Orlando Dominguez</td>
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<td>Director, KCPA Educ &amp; Outreach</td>
<td>Karen Wilson</td>
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<td>Director, Inst. Effectiveness</td>
<td>Bob Stover</td>
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<td>Director, Inst. Research</td>
<td>Mark Quatham</td>
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<td><a href="mailto:quathamerm@easternflorida.edu">quathamerm@easternflorida.edu</a></td>
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<td>Director, KCPA Marketing &amp; PR</td>
<td>Autumn Shrum</td>
<td>321-433-5720</td>
<td><a href="mailto:shruma@easternflorida.edu">shruma@easternflorida.edu</a></td>
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<td>Director, Plant Maint &amp; Ops</td>
<td>Mike Jones</td>
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<td>Director, Police Test &amp; Cert Prog</td>
<td>James Gibbens</td>
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<tr>
<td>Director, Purchasing</td>
<td>Lacy Gilchrist</td>
<td>321-433-7147</td>
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<tr>
<td>Director, SAIL</td>
<td>Emily Tonn</td>
<td>321-433-7715</td>
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<td>Director, Service Learning</td>
<td>Evelyn Young</td>
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<tr>
<td>Director, Small Business Dev Ctr</td>
<td>Martin Duffy</td>
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<td>Director, WEFS Special Projects</td>
<td>Lauritz Kjerulff</td>
<td>321-433-7123</td>
<td><a href="mailto:kjerulffl@easternflorida.edu">kjerulffl@easternflorida.edu</a></td>
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<td>Director, Sports Information</td>
<td>Jeremy Shulman</td>
<td>321-433-5859</td>
<td><a href="mailto:shulmani@easternflorida.edu">shulmani@easternflorida.edu</a></td>
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<td>Director, Student Res. Services</td>
<td>Lena Copeland</td>
<td>321-433-5631</td>
<td><a href="mailto:copelandl@easternflorida.edu">copelandl@easternflorida.edu</a></td>
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<tr>
<td>Director, KCPA Tech. Operations</td>
<td>Robert Adams</td>
<td>321-433-5822</td>
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<tr>
<td>Director, KCPA Ticketing</td>
<td>Ashley Dillow</td>
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<td><strong>Student Life Coordinators</strong></td>
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<td>Coord, Cocoa Campus</td>
<td>Zinia Jackson</td>
<td>321-433-5297</td>
<td><a href="mailto:jacksonz@easternflorida.edu">jacksonz@easternflorida.edu</a></td>
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<tr>
<td>Coord, Melbourne Campus</td>
<td>Jessica Matheny</td>
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<tr>
<td>Coord, Palm Bay Campus</td>
<td>Ancel Robinson</td>
<td>321-433-5374</td>
<td><a href="mailto:robinsona@easternflorida.edu">robinsona@easternflorida.edu</a></td>
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<tr>
<td>Coord, Titusville Campus</td>
<td>Brittany Miedema</td>
<td>321-433-7141</td>
<td><a href="mailto:miedemab@easternflorida.edu">miedemab@easternflorida.edu</a></td>
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<td><strong>Athletics</strong></td>
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<tr>
<td>Director, Athletics</td>
<td>Jeff Carr</td>
<td>321-433-7054</td>
<td><a href="mailto:carrj@easternflorida.edu">carrj@easternflorida.edu</a></td>
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<tr>
<td>Associate Director, Athletics</td>
<td>Ryan Kiel</td>
<td>321-433-5797</td>
<td><a href="mailto:kielr@easternflorida.edu">kielr@easternflorida.edu</a></td>
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<tr>
<td>Head Athletic Trainer</td>
<td>Patricia Kiel</td>
<td>321-433-5604</td>
<td><a href="mailto:kielr@easternflorida.edu">kielr@easternflorida.edu</a></td>
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<tr>
<td>Head Coach, Men's Baseball</td>
<td>Jason Arnold</td>
<td>321-433-5752</td>
<td><a href="mailto:arnoldi@easternflorida.edu">arnoldi@easternflorida.edu</a></td>
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<tr>
<td>Head Coach, Men's Basketball</td>
<td>Jeremy Shulman</td>
<td>321-433-5859</td>
<td><a href="mailto:shulmani@easternflorida.edu">shulmani@easternflorida.edu</a></td>
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<tr>
<td>Head Coach, M/W Golf</td>
<td>Jamie Howell</td>
<td>321-504-2073</td>
<td><a href="mailto:howelli@easternflorida.edu">howelli@easternflorida.edu</a></td>
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<tr>
<td>Head Coach, Men's Soccer</td>
<td>Oliver Twelvetrees</td>
<td>321-433-5729</td>
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<tr>
<td>Head Coach, M/W Tennis</td>
<td>Bobby Cashman</td>
<td>321-433-5887</td>
<td><a href="mailto:cashmanb@easternflorida.edu">cashmanb@easternflorida.edu</a></td>
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<tr>
<td>Head Coach, Women's Basketball</td>
<td>MJ Baker</td>
<td>321-433-5858</td>
<td><a href="mailto:bakermj@easternflorida.edu">bakermj@easternflorida.edu</a></td>
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<tr>
<td>Head Coach, Women's Soccer</td>
<td>Jeff Carr</td>
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<tr>
<td>Head Coach, Women's Softball</td>
<td>Jim Beitia</td>
<td>321-433-5412</td>
<td><a href="mailto:beitiaj@easternflorida.edu">beitiaj@easternflorida.edu</a></td>
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<tr>
<td>Head Coach, W's Volleyball</td>
<td>Andrea Twelvetrees</td>
<td>321-433-5857</td>
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<tr>
<td>Manager, Athletic Comm.</td>
<td>Michael Parsons</td>
<td>321-433-5700</td>
<td><a href="mailto:parsonsm@easternflorida.edu">parsonsm@easternflorida.edu</a></td>
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***In addition to those listed above, all Advisors/Sponsors to EFSC recognized student clubs and organizations are Campus Security Authorities.***
In accordance with the requirements of the *Clery Act*, the following eight pages contain the statistics for the three most recent calendar years concerning the number of *Clery Act* crimes that occurred on or within Eastern Florida State College’s “*Clery geography*” and were reported to local law enforcement agencies or to a Campus Security Authority. Eastern Florida State College does not have any on-campus housing facilities. Statistics for all non-campus housing facilities of student organizations officially recognized by EFSC are identified on page 19.

*Clery Act* crimes include:

<table>
<thead>
<tr>
<th>Primary Crimes</th>
<th>VAWA Crimes</th>
<th>Arrests For Violation of:</th>
<th>Disciplinary Referrals for Violation of:</th>
<th>Hate Crimes (categories of bias)</th>
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<tbody>
<tr>
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<td>• Domestic Violence</td>
<td>• Liquor Laws</td>
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<tr>
<td>• Arson</td>
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The College's “*Clery geography*” includes:

- **“On-Campus”**
  - Buildings and properties that are part of a campus, including any building or property owned or controlled by the College within the same reasonably contiguous geographic area and used by the College in direct support of, or in a manner related to the College’s educational mission. This includes any building or property owned by the College but controlled by another entity and which is frequently used by students and supports institutional purposes.

- **“Public Property”**
  - All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within a campus, or immediately adjacent to and accessible from a campus.

- **“Non-Campus Buildings and Property”**
  - Buildings and property owned or controlled by officially recognized student organizations, as well as buildings and property located off campus but owned or controlled by the College, frequented by students and used in support of or relationship to the College’s educational purposes.

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2 Please see the “Definitions” section of this Annual Security Report for definitions of each *Clery Act* crime.
3 Hate crimes occur when the offender’s actions were motivated by bias on the basis of actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, or disability, involving any of the above “primary” crimes, as well as larceny-theft, simple assault, intimidation, or destruction/damage/vandalism of property.
4 Please see EFSC Procedures Manual §804 for more information regarding weapons law violations on EFSC property.
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### Melbourne Campus Statistics

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Emergency Announcements

One of the best methods to help provide for the safety of students and employees is to ensure they have information involving imminent threats to their safety. The College uses two types of emergency communications to warn students, faculty and staff about dangerous situations. The "Timely Warning" and the "Emergency Notification." Students and employees are encouraged to read their emails and text messages from the College and periodically check the websites for alerts and other helpful information.

TIMELY WARNINGS

In the event that a Clery Act crime is reported and in the judgment of the President of the College, or his or her designee, in consultation with the Chief of the College’s Security Department, constitutes a serious or continuing threat to students or employees, the College shall issue a “Timely Warning.” In addition, Timely Warnings may, but are not required to be issued for incidents which are not reportable under the Clery Act.

EMERGENCY NOTIFICATIONS

In the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees (i.e., gas leak, tornado, etc.), the College shall issue an “Emergency Notification.” The Chief of the College’s Security Department, or their designee, shall be responsible for confirming whether an emergency or dangerous situation exists, and if necessary, shall confer with other members of the Executive Leadership Group, as identified in the College’s Emergency Management Response Plan, to determine the content of any emergency notification to be sent, the method of communicating the notification, and the segment of the campus community to be notified. Unlike a Timely Warning, an Emergency Notification may be segmented to a specific group of individuals in a designated building or area. If an Emergency Notification is issued, there is no need to issue a Timely Warning for the same circumstance.

Regardless of whether it is a Timely Warning or an Emergency Notification, the Chief of Security, in consultation with the Associate Vice President for Communications, and Associate Vice President for Information Technology, or their respective designees, shall be responsible for disseminating the warning via the College’s emergency notification system, e-mails, text messages, telephone calls, emergency messages on the College’s website, or via other methods as deemed appropriate by the President or his or her designee, in accordance with procedures promulgated by the President.

EMERGENCY RESPONSE MANAGEMENT PLAN

Eastern Florida State College has an Emergency Response Management Plan that provides detailed information regarding the response actions and personnel involved regarding various emergency situations. The Emergency Response Management Plan can be found on the College’s website at:

Titan Alerts

Eastern Florida State College has implemented an emergency alert notification system that delivers reliable emergency text and email messages anytime there is an emergency on campus that poses a safety concern for students, faculty or staff.

To enroll in the "Titan Alerts" emergency alert notification system, please visit the “myEFSC” page on the College website, or visit any Campus Security Office.

Identification Cards/Badges

All Eastern Florida State College students, e-Learning students, faculty, staff and partnership students must get a photo identification card and/or badge, which also serves as an EFSC Library Card, at a Campus Security Office. Community patrons can also receive a card that serves as a library card only. Identification cards/badges are available at all four EFSC campus security offices.

- Because the security offices are staffed 24 hours a day, seven days a week, you can request an ID 24/7. If you arrive at a security office and it’s locked, a placard on the door will tell you how to call the officer on campus who will meet you at the office. The phone numbers in the security office contact box on page 7 or 24 are 24/7 numbers.
- Students must bring a valid government-issued photo ID, passport or current year high school ID, plus their current EFSC course schedule.
- Anyone wishing to obtain just a Library Card must provide a current government-issued or military ID and proof of Brevard County residency, such as a recent utility bill or voter ID.
- The first ID and/or library card issued is free. If lost, a replacement card is $10.

For faculty and staff, you can receive a college photo ID badge on the third day of employment – after all paperwork has been entered into the payroll system by Human Resources. ID badges are issued through your home campus Security Department.

Safety and Security Briefings

Periodically throughout the year, the Security Department of Eastern Florida State College presents “Safety and Security Briefings” to students, staff, and faculty. Safety and Security Briefings generally last between 1-2 hours, and provide audience-specific prevention and awareness information, initiatives, and strategies to increase knowledge of the College’s efforts to prevent crime and reduce risk. Topics generally include information about the Security Department (including a discussion of the duties, expectations, and services provided by Security Officers), the Annual Security Report, relevant campus procedures and practices, personal safety and awareness, risk reduction, timely warnings and emergency notifications, the Clery Act, sexual misconduct and Title IX, active shooter protocols, and the importance of timely reporting of incidents involving the safety and security of our campus community, among other topics.

For more information about upcoming Safety and Security Briefings, please contact the Safety Department at (321) 433-5947.
Safety and Security Tips

The great majority of college students will enjoy their college experience without ever being impacted by a crime. However, good crime prevention information can be empowering and further reduce the chances of becoming a victim. The following safety tips are provided to help keep safe on campus, at home, and while traveling to and from campus.

Campus Safety Tips

Know the location of your Campus Security Office, and program these numbers into your phone for quick and easy access:
- Palm Bay Campus Security: (321) 403-5911
- Melbourne Campus Security: (321) 403-5909
- Cocoa Campus Security: (321) 403-5907
- Titusville Campus Security: (321) 403-4200

Park near a light pole if you will be leaving campus during evening hours.

Keep valuables (laptops, GPS, cellphones, etc.) in your vehicle out of sight.

Keep your vehicle locked at all times and keep all doors locked when traveling.

When walking to the parking lot be aware of your surroundings and have your keys ready. Carry your purse close to your body and keep your wallet in your front pocket. Stay Alert!

Refrain from using your cell phone or listening to music while walking in parking lots. Look into your vehicle (including the backseat) before getting in. Use the “Buddy System” - there is strength in numbers, especially at night.

If you are alone, and need to walk to your car during evening hours, please feel free to contact a Security Officer for an escort to your vehicle.

If you think you are being followed, turn around, return to campus, and notify Security.

If your vehicle will not start, contact Security and turn on your emergency flashers. Secure yourself inside your vehicle until Security Officers arrive.

Never allow someone to force you into a vehicle and do everything in your power to escape the situation. Yelling HELP, hitting, or biting may stop the attack. Consider running away. Consider carrying and using protective “Pepper Spray” to defend against attackers. Please see EFSC Procedures Manual §804 for more information regarding the carrying of weapons on College property.

If you see a crime in progress or someone having a medical emergency (heart attack, etc.), call 911 immediately followed by a call to Security.

Never prop open doors which are meant to lock behind you.
If you observe an individual in the improperly designated restroom, leave immediately and contact Security.

Walk on designated walkways that are well lit. Avoid shortcuts through the parks, vacant lots and other deserted places.

Report all thefts, suspicious persons, and suspicious incidents to Security Officers immediately.

**Off-Campus Safety Tips**

Require photo identification and business licenses of persons you call for service before allowing them into your home.

Do not let strangers into your home, even if a stranger says it is an emergency. Offer to call police for them instead.

Don’t hesitate to call 911 if you are dealing with, or have been visited by, a suspicious person who causes you concern.

Set exterior lights on timers or light sensors so they illuminate your home at night.

Never leave outside lights on during the day as it signals burglars you may be away.

Obscure windows near front doors so persons cannot see into your home.

Secure garage doors fully. Do not leave door partially open for pets or ventilation as they get the attention of potential burglars.

Consider placing “Beware of Dog” signs near front door even if you do not have a dog to scare off would be burglars.

Consider installing an alarm system to serve as a deterrent to burglars.

Consider installing a home surveillance (camera) system to prevent burglaries and record suspicious events.

While driving, be sure to create a safety buffer zone when stopping of at least one car length so that you can drive away if needed.

Be sure to refuel before dropping below ½ tank of gas to avoid the need to stop at an unsafe location for gas at an unsafe time.

Never pick up hitchhikers.

Never enter a car with a stranger. If being forced into a vehicle, fight as though your life depends on it.

When having your car serviced, provide them only your car key (not your home key), and remove any portable garage door openers so your code to the garage door cannot be accessed.

Please keep your glove compartment and other storage compartments free of any unnecessary paperwork that may contain sensitive personal information.
Surviving an Active Shooter Event

Thankfully, active shooter situations on college campuses or in our workplaces are very rare. Today’s police officers and deputy sheriffs are specially trained to quickly respond to active shooter situations and address and stop the threat. An additional comfort to our College is that many EFSC Security Officers are authorized to carry firearms while on duty. Thus, if an active shooter situation were to unfold on any campus, EFSC Security Officers and local law enforcement agencies would be able to quickly respond. The following tips are provided as a courtesy of the Department of Homeland Security should you ever encounter a situation.

The three things you may wish to consider are...


RUN: First and foremost, if you can get out, do it.

- If there is an escape route, attempt to evacuate
- Evacuate whether others agree to or not
- Leave your belongings behind
- Help others escape if possible
- Prevent others from entering the area
- Call 9-1-1 when you are safe

HIDE: If you can’t get out safely, find a place to hide. Act quickly and quietly. Try to secure your hiding place the best you can.

- Lock and/or blockade the door
- Silence your cell phone
- Hide behind large objects
- Remain very quiet

Your hiding place should:

- Be out of the shooter’s view
- Provide protection if shots are fired in your direction
- Not trap or restrict your options for movement

FIGHT: As a last resort, and only if your life is in danger . . . whether you’re alone or working together as a group, fight.

- Attempt to incapacitate the shooter
- Act with physical aggression
- Improvise weapons
- Commit to your actions

What to do when armed security or law enforcement arrives:

Remain calm and follow instructions. Keep your hands visible at all times. Avoid pointing or yelling. Know that help for the injured is on its way.
Victim's Rights

FLORIDA STATUTES CHAPTER 960

Chapter 960 of the Florida Statutes is intended to establish guidelines for fair treatment of victims and witnesses in the criminal justice system. Victims, including the next of kin of a homicide victim, have the right to be informed, to be present, and to be heard when relevant at all crucial stages of a criminal proceeding, to the extent that this right does not interfere with the constitutional rights of the accused. The implementation of Chapter 960 is the cornerstone of ensuring that these rights for victims are met.

CRIME VICTIM BILL OF RIGHTS

Victims, including the next of kin of a homicide victim, have the right to be informed, to be present, and to be heard when relevant at all crucial stages of a criminal proceeding, to the extent that this right does not interfere with the constitutional rights of the accused. In the case of a minor, the victim's parent or guardian and the next of kin of a homicide victim is given notification.

What Rights Are The Victims Entitled To?

1. Information concerning available crisis intervention services, supportive or bereavement counseling, community-based victim treatment programs, the availability of crime protection services and crime victim compensation.

2. Information about the role of the victim in the criminal justice system, the stages in the criminal and juvenile justice process which are of significance to a crime victim, and the manner in which such information can be obtained.

3. Information concerning steps that are available to Law Enforcement Officers and State Attorneys to protect victims and witnesses from intimidation.

4. Advance notification of judicial and post-judicial proceedings which relate to the offender’s arrest, release or community work release, provided that the victim gives the State Attorney's Office her/his current name and address.

5. In felony crimes or homicide, consultation by the State Attorney's Office to obtain the views of the victim or in the case of a minor child, the guardian or the victim's family regarding the release of the accused, plea agreements, participation in pretrial diversion programs, and the sentencing of the accused.

6. Return of the victim’s property collected by Law Enforcement or the State Attorney’s Office for evidentiary purposes.
7. Assistance from Law Enforcement or the State Attorney's Office, when requested by victims, to inform the victim's employer about necessary absences from work, and to explain to the victim's creditors about serious financial hardship incurred as a result of the crime.

8. Request restitution from the offender for certain out-of-pocket losses. The State Attorney shall inform the victim if and when restitution is ordered.

9. Submit a Victim Impact Statement orally, or in writing, to the judge, prior to the sentencing of an offender who pleads guilty, nolo contendere, or is convicted of a felony crime.

10. Information concerning the escape of the offender from a state correctional institution, county jail, juvenile detention facility, or involuntary commitment facility.

11. Accompaniment by a victim advocate during any deposition of the victim or testimony of the victim of a sexual offense.

12. Request HIV testing of the person charged with committing any sexual offense (under Chapter 794 or F.S. 800.04 which involves the transmission of body fluids). HIV test results shall be disclosed to the victim or the victim's legal guardian, if the victim is a minor.

13. Prompt and timely disposition of the court case (as long as this right does not interfere with the constitutional rights of the accused).

14. In the case of minors, if the victim or any sibling of the victim and the offender attend the same school, the victim and their siblings have the right to request that the offender be required to attend a different school.

15. A victim of a sexual offense shall be informed of the right to have the courtroom cleared of certain persons as provided in F.S. 918.16 when the victim is testifying concerning that offense.

16. The victims of domestic violence shall be provided with information regarding the address confidentiality program as provided in F.S. 741.465.
Eastern Florida State College has zero tolerance for sexual or gender-based harassment, sexual violence, dating violence, domestic violence, stalking, sexual exploitation, and other similar conduct (collectively referred to as “Sexual Misconduct”).

**SEXUAL MISCONDUCT RESOURCE GUIDE**

The College annually prepares a Resource Guide containing important information for students and employees about victim rights, resources, and College policies and procedures related to Sexual Misconduct and Title IX. The Resource Guide, as well as other valuable information, is available on the College’s Sexual Misconduct and Title IX homepage: [www.easternflorida.edu/our-campuses/campus-security/titleix-sexual-misconduct/](http://www.easternflorida.edu/our-campuses/campus-security/titleix-sexual-misconduct/)

**REPORTING SEXUAL MISCONDUCT**

Students, employees, faculty, and others who experience or witness Sexual Misconduct may report incidents to any of the College representatives:

<table>
<thead>
<tr>
<th>Mark Renkens</th>
<th>Darla Ferguson</th>
<th>Joe Ambrose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title IX Compliance Coordinator</td>
<td>AVP, Human Resources</td>
<td>Chief of Security</td>
</tr>
<tr>
<td>Melbourne Campus, Bldg. 10, Room 215</td>
<td>Melbourne Campus, Bldg. 2, Room 113</td>
<td>Melbourne Campus, Bldg. 8, Room 201</td>
</tr>
<tr>
<td>Phone: (321) 433-7180</td>
<td>Phone: (321) 433-7080</td>
<td>Phone: (321) 433-7007</td>
</tr>
<tr>
<td>E-Mail: <a href="mailto:renkensm@easternflorida.edu">renkensm@easternflorida.edu</a></td>
<td>E-Mail: <a href="mailto:fergusond@easternflorida.edu">fergusond@easternflorida.edu</a></td>
<td>E-Mail: <a href="mailto:ambrosej@easternflorida.edu">ambrosej@easternflorida.edu</a></td>
</tr>
</tbody>
</table>

Individuals may use the College’s Sexual Misconduct Reporting Form to make a report. In addition, reports can be made anonymously by submitting an Anonymous Reporting Form. However, the College’s ability to respond to an anonymous report may be limited depending on the level of information provided about the incident or the individuals involved.

**RESPONSIBLE EMPLOYEES**

While every employee strives to perform their respective duties in a responsible manner, the term “Responsible Employee” is a special designation under Title IX. The Department of Education defines Responsible Employee as: (1) any employee who has the authority to take action to redress sexual or gender-based harassment or violence; or (2) who has been given the duty of reporting such incidents to other college officials; or (3) whom a student could reasonably believe has this authority or duty.

Most employees at Eastern Florida State College are designated as Responsible Employees. As such, they must report any known information about Sexual Misconduct to the individuals identified above, or to their supervisor, in a timely manner (within 24 hours). For more information, please review “Responsible Employees at EFSC.”

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5 Definitions for each form of Sexual Misconduct listed above, as well as the definition of Consent, may be found in the "College Security Procedures" and "Definitions" sections of this Annual Security Report.

6 Training is provided at new employee orientation and periodically during employment.
INFORMATION FOR THOSE WHO EXPERIENCE SEXUAL MISCONDUCT

Reporting and Confidentiality. The College encourages those who experience Sexual Misconduct to talk to someone about what happened, so they can get the help they need, and so the College can respond appropriately. But ultimately it’s that person’s right to report or not report the incident, and it’s their right to decide who to report it to, if anyone. If a report is made, it is important to understand the confidentiality implications of such a report.

Reports to the College. It is important to understand that when any College Responsible Employee (see page 29) receives information alleging Sexual Misconduct, he or she is obligated to forward the information to other College officials to investigate and provide an appropriate response. Thus, any report made to a Responsible Employee is not confidential. A person who reports to a College employee may request confidentiality, and such a request will be considered by the College in determining an appropriate response, but the College may have to override the request for confidentiality in order to meet its legal obligations under Title IX and other laws. It should be noted that while confidentiality cannot be guaranteed, any information received by the College will be kept as private as possible and only shared with individuals who “need to know” in order to review, investigate, and provide an appropriate response.

Reports to Law Enforcement. While the College encourages law enforcement to be involved whenever Sexual Misconduct is potentially criminal in nature, it is a person’s right to decide whether or not to contact the police. For assistance in contacting the police, please visit the Security Office on campus. If an incident is reported to law enforcement, be advised that police reports are public records under Florida’s government in the sunshine law and are not generally confidential.

Reports to Others. If confidentiality is important, please note that any reports made to sexual assault counselors, domestic violence advocates, members of the clergy, psychotherapists, psychiatrists, and other medical professionals, while such persons are acting in their official capacities, may be confidential. Please confirm the person’s ability to keep confidentiality before you confide in the person.

Individuals who consult with confidential resources should note that their discussions in these settings are not considered reports to the College, and will not result in any action by the College.

Reports Involving Minors. Pursuant to Florida law, College officials are obligated to report known or suspected child abuse, abandonment, or neglect to the Department of Children and Families. Accordingly, the College cannot guarantee confidentiality for any report of Sexual Misconduct it receives involving a person under the age of 18.

Preservation of Evidence. Regardless of whether you report an incident of Sexual Misconduct, victims are strongly encouraged to preserve evidence to the greatest extent possible. Do not alter, dispose of, or destroy any physical evidence. If there is suspicion that a drink may have been drugged, inform a medical assistance provider and/or law enforcement as soon as possible so they can attempt to collect possible evidence. Preserve
evidence of electronic communications by saving them and/or by taking screen shots of text messages, instant messages, social networking pages, or other electronic communications, and by keeping pictures, logs, or copies of documents that relate to the incident and/or perpetrator.

**No-Contact Orders.** Those who experience certain types of Sexual Misconduct may request a no-contact order (or “injunction”) from the Brevard County Clerk of Courts, which is an order signed by a judge that prohibits the perpetrator from contacting the victim or from being in places where the victim lives, works, attends school, etc. An injunction is obtained by going to a Clerk of Courts Office:

<table>
<thead>
<tr>
<th>Brevard County Clerk of Courts</th>
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<th>Brevard County Clerk of Courts</th>
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<tbody>
<tr>
<td>400 South Street</td>
<td>50 South Nieman Avenue</td>
<td>2825 Judge Fran Jamieson Way</td>
</tr>
<tr>
<td>Titusville, FL 32780</td>
<td>Melbourne, FL 32901</td>
<td>Viera, FL 32940</td>
</tr>
<tr>
<td>(321) 637-6521</td>
<td>(321) 637-6548</td>
<td>(321) 637-5413 (option 2, then 0)</td>
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</tbody>
</table>

For more information, please visit the Clerk’s website at: [http://brevardclerk.us/injunctions-for-protection](http://brevardclerk.us/injunctions-for-protection)

**Accommodations.** Regardless of whether an incident is reported to the College, victims may request changes to academic, living, transportation, and/or working situations, and/or request protective measures, such as placing institutional limitations on contact, if such measures are reasonably available. Assistance with financial aid is also available if needed. To request these types of accommodations, please contact the Title IX Compliance Coordinator.

*For detailed information about Eastern Florida State College’s policy and procedure on Sexual Misconduct, including its procedure for institutional disciplinary action in cases involving Sexual Misconduct, please see EFSC Board Policy Governance Manual §800.10 and EFSC Procedures Manual §800.10, which are contained verbatim in this Annual Security Report on pages 42 and 52 respectively.*

**Sexual Assault Victim Services (SAVS)**

Sexual Assault Victim Services (SAVS) is a certified rape crisis program working in cooperation with the Women’s Center in Brevard to provide free and confidential support and advocacy services to sexual assault victims and their loved ones.

SAVS advocates are available 24 hours a day to provide crisis intervention and advocacy services. SAVS has a rape crisis center staffed with sexual assault nurse examiners and advocates readily available at any time. Advocates can provide support throughout the sexual assault forensic examination as well as accompany victims to interviews with law enforcement and courtroom appearances.

<table>
<thead>
<tr>
<th>SAVS/Women’s Center in Brevard</th>
<th>SAVS/Women’s Center in Brevard</th>
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<tbody>
<tr>
<td>1425 Aurora Road</td>
<td>400 Julia Street</td>
</tr>
<tr>
<td>Melbourne, FL 32935</td>
<td>Titusville, FL 32796</td>
</tr>
<tr>
<td>Phone: (321) 242-3110</td>
<td>Phone: (321) 607-6811</td>
</tr>
</tbody>
</table>

SAVS/Women’s Center **24 Hour Rape Hotline: (321) 784-HELP (4357)**
SAVS/Women’s Center Website: [http://womenscenter.net/sexual-assault-victims-services/](http://womenscenter.net/sexual-assault-victims-services/)
The only person responsible for committing an act of Sexual Misconduct is the perpetrator, but all of us have the ability to look out for each other’s safety. Whether it’s giving someone a safe ride home from a party or directly confronting a person who is engaging in threatening behavior, anyone can help prevent Sexual Misconduct.

**What is Bystander Intervention?**

You may have heard the term “Bystander Intervention” to describe a situation where someone who isn’t directly involved steps in to change the outcome. Stepping in may give the person you’re concerned about a chance to get to a safe place or leave the situation. You don’t have to be a hero or even stand out from the crowd to make a big difference in someone’s life.

Whether you’re taking home a friend who has had too much to drink, explaining that a rape joke isn’t funny, or getting security involved when someone is behaving aggressively, choosing to step in can impact the way those around you think about and respond to Sexual Misconduct.

The key to keeping each other safe is learning how to intervene in a way that fits the situation and your comfort level. Having this knowledge on hand can give you the confidence to step in when something isn’t right. Stepping in can make all the difference, but it should never put your own safety at risk.

*A good friend knows how to CARE.*

**Create a distraction.** Do what you can to interrupt the situation. A distraction can give the person at risk a chance to get to a safe place.
- Cut off the conversation with a diversion like, “Let’s get pizza, I’m starving,” or “This party is lame. Let’s try somewhere else.”
- Bring out fresh food or drinks and offer them to everyone at the party, including the people you are concerned about.
- Start an activity that draws in other people, like a game, a debate, or a dance party.

**Ask directly.** Talk directly to the person who might be in trouble.
- Ask questions like “Who did you come here with?” or “Would you like me to stay with you?”

**Refer to an authority.** Sometimes the safest way to intervene is to refer to a neutral party with the authority to change the situation.
- Talk to a security guard, bartender, or another employee about your concerns.
- Don’t hesitate to call 911 if you are concerned for someone else’s safety.

**Enlist others.** It can be intimidating to approach a situation alone. Enlist another person to support you.
- Ask someone to come with you to approach the person at risk. When it comes to expressing concern, sometimes there is power in numbers.
- Ask someone to intervene in your place. For example, you could ask someone who knows the person at risk to escort them to the bathroom.

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Information on Risk Reduction

The following tips may reduce your risk for many different types of crimes, including Sexual Misconduct:

- **Know your resources.** Who should you contact if you or a friend needs help? Where should you go? Locate resources such as the campus security office, or a local sexual assault service provider. Program the campus security office numbers into your cell phone for easy access.

- **Stay alert.** When you’re moving around on campus or in the surrounding neighborhoods, be aware of your surroundings. Consider inviting a friend to join you or asking a security officer for an escort. If you’re alone, only use headphones in one ear to stay aware of your surroundings.

- **Be careful about posting your location.** Many social media sites, like Facebook and Foursquare, use geolocation to publicly share your location. Consider disabling this function and reviewing other social media settings.

- **Make others earn your trust.** A college environment can foster a false sense of security. They may feel like fast friends, but give people time earn your trust before relying on them.

- **Think about Plan B.** Spend some time thinking about back-up plans for potentially sticky situations. If your phone dies, do you have a few numbers memorized to get help? Do you have emergency cash in case you can’t use a credit card? If you drive, does your car have fuel, is there a spare key hidden, is there an empty fuel container, and a set of jumper cables?

Social Settings

- **Make a plan.** If you’re going to a party, go with people you trust. Agree to watch out for each other and plan to leave together. If your plans change, make sure to touch base with the other people in your group. Don’t leave someone stranded in an unfamiliar or unsafe situation.

- **It’s okay to mislead people you do not trust.** If you want to exit a situation immediately and are concerned about frightening or upsetting someone, it’s okay to mislead people you do not trust. You are never obligated to remain in a situation that makes you feel uncomfortable, pressured, or threatened. You can also lie to help a friend leave a situation that you think may be dangerous. Some excuses you could use are needing to take care of another friend or family member, an urgent phone call, not feeling well, and having to be somewhere else by a certain time.

- **Be a good friend.** Trust your instincts. If you notice something that doesn’t feel right, it probably isn’t.

Alcohol Safety

- **Know what you’re drinking.** Don’t recognize an ingredient? Use your phone to look it up. Consider avoiding large-batch drinks like punches or “jungle juice” that may have a deceptively high alcohol content. There is no way to know exactly what was used to create these drinks.

- **Protect your drink.** Don’t leave your drink unattended, and watch out for your friends’ drinks if you can. If you go to the bathroom or step outside, take the drink with you or toss it out. Drink from unopened containers or drinks you watched being made and poured. It’s not always possible to know if something has been added to someone’s drink. In drug-facilitated sexual assault, a perpetrator could use a substance that has no color, taste, or odor.

- **Know your limits.** Keep track of how many drinks you’ve had, and be aware of your friends’ behavior. If you feel extremely tired or more intoxicated than you should, you may have been drugged. Find help immediately or call 911.
Green Dot Strategy

Green Dot Strategy is a nationally renowned violence prevention program designed to establish a collective mindset that interpersonal violence will not be tolerated at EFSC, and everyone has a part in keeping our campuses safe. Green Dot engages faculty, staff, and students to become leaders in bystander intervention with the goal of preventing all forms of interpersonal violence, including sexual violence, dating and domestic violence, and stalking.

Implemented at EFSC in 2016, Green Dot is based on the idea that collectively, small actions can have large and lasting impacts. Visualize a map containing a number of “red dots” and a number of “green dots.” A red dot represents a real or potential act of violence. A green dot represents a moment in time when someone takes action to communicate an intolerance for that type of behavior.

A green dot may be pulling a friend out of a high-risk situation, or notifying authorities of something suspicious. A green dot may be hanging a Green Dot poster in a classroom, or talking with a friend about how much violence prevention matters to you. A green dot may be wearing a Green Dot pin, or taking the time to learn more about the program. A green dot is simply an individual’s choice at any given moment to make our campuses safer, with the goal to ultimately displace any “red dots” with “green dots” on the imaginary map.

Green Dot training sessions are offered to faculty, staff, and students periodically throughout the year. If you are interested in attending a training, contact Barbara Kennedy at (321) 433-5591, or visit: [http://www.easternflorida.edu/student-life/green-dot/](http://www.easternflorida.edu/student-life/green-dot/).

Prevention and Awareness Online Courses for Students

EFSC offers students the following online prevention and awareness courses free of charge:

1. **Know Your Limit** - This course emphasizes the importance of moderating alcohol intake and teaches students who choose to drink ways to use alcohol responsibly.
2. **Healthy Relationships and Dating Violence** - This course will help students identify characteristics of healthy and unhealthy relationships and know how to respond to an abusive relationship.
3. **Lasting Choices: Preventing Sexual Assault** - This course covers topics like the role of alcohol, how to report incidents, and intervention strategies.
4. **Show Some Respect! Prevent Harassment** - This course will help students identify, report, and prevent harassment.

To access these courses, follow this [link to EduRisk](http://www.easternflorida.edu/student-life/green-dot/) and create an account (link also in Canvas).

*It is highly recommended that all students complete all four (4) courses. Please note some content may not be suitable for children, and/or may trigger emotional responses.*

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8These online courses are produced by EduRisk through United Educators.
Information on Registered Sex Offenders

The Florida Department of Law Enforcement (FDLE) maintains an active list of sexual offenders (which includes sexual predators) in the State of Florida. FDLE provides a variety of ways to search their database to acquire information pertaining to sex offenders in their neighborhood or on college and university campuses. To learn more about sexual offenders in Florida, please visit: https://offender.fdle.state.fl.us/offender/sops/home.jsf

FDLE is authorized to post registered sexual offenders/predators via the public website. The FDLE website lists sexual offender/predator flyers which include a photo, designation, status, a physical description of the offender/predator, crime information, and a registered address. Searches may be conducted by area (city, county and/or zip code), by name, or E-mail/IM names.

Searches of sexual offenders attending Florida’s colleges and universities can be performed by visiting https://offender.fdle.state.fl.us/offender/sops/universitySearch.jsf and selecting the institution under the “Select University” menu.

Citizens may also sign up for email notification using the “Florida Offender Alert System” by visiting www.floridaoffenderalert.com. The emails are sent when a sexual offender/predator moves within a certain distance from a specified location set by the citizen or when a particular sexual offender/predator moves anywhere throughout the state of Florida.

A Florida criminal history for an individual may be obtained through the FDLE website (www.fdle.state.fl.us) for a fee. Please click on the “Request a Criminal History” button approximately halfway down the page.

To obtain details regarding a specific crime that occurred in Florida, contact the Office of the Clerk of Courts in the county in which the subject was convicted. The county of conviction is listed on the offender/predator registry flyer. Clicking on the county link provided will open a new window with all Florida Clerk of Court websites. To obtain details regarding an arrest in Florida, contact the local arresting law enforcement agency.

To learn more about sexual offenders, FDLE has created a Frequently Asked Questions section on their website which can be accessed by visiting https://offender.fdle.state.fl.us/offender/sops/faq.jsf.

In addition, FDLE has also established the following toll-free number for public access to FDLE’s Missing Persons and Offender Registration: 1-888-FL-PREDATOR (1-888-357-7332). By contacting FDLE at this number, the public can request information about Sexual Offenders living in their communities and around the state. Requests may be made using this toll-free number on business days, between 8:00 a.m. and 5:00 p.m. (EST), Monday through Friday.
Alcohol and Drugs

College Policy and Possible Sanctions

Possession or consumption of alcohol by anyone under the age of 21 is prohibited by Florida law. Possession, consumption, or sale of alcohol is prohibited on all College property unless approved in advance by the President.

The use, possession, purchase, solicitation, sale, manufacture, distribution, or delivery of any narcotics, controlled substances, prescription medication without a personal prescription, or other illegal drugs is prohibited under Florida and Federal law, and is not permitted on College property.

Medical Marijuana in Florida. Despite the provisions of Article X, Section 29 of the Florida Constitution, as well as applicable Florida Statutes and implementing F.A.C. Rules, marijuana remains a controlled substance under federal law, and continues to be prohibited by the College. Thus, any member of the College community who meets the definition of “qualified patient” under §381.986(1), Florida Statutes, shall continue to abide by federal law as it relates to marijuana, as well as any and all applicable College policies and procedures.

The College supports enforcement of Florida and Federal laws by the various law enforcement agencies having jurisdiction over College property. Violators are subject to criminal prosecution, as well as College disciplinary sanctions, up to and including expulsion or termination of employment. Criminal prosecution of alcohol and drug laws may include incarceration, criminal probation, fines, and court costs.

For more information about the College’s standards of conduct and disciplinary sanctions associated with the use or possession of alcohol and illegal drugs, as well as applicable federal, state, and local laws and penalties, health risks, and information about prevention and assistance available from the College and in the community, please review the College’s Drug-Free and Alcohol-Free Campus and Workplace Annual Notification.

Counseling and Support Services

EFSCares

As part of a College partnership with Gee Resolutions, EFSCares is a free, confidential student counseling service available to all part- and full-time enrolled students. Simply call the phone number, 321-631-8569, and identify yourself as an EFSC student, and the Gee Resolutions staff will connect you to a licensed and/or certified professional who will assess your personal situation and schedule you for additional counseling sessions as needed.
EFSC students are eligible to receive up to six free, individual face-to-face counseling sessions per year. It’s part of our commitment to show you that all of us at EFSC care about students. EFSC does not track your information. This is a private, confidential service designed to help you when you need it most.

**Student Testimonial**

"I called the number and they were very nice. They got me in quickly to see a professional and also connected me with community resources that were very helpful. I would definitely recommend the service to any and all students...this is for anyone who feels they need it.” ... J.S., EFSC Student

**Services Offered**

| Problem Identification / Assessment and Referral | Based on telephone communication and/or a face-to-face meeting, the student's problem(s) is identified, the individual is assessed and an appropriate plan of action is developed. |
| Crisis Intervention | This service offers post-crisis assessment and intervention services to students who have experienced crisis situations. |
| Short-term Problem Resolution | This type of counseling is offered when resolution of the presenting problem can be resolved within the initial counseling sessions. |
| Monitoring and Follow-up Services | Appropriate monitoring of student's progress and satisfaction by counselors. |
| Program Education | Educational workshops are provided as requested by the college. |
| Veterans Resources | This service provides veterans affairs referrals, post-traumatic stress disorder (PTSD) counseling and sensitivity training to faculty, staff and students on veteran issues. |

**Frequently Asked Questions**

**Who can use this service?**
This service is for currently enrolled part- or full-time students of Eastern Florida State College.

**How much does it cost?**
The services are free.
Will EFSC monitor my visits or will my instructors be notified if I use these services?
No. This is a confidential service. You will be connected with an off campus licensed/certified therapist who is not associated with EFSC.

How do I access the services?
There are several methods for accessing the services. You may self-refer, which is the preferred method. Instructors and staff may also refer you if they feel you need counseling support or feel that you or others are in imminent danger based on your behavior or perceived verbal threats.

What kinds of needs can be addressed through this service?
This service is intended to help students navigate behavioral health needs (such as stress, anxiety, depression, fear, etc.), and is designed specifically with the purpose of helping students effectively manage personal challenges to support their academic success. If you have life challenges that are impacting your coping skills, affecting your mood or hurting academic progress, call 321-631-8569 for help.

How many counseling sessions am I eligible for?
Students are eligible to receive as many as six free counseling sessions per year. However, in extreme cases, more can be authorized if advised by the counselor.

What if my problem requires long-term services (more than six sessions)?
The college is contracted to provide each student with as many as six counseling sessions per year. If additional sessions are needed as determined by the counselor, the counselor will work with students and their insurance provider to find low cost services at the students’ expense.

**EFSCares/Gee Resolutions: 321-631-8569**
**Gee Resolutions Website: [http://www.geecounseling.com/](http://www.geecounseling.com/)**

For additional information contact:
Emily Tonn
Student Assistance Program Liaison
321-433-7715
tonne@easternflorida.edu
What if I need other services?

*Calling 2-1-1 in Brevard County will connect you to a variety of services.*

2-1-1 Brevard Inc. is a private, not-for-profit organization serving Brevard County, Florida. For more than 40 years, 2-1-1 Brevard has operated a telephone-based helpline offering crisis intervention and information and referral services, 24 hours a day.

By dialing 2-1-1, help is just a phone call away. Trained specialists provide information and assistance in times of emotional, financial and community crisis. 2-1-1 has been evaluated and found to meet the Professional Standards for Professional Information and Referral by the Alliance of Information and Referral Systems. The agency also has been evaluated and found to meet all the criteria established by the American Association of Suicidology for Certification as an approved Crisis Intervention Program.

Simply **Dial 2-1-1** or 321-632-6688 to get an actual person who is trained to listen to your situation and connect you with the services you need.
100.9 SAFETY AND SECURITY

Eastern Florida State College is committed to maintaining an educational and workplace environment that is free of violence. The College further recognizes the existence of extensive legislative acts and constitutional provisions pertaining to safety and security. Faculty, staff and students are expected to comply with applicable Florida Law and safety and security laws, including firearm laws. In an effort to provide a safe environment which is conducive to student learning, the College under the direction of the President will establish operational procedures to address safety measures on each campus.

The College will enact procedures to provide the campus community with information necessary to make informed decisions about their health and safety. This information will include procedures to:

- Collect, classify, and count crime reports and crime statistics.
- Issue a timely warning for any Clery Act crime that represents an ongoing threat to the safety of students or employees, and/or emergency notifications upon the confirmation of significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.
- Publish an annual security report containing safety and security related policy statements and crime statistics and distribute to all current students and employees. Prospective students and employees will be informed about the availability of the report.
- Participate in a Web-based data collection to disclose crime statistics by type, location and year.
- Maintain a campus security department daily crime log of alleged criminal incidents that is opened to public inspection.

While on college grounds or facilities or at college-sponsored activities and events, students, staff, faculty, administration, employees and invitees, hereinafter referred to as “person,” are prohibited from introducing, exhibiting, possessing, using, storing, buying or selling weapons, firearms destructive devices or explosives [§790.001; Fla. Stat. 2016].

Exceptions: The following circumstances shall not be a violation of this policy:

- It is lawful and not a violation of Florida or Eastern Florida State College policy for a person 18 years of age or older to possess a concealed firearm or other weapon for self-defense or other lawful purpose within the interior of a private vehicle (conveyance), without a license, if the weapon or other weapon is securely encased or is otherwise not readily accessible for immediate use. Nothing in this policy prohibits the carrying of a legal firearm other than a handgun anywhere in a private conveyance when such firearm is being carried for a lawful use.
- A firearm in the possession of a law enforcement officer who is authorized to possess the firearm whether on or off duty, by the employing law enforcement agency.
- A firearm in the possession of an “Armed Security Officer”, as that term is defined by College procedures.
- Any other possession of a firearm specifically authorized pursuant to the provision of Fla. Stat.

800.2 DISCLOSURE OF CRIME STATISTICS AND ANNUAL SECURITY REPORT

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”), on or before October 1 of each year, Eastern Florida State College shall publish an Annual Security Report prepared by the College’s Security Department, containing crime, arrest, and referral statistics as required by the Clery Act. In preparing the report, the College’s Security Department shall survey and compile statistics reported to Campus Security Department personnel, other campus security authorities, and law enforcement agencies having jurisdiction over each campus, public property within or immediately adjacent to each campus,

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and non-campus property owned or controlled by the College. The Annual Security Report shall also contain information relating to safety and security of each campus, including crime prevention information, and all policy statements of the College which are required by the Clery Act to be included in the report. The Annual Security Report shall be provided to all current students and employees of the College, as well as prospective students and employees in such manner as required by law and College procedure. Paper copies of the Annual Security Report shall also be available upon request.

800.3 CRIME REPORTING AND RELATIONSHIP WITH LOCAL LAW ENFORCEMENT

Eastern Florida State College utilizes the personnel of its Security Department along with assistance from local law enforcement agencies to provide security and emergency services for each campus. Although the College does not have a formal memorandum of understanding with any law enforcement agency, the College does maintain close working relationships with the Cocoa Police Department for matters concerning the Cocoa campus, the Melbourne Police Department for matters concerning the Melbourne campus, the Palm Bay Police Department for matters concerning the Palm Bay campus, the Titusville Police Department for matters concerning the Titusville campus, and the Brevard County Sheriff’s Office for any matters concerning any campus or other location within Brevard County. Security Department personnel do not have arrest authority, but may issue parking and traffic citations, and may stop individuals on College property to request that they provide identification and the reason for their presence.

Eastern Florida State College encourages its students, faculty, staff, and guests to report crime or suspicious activity to Security Department personnel and to the appropriate law enforcement agency in a timely manner.

800.4 SECURITY AND ACCESS TO COLLEGE FACILITIES

Eastern Florida State College is dedicated to ensuring the safety and security of its students, faculty, staff, and guests while utilizing College facilities. While the College recognizes the importance of making its facilities on each campus open and available during normal hours of operation, the College also recognizes that reasonable limitations may be necessary to ensure the safety and security of each campus facility. In order to meet the unique challenges associated with each College facility, it is imperative that members of College community recognize and abide by the procedures set forth in Section 800 of the College’s Procedures Manual, which are expressly incorporated and made part of this policy, relating to the security of and access to campus facilities and the security considerations used in the maintenance of campus facilities.

800.5 TIMELY WARNING POLICY

In the event that a Clery Act crime which is reported to campus security authorities and which, in the judgment of the President of the College, or his or her designee, in consultation with the Chief of the College’s Security Department, constitutes a serious or continuing threat to students or employees, the College shall issue a “timely warning.” In addition, timely warnings may, but are not required to be issued for incidents which are not reportable under the Clery Act. The College’s Security Department in consultation with the Communications Department shall be responsible for determining the content of the timely warning and disseminating the warning via the College’s emergency notification system, e-mails, text messages, telephone calls, emergency messages on the College’s website, or via other methods as deemed appropriate by the President or his or her designee, in accordance with procedures promulgated by the President.

800.6 EMERGENCY NOTIFICATION

In the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees, the College shall issue an “Emergency Notification.” The Chief of the College’s Security Department and Associate Vice President for Communications, or their respective designees, shall be responsible for confirming whether an emergency or dangerous situation exists, and if necessary, shall confer with other members of the Executive Management Team, as identified in the College’s Emergency Management Response Plan, to determine the content of any emergency notification to be sent, the method of communicating the notification, and the segment of the campus community to be notified.
The Chief of Security, in consultation with the Associate Vice President for Communications, and Associate Vice President for Information Technology, or their respective designees, shall be responsible for disseminating the warning using the College’s available technological resources which may include e-mails, text messages, telephone calls, emergency messages on the College’s website, or via other methods as deemed appropriate by the President or his or her designee, in accordance with procedures promulgated by the President.

The Chief of Security, in consultation with the Associate Vice President for Communications, and Associate Vice President for Information Technology, or their respective designees, shall without delay, and taking into account the safety of the community, be responsible for disseminating the notification, unless notification will, in the professional judgment of any Executive Management Team member or law enforcement personnel, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency or dangerous situation.

800.7 EMERGENCY RESPONSE AND EVACUATION

The College shall maintain an Emergency Management Response Plan (“EMRP”), which shall be reviewed annually by the EMRP Leadership Team, and which shall prescribe the procedures to be followed in the event of an emergency or dangerous situation on each campus. The EMRP shall include information about the Executive Management Response Team, incident priorities and performance expectations, and shelter-in-place and evacuation procedures.

The College shall test the emergency response and evacuation procedures on at least an annual basis, which shall include at least one scheduled announced or unannounced drill or exercise, and appropriate follow-through activities designed to assess and evaluate the effectiveness of the Emergency Management Response Plan.

The College shall maintain documentation of such emergency tests for at least seven years.

800.8 SEX OFFENDER REGISTRATION

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”), and the Campus Sex Crimes Act of 2000, Eastern Florida State College shall inform the campus community of the availability of information provided by the State of Florida concerning registered sex offenders. The College shall publish instructions for the campus community to access sex offender registry and other information in Section 800 of the College’s Procedures Manual, which is expressly incorporated and made part of this policy as if set forth verbatim herein.

800.9 CRIME PREVENTION AND SECURITY AWARENESS PROGRAMS

Eastern Florida State College recognizes its ongoing responsibility to provide the campus community with timely information on crime prevention and security awareness, and is firmly committed to presenting students, faculty, and staff with educational seminars, workshops, media clips, printed materials, or similar offerings, at regular intervals, and not less than once per academic year. Such programs shall include information about security procedures and practices and shall encourage students and employees to be aware of their responsibility for their own security and the security of others. When developing crime prevention and security awareness programs or materials for a particular campus, the College may consult with local law enforcement agencies having jurisdiction over the campus.

800.10 SEXUAL MISCONDUCT

Eastern Florida State College is firmly committed to maintaining a campus environment free from all forms of sexual misconduct to include sexual harassment, sexual violence, domestic violence, dating violence, sexual assault, and stalking. Sexual misconduct in any form diminishes individual dignity, jeopardizes the welfare of students and employees, and impedes access to educational, social, and employment opportunities. Sexual misconduct violates the College’s institutional values of respect, integrity, accountability, and excellence. Accordingly, sexual misconduct in any form is expressly prohibited by the College. The College shall provide educational programs to promote the awareness and prevention of sexual misconduct. The College shall maintain procedures for students and employees to follow if a sex offense occurs, including information on a victim’s option to notify law enforcement, availability of on and off campus counseling, mental health, and other...
services for sex offenses, and notification that the College will change a victim’s academic, living, transportation, and working conditions after an alleged sex offense if requested and if reasonably available.

The College shall develop and maintain procedures for disciplinary action for sexual misconduct and a statement of the sanctions that may be imposed following a final determination of an institutional disciplinary proceeding.

The College procedures for disciplinary action for sexual misconduct shall include notification to the accuser and the accused of their respective rights, including the right to have others present during a disciplinary proceeding, and the right to be informed of the outcome of the proceeding. The standard of proof in any sexual misconduct disciplinary proceeding shall be a preponderance-of-the-evidence standard (i.e., more likely than not).

The President is authorized and shall be responsible for promulgating procedures necessary to give effect to this policy, which shall be contained in Section 800 of the College’s Procedures Manual, and which are expressly incorporated and made part of this policy as if set forth verbatim herein.

**800.11 ALCOHOL AND DRUG PREVENTION**

It is the intent of Eastern Florida State College to provide an alcohol and drug-free environment for all students and employees consistent with the Drug Free Workplace Act of 1988, the Drug-Free Schools and Communities Act, as articulated in Part 86 of the Education Department General Administrative Regulations of 1989, and applicable Florida Statutes.

Possession or consumption of alcohol by anyone under the age of 21 is prohibited by state law. Possession, consumption, or sale of alcohol is prohibited on all College property unless approved in advance by the President.

The use, possession, purchase, solicitation, sale, manufacture, distribution, or delivery of any narcotics, controlled substances, prescription medication without a personal prescription, or other illegal drugs is prohibited under state and federal law, and is not permitted on College property.

The College supports enforcement of state and federal laws by the various law enforcement agencies having jurisdiction over College property. Violators are subject to criminal prosecution, as well as College disciplinary sanctions, up to and including expulsion or termination of employment.

The College shall annually provide information to students and employees regarding the applicable standards of conduct, legal sanctions, College disciplinary sanctions, and health risks associated with the use of alcohol and illegal drugs, and information regarding counseling, treatment, and rehabilitation services available in the community, and employee assistance programs. The College’s Safety Policy and Procedures Compliance Committee shall review the College’s alcohol and drug prevention programs and procedures to determine their effectiveness and consistency of sanction enforcement no less than every two years.

The President is authorized and shall be responsible for promulgating procedures necessary to give effect to this policy, which shall be contained in the College’s Procedures Manual, and which are expressly incorporated and made part of this policy as if set forth verbatim herein.

**800.12 CRIME LOG**

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"), the Security Department of Eastern Florida State College shall maintain a daily Crime Log for each campus for the purpose of recording specific information about all criminal incidents and alleged criminal incidents that are reported to the Campus Security Department.

The President is authorized and shall be responsible for promulgating procedures necessary to give effect to this policy, which shall be contained in Section 800 of the College’s Procedures Manual, and which are expressly incorporated and made part of this policy as if set forth verbatim herein.
Select College Security-Related Procedures

800.2 DISCLOSURE OF CRIME STATISTICS AND ANNUAL SECURITY REPORT

On or before October 1\textsuperscript{st} of each year, EFSC’s Chief of Security or his/her designee shall publish an Annual Security Report (ASR) containing crime, arrest, and referral statistics as required by the Clery Act. The Clery Act requires disclosure of three general categories of reported crime statistics:

- Criminal offenses including murder and non-negligent manslaughter, negligent manslaughter, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, domestic violence, dating violence, sexual assault, and stalking;
- Hate crimes where the offender’s actions were motivated by bias on the basis of actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability, involving any of the above criminal offenses, as well as larceny-theft, simple assault, intimidation, or destruction-damage-vandalism of property; and
- Arrests and referrals for disciplinary action for weapons, drugs or alcohol violations.

The College’s crime statistics shall be available in the Annual Security Report.


See www.easternflorida.edu/documents/asr.pdf

When compiling the crime, arrest, and referral statistics, the Chief of Security or his or her designee shall apply the rules and regulations set forth in The Handbook for Campus Safety and Security Reporting, as it may be amended from time to time, or as otherwise established by the U.S. Department of Education.

Crimes will be reported regardless of the status of the victim or the offender or whether or not either the victim or the offender was a student or employee of the College.

The ASR is to include the number of reported crimes, not the identity of the victim or the person accused of committing the crime. Although the Clery Act does not require crimes to be reported anonymously, it does prohibit personally identifiable information from being included in the College’s crime statistics. Although, it is expected that College Case Reports and witness statements provided to Campus Security Authorities (CSA) may include personally identifiable information to aid in crime investigation, the information must be omitted in the Annual Security Report and redacted from any publicly accessible web-based data collection or Campus Crime Log(s). Efforts must also be made not to disclose a fact which could lead to identifying a single person on campus.

If a person is being referred for a Student Code of Conduct violation for a drug or alcohol offense, even if the offense did not violate the law, or the person was not arrested, it is still a reportable offense under the Clery Act.

When recording reports of stalking that include activities in more than one calendar year, the College must record a crime statistic for each and every year in which the course of conduct is reported. The College shall record each report of stalking as occurring at only the first location within the College’s Clery geography in which the perpetrator engaged in the course of conduct, or the victim first became aware of the course of conduct.

The ASR shall include all reported crimes, however the College may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime, and based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless, and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report, which can only be determined to be false if the evidence from the complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner. Crime reports may only be determined to be baseless if the allegations reported did not meet the elements of the offense or were improperly classified as crimes in the first

\[10\] The entire EFSC Procedures Manual may be found at: http://www.easternflorida.edu/administration-departments/documents/procedures-manual.pdf
place. A case cannot be designated “unfounded” if no investigation was conducted or the investigation was not completed. Nor can it be designated unfounded merely because the investigation failed to prove that the crime occurred; this would be an inconclusive or unsubstantiated investigation. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest shall not “unfound” a crime report.

In the event a crime report is “unfounded,” the College shall notify the U.S. Department of Education, disclose the “unfounded” report in its annual security report, and maintain accurate documentation of the reported crime and the basis for “unfounding” the crime. This documentation must demonstrate that the determination to “unfound” the crime was based on the results of the law enforcement investigation and evidence.

In preparing the Annual Security Report, the College’s Chief of Security or his/her designee shall survey and compile statistics reported to Campus Security Department personnel, College Campus Security Authorities (CSAs), and law enforcement agencies having jurisdiction over each campus, public property within or immediately adjacent to each campus, and non-campus property owned or controlled by the College. A crime is formally “reported” when it is brought to the attention of Security Department personnel, CSAs, or local law enforcement agents by a victim, witness, other third party (even the offender) regardless of their affiliation with the College. If a CSA receives a report, that person should document the incident and immediately notify the Security Department or jurisdictional law enforcement agency. If the CSA contacts a law enforcement agency, they must also contact the Security Department immediately following their contact with law enforcement.

CSAs consist of four groups of individuals and organizations associated with the College:

- All members of the College’s Security Department.
- Any individual who has responsibility for campus security but is not an official member of the EFSC Security Department to include contracted security officers, student security escorts, and others having responsibilities for observing campus areas for safety reasons.
- Any individual or organization recognized by the College as a point of contact to whom students and employees may report criminal offenses.
- A representative of the College who has significant responsibility for student and campus activities, including, but not limited to student discipline and campus judicial proceedings who has the authority and the duty to take action or respond to particular issues on behalf of the student.

At Eastern Florida State College, CSAs include but are not limited to, Vice-Presidents, Associate Vice-Presidents, Provosts, Associate Provosts, Deans, Directors, Coaches, Assistant Coaches, Security Personnel, Student Life Coordinators, Advisors/Sponsors to Student Clubs and Organizations, Title IX Compliance Coordinator, and any other persons designated by the President. The Chief of Security shall maintain a list of those College officials designated as CSAs. Pastoral and professional counselors are exempt from CSA responsibilities if acting in their role as pastor or counselor. The Chief of Security shall work with the AVP of Human Resources to ensure the CSA’s receive annual training regarding their responsibilities as a CSA.

In addition to crime statistics, the Annual Security Report shall also provide a summary of College policies and procedures relating to safety and security, information about how to report a crime or suspicious behavior, and a description of crime prevention tips and security initiatives and resources available to students, staff, and guests of Eastern Florida State College.

On or before October 1st of each year, the AVP of Communications or his/her designee will notify all faculty, staff, and enrolled students by e-mail of the availability of the Annual Security Report, and provide a brief description of its contents and the web address where it may obtained. The notice must also provide notification that paper copies of the report may be obtained at no cost at the Campus Security Office on each of the college’s four campuses (Melbourne, Cocoa, Titusville, or Palm Bay).

The AVP of Human Resources will also ensure that all new employees are made aware of the Annual Security Report during their orientation process.

Upon request, prospective students and employees may also obtain a copy of the report without charge from the EFSC Human Resources Office in Building 2 on the Cocoa Campus at 1519 Clearlake Road, Cocoa, Florida, 32922 or by calling (321) 433-7070. The website address to electronically access the Annual Report is [www.easternflorida.edu](http://www.easternflorida.edu).
Security Report will also be included with admission and employment applications.


800.3 CRIME REPORTING AND RELATIONSHIP WITH LOCAL LAW ENFORCEMENT

Eastern Florida State College utilizes the personnel of its Security Department along with assistance from various law enforcement agencies to provide security and emergency services for each campus. Security Department personnel do not have arrest authority, but may issue parking and traffic citations, and may question individuals on College property and request that they provide identification and the reason for their presence. In cases where individuals fail to comply with the legal and appropriate requests of College Security Officers, local law enforcement officers may be called to the scene for assistance.

Eastern Florida State College encourages its students, faculty, staff, and guests to report crime, suspicious activity, or emergency situations to Security Department personnel and to the appropriate law enforcement agency in a timely manner.

To report a crime in progress, or to report an incident requiring immediate police or fire/rescue response, please first contact 911, immediately followed by a call to the campus Security Department Office so that Security Officers can help stabilize the scene and assist arriving first responders.

If using a campus/classroom phone, you may dial 8911, 9911 or 911 to reach 911 emergency dispatchers.

Campus Security Offices:

Palm Bay Campus Security Office: (321) 403-5911
Melbourne Campus Security Office: (321) 403-5909
Cocoa Campus Security Office: (321) 403-5907
Titusville Campus Security Office: (321) 403-4200

EFSC Security Officers liaison with the local law enforcement agencies and are accessible to students, faculty, staff and guests 24 hours a day, every day of the year, on all campuses. Students and employees are encouraged to contact an EFSC Security Officer if they have any knowledge or suspicion that a crime has taken place (or may take place), or if a student has been a victim of a crime on or off campus. All persons are encouraged to report any suspicious activity or persons to the Campus Security Officers immediately for investigation. EFSC Security Officers will quickly assess the situation and contact local law enforcement if needed.

Students, faculty, staff, and guests are also welcome to directly contact the jurisdictional law enforcement agency serving the campus in non-emergency situations.

Palm Bay Campus: Palm Bay Police Department (321) 952-3456
Melbourne Campus: Melbourne Police Department (321) 608-6731
Cocoa Campus: Cocoa Police Department (321) 639-7620
Titusville Campus: Titusville Police Department (321) 264-7800
Any Campus: Brevard County Sheriff’s Office (321) 264-5209

In cases where students or employees may not feel comfortable reporting a crime or suspicious behavior to a police or security officer, individuals are also free to report any crimes or suspicious behavior to any of the identified Campus Security Authorities (CSA’s) to include Vice-Presidents, Associate Vice-Presidents, Chief Financial Officer, Provosts, Associate Provosts, Deans, Directors, Security Personnel, Coaches, Assistant Coaches, Athletic Directors, Student Life Coordinators, Advisors/Sponsors to Student Clubs and Organizations, Title IX Compliance Coordinator and any other persons designated by the President.

However, in cases requiring an immediate response from law enforcement, students and employees are encouraged to utilize 911. Students and employees
who may be concerned or fearful about reporting the incident are not required to identify themselves to 911 dispatchers.

It is never too late to report criminal or suspicious information. Sometimes unusual or suspicious incidents are not readily apparent to the casual observer and it may be hours, or sometimes even days later when a person believes the event should have been reported. In these cases, persons are encouraged to report the information immediately as the information may still be critically needed to solve or prevent a crime.

**Relationship with Local Law Enforcement**

Although Eastern Florida State College does not have a formal memorandum of understanding with any law enforcement agency, the College maintains close working relationships with the Cocoa Police Department for matters concerning the Cocoa campus, the Melbourne Police Department for matters concerning the Melbourne campus, the Palm Bay Police Department for matters concerning the Palm Bay campus, the Titusville Police Department for matters concerning the Titusville campus, and the Brevard County Sheriff's Office for any matters concerning any campus or other location within Brevard County.

The College desires to maintain an outstanding relationship with each of these agencies. To encourage a strong partnership, the College provides law enforcement substations on each campus for the convenience of law enforcement officers and to encourage their presence on campus to the highest extent possible. Law enforcement officers are welcome and encouraged to patrol campuses and visit with students, faculty, staff, and guests whenever time permits. Students and employees are encouraged to share any suspicious or criminal information they have with law enforcement officers both on and off campus. The College appreciates the assistance of local law enforcement agencies when developing crime prevention and security awareness programs and materials.

**800.4 SECURITY AND ACCESS TO COLLEGE FACILITIES**

While Eastern Florida State College recognizes the importance of making its facilities on each campus open and available during normal hours of operation, the College also recognizes that reasonable limitations may be necessary to ensure the safety and security of each campus facility.

College facilities have varying hours of operation according to schedules developed by the department responsible for the facility. When a facility is to be closed, it shall be locked by Security Department personnel or other designated officials. During these times, only approved persons may gain entry, and access shall be by key or access control cards, or by admittance via the College's Security Department.

Section 301.7 of the College's Procedures Manual shall govern key requests. Unauthorized duplication of College keys is prohibited.

College Security Department personnel generally do not have arrest authority, but may issue parking and traffic citations, and may question individuals on College property to request that they provide identification and the reason for their presence. College employees are provided with identification badges.

Section 203.1 of the College's Procedures Manual shall apply to building and equipment security.

Sections 203.3, 203.4, and 203.5 of the College's Procedures Manual shall govern smoking, alcoholic beverages, and animals in College facilities.

Section 302.5 of the College's Procedures Manual shall govern illicit drugs in College facilities.

Section 203.7 and 802.4 of the College's Procedures Manual shall apply to College parking facilities. Vehicles parked illegally and without a proper annual parking permit are subject to ticketing and a fine will be imposed. College parking lots are lighted, and Security Department personnel shall escort individuals to their vehicles at night upon request. Neither the College nor the Board is responsible for any damage or theft to vehicles parked in the College parking lots or any location on College property.

All laws governing the use of motor vehicles in the State of Florida apply to College parking areas, drives and roadways. Security Department and local law enforcement personnel regularly patrol all College campuses and may issue traffic citations.

Section 804 of the College's Procedures Manual shall govern weapons on College property.

**800.5 TIMELY WARNING PROCEDURE**

In the event of a Clery Act crime which is reported to campus security authorities and which, in the judgment of the President of the College or his or her
designee in consultation with the Chief of the College's Security Department, constitutes a serious or continuing threat to students or employees, the College shall issue a “timely warning.” In addition, timely warnings may, but are not required to be issued for incidents which are not reportable under the Clery Act.

**Decision to Issue Timely Warning – Responsibility:**

The decision to issue a timely warning will be made by the President of the College or his or her designee in consultation with the Chief of Security, or his or her designee.

**Timing, Content, and Decision Criteria for a Timely Warning:**

A timely warning should be issued as soon as the pertinent information is available because the intent of a timely warning is to alert the campus community of continuing threats, especially concerning safety, thereby enabling community members to protect themselves.

The issuing of a timely warning must be decided on a case-by-case basis in light of all of the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts.

Clery Act regulations do not specify what information should be included in a timely warning. However, because the intent of the warning is to enable members of the campus community to protect themselves, the warning should include all information that would promote safety. Generally, the warning will specify the type of reported crime, the time and location at which the reported crime occurred, and specific advice to the campus community regarding steps to take to avoid becoming a victim and to protect them.

A timely warning WILL NOT include any information that would identify the victim.

**How Timely Warnings are Issued:**

1. Timely warnings will be issued upon the confirmation of a serious or continuing threat impacting the campus community and/or the surrounding area.
2. Once the President has decided that a Timely Warning shall be issued, the Chief of Security, Associate Vice President for Communications, and Associate Vice President for Information Technology, or their respective designees, will communicate and/or convene without delay to implement the notification process.

3. This information may be disseminated to campus community members via a variety of mechanisms or mediums. Eastern Florida State College will use one or more of the following means:
   - electronic mail messages
   - text messaging to cell phones of those enrolled in the College’s text message alert service
   - emergency messages on the College website
     - public/media announcements
     - public address system
     - postings and signage in campus buildings and other highly visible locations throughout campus including staff/faculty lounges
     - other methods deemed appropriate by the President or his or her designee

800.6 **EMERGENCY NOTIFICATION PROCEDURE**

In the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees, the College shall issue an “emergency notification.” The emergency notification may contain only the information that is reasonably necessary to promote the safety of the campus community as dictated by the situation.

Examples of situations that may constitute the College's decision to issue an Emergency Notification include, but are not limited to:

1. **Situations where serious injuries may or have occurred.** Examples include, but are not limited to, an active shooter, fire, explosion, hazardous chemical spill, or ongoing criminal activity.
2. **Situations that cause major disruption to campus operations.** Examples include, but are not limited to, a gas leak, tornado, hurricane, or extreme weather conditions, power outages, water emergencies, civil unrest/rioting, or serious acts or threats to campus property.

**Decision to Issue Emergency Notification – Responsibility:**

The Chief of Security, Associate Vice President for
Communications, or their respective designees, shall be responsible for confirming whether an emergency or dangerous situation exists; and if confirmed, shall notify the individuals listed below, or their respective designees, to determine the content of any emergency notification to be sent, the method of communicating the notification, and the segment of the campus community to be notified:

- President
- Vice President, Operations
- Vice President, External Affairs
- Associate Vice President, Facilities
- Associate Vice President, Information Technology

Under normal circumstances when time permits, the President shall decide whether or not an Emergency Notification should be issued after consulting with his or her management team. However, in an extreme emergency when timing is critical, the Chief of Security may choose to act alone to determine the content of notification to be sent, the method of communication, and the segment of the campus community to be notified.

An emergency notification will be released as soon as reasonably necessary and without delay, unless in the professional judgment of any of the individuals identified above, or any law enforcement authorities responding to the scene, it is determined that it would compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency or dangerous situation.

**How Emergency Notifications are Issued:**

1. The Chief of Security, Associate Vice President for Communications, or their respective designees shall be responsible for confirming whether an actual emergency or dangerous situation exists.
2. If confirmed, the Chief of Security, Associate Vice President for Communications, or their respective designees shall notify the President or his or her designee who may confer as needed with his or her management team to determine the content of any emergency notification to be sent, the method of communicating the notification, and the segment of the campus community to be notified.
3. The Chief of Security, Associate Vice President for Communications, Associate Vice President for Information Technology, or their respective designees shall be responsible for disseminating the message as directed by the President.
4. This information may be disseminated to campus community members via a variety of mechanisms or mediums. Eastern Florida State College will use one or more of the following means:
   - electronic mail messages
   - text messaging to cell phones of those enrolled in the College's text message alert service
   - emergency messages on the College website
   - public/media announcements
   - public address system
   - postings and signage in campus buildings and other highly visible locations throughout campus including staff/faculty lounges
   - other methods deemed appropriate by the President or his or her designee
5. Unlike a timely warning which must be sent campus wide, an emergency notification may be confined to a specific campus or building or may be segmented to a specific group of individuals in an area. If an emergency notification is issued, there is no need to issue a timely warning for the same circumstance.
6. The College may utilize other notifications for students, guests and/or employees (such as "Safety Advisories") which do not rise to the level of issuing Emergency Notifications or Timely Warnings.

**800.7 EMERGENCY RESPONSE AND EVACUATION**

The College shall maintain an Emergency Management Response Plan (EMRP), which shall be reviewed annually by the “Safety Policy and Procedures Compliance Committee” which includes the Vice President of External Affairs, Chief of Security, AVP of Human Resources, AVP of Information Technology, AVP of Facilities, AVP of Communications, the College’s designated Emergency Manager and any other member as designated by the President. If any revisions to the EMRP are recommended, the committee shall within fourteen (14) days of the completion of the review, notify the President in writing of the recommendations.
The purpose of the EMRP is to provide a standard administrative guideline to define the functions, response, and actions that need to be implemented for specific emergency and disaster events that may impact the operation of the College. The sole intent of the guideline is to create a response to minimize the impact an event has on quality of life, operations of College activities, and continuation of instructional and business functions, and, above all, promote the safety and security of students, faculty, staff, and guests.

The EMRP has been developed to promote efficient and effective decision making and response to an emergency or disaster event that occurs on or in close proximity to any of the College campuses or properties that may cause a negative impact to the delivery of instructional programs and business functions or create life safety issues.


The College reserves the right to redact certain portions of the EMRP when the interest of public disclosure is outweighed by the interest of nondisclosure as determined by the Chief of Security for safety and security purposes.

The EMRP shall include detailed information about what actions take place in an emergency to include listing the responsible persons and their roles in an emergency, communications directives, and expectations of affected students and staff.

The College’s EMRP shall be tested at least annually through scheduled drills, exercises, and appropriate follow-through activities, designed for assessment and evaluation of emergency plans and capabilities. The College shall conduct at least one test per year which shall be coordinated by the Chief of Security, the College’s designated Emergency Manager, the AVP of Communications and the AVP of Information Technology which can be announced or unannounced, and must:

- Be scheduled. The test cannot be as a result of an actual emergency situation or a false emergency alarm.
- Contain a drill. A drill is an activity that conducts a single procedural operation to test a component of the plan. It is permissible for multiple operations to be tested simultaneously.
- Contain an exercise. An exercise is a test involving coordination of efforts typically involving different professional disciplines. (e.g., Faculty – Security, Security – Law Enforcement, Police – Fire).
- Contain follow-through activities. A follow-through activity is an activity designed to review the exercise or drill in an effort to obtain feedback from participants (e.g., surveys, interviews).
- Contain Measurable Objectives which can be assessed.

The Chief of Security shall be responsible for coordinating the tests and maintaining documentation of each test for at least seven years.

800.8 SEXUAL OFFENDER REGISTRATION AND AWARENESS

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”), and the Campus Sex Crimes Act of 2000, as well as Florida Statute 1006.695, Eastern Florida State College provides a website address to the Florida Department of Law Enforcement (FDLE) Sexual Offender and Predator Registry. In addition to providing this link, these laws require all sexual offenders (to include sexual predators) to provide notice to each institution of higher education where they are enrolled, employed, or carrying on a vocation. Convicted sexual offenders and sexual predators must register with their local sheriff's office and must disclose their sexual offender and sexual predator status on College student and employment applications. Failure to do so may result in the student's immediate suspension or expulsion from EFSC in addition to additional criminal charges.

To access FDLE's Sexual Offenders and Predators Registry please go to http://offender.fdle.state.fl.us/offender/Search.jsp and click on the link titled "Offender Search," then click on the link titled "University Search."

The Brevard County Sheriff's Office also offers an additional resource for information pertaining to Sexual Offenders and Sexual Predators. Please go to www.brevardsheriff.com and click the link titled “Brevard Sex Offenders” which will allow the search for sexual offenders and sexual predators in a specific area.

Persons may also register to receive email alerts from the Brevard County Sheriff’s Office and/or the
Florida Department of Law Enforcement when a registered sexual offender or sexual predator relocates to an area of interest.

To learn more about Sexual Offenders and Predators, you are encouraged to visit the "Frequently Asked Questions" about Sexual Offenders on the FDLE website at http://offender.fdle.state.fl.us/offender/FAQ.jsp.

In addition, FDLE has also established the following toll-free number for public access to FDLE’s Missing Persons and Offender Registration: 1-888-FL-PREDATOR (1-888-357-7332). By contacting FDLE at this number, the public can request information about Sexual Offenders living in their communities and around the state. Requests may be made using this toll-free number on business days, between 8:00 a.m. and 5:00 p.m. (EST), Monday through Friday.

800.9 CRIME PREVENTION AND SECURITY AWARENESS PROGRAMS

Eastern Florida State College recognizes its ongoing responsibility to provide the campus community with timely information on crime prevention and security awareness, as well as primary and ongoing prevention and awareness programs relating to dating violence, domestic violence, sexual assault, and stalking. The College is firmly committed to presenting students, faculty, and staff with educational seminars, workshops, media clips, printed materials, or similar offerings, at regular intervals, and not less than once per academic year. The College may consult with local law enforcement agencies and other community resources in addition to utilizing internal resources when developing crime prevention and security awareness programs or materials.

All incoming students and new employees shall be provided with information on crime prevention and security awareness, as well as information about the College’s primary prevention and awareness programs for dating violence, domestic violence, sexual assault, and stalking. In addition, all incoming students and new employees shall be provided with the following information: the College’s statement prohibiting dating violence, domestic violence, sexual assault, and stalking, definitions of those terms, as well as the term “consent” in the State of Florida, information on risk reduction, descriptions of safe and positive options for bystander intervention, reporting procedures to be followed by victims of alleged sexual misconduct, descriptions of resources available to victims of alleged sexual misconduct, and procedures for institutional disciplinary action against perpetrators of alleged sexual misconduct. This information is available at: http://www.easternflorida.edu/our-campus/campus-security/titleix-sexual-misconduct/.

Crime prevention programs will be provided to students, faculty, and staff on a continuing basis. Periodically throughout the year, the College will host crime prevention awareness workshops or seminars dealing with various subject matters designed to make campuses safer and to provide strategies and tips on how to better protect individuals from sexual assault and other crimes. The subject matters will include a variety of important crime prevention topics such as preventing sexual assault, dating and domestic violence, stalking, deterring theft, and preventing alcohol and drug abuse in an effort to improve personal safety both on and off campus. Students and employees will also be made aware of programs such as "EFSCares" and other services available when in need of assistance.

Students and employees can obtain information about crime prevention and security awareness programs, seminars, and College-wide initiatives by going to http://www.easternflorida.edu/our-campus/campus-security/. In addition to workshops and seminars, the College may produce and disseminate media clips, printed materials, or similar offerings to promote safety awareness.

Each semester, the College shall provide all students with information relating to the partnership between the College and the Cocoa, Melbourne, Palm Bay, and Titusville Police Departments, as well as the Brevard County Sheriff’s Office.

Students and employees are encouraged to be responsible for their own safety and to read the College’s Annual Security Report (ASR) available at www.easternflorida.edu/documents/asr.pdf. In addition, students and employees are strongly encouraged to participate in the various seminars and workshops available on and off campus when offered by the College or local law enforcement agencies or community agencies specializing in safety awareness training.

The Chief of Security shall be responsible for ensuring the College’s compliance with this procedure, and shall maintain documentation of the type and frequency of programs and materials offered by the College.
800.10 SEXUAL MISCONDUCT – CAMPUS
SEXUAL AND GENDER-BASED
HARASSMENT, SEXUAL VIOLENCE,
DOMESTIC VIOLENCE, DATING
VIOLENCE, AND STALKING

Eastern Florida State College is firmly committed to maintaining a safe and healthy learning and working environment that promotes responsibility and respect, and where no one is unlawfully excluded from participation in, denied the benefits of, or subjected to discrimination in any College program or activity on the basis of sex or gender. The College is committed to maintaining a learning and working environment free from sexual or gender-based harassment, sexual exploitation, sexual violence, dating violence, domestic violence, and stalking (collectively referred to in this procedure as “Sexual Misconduct”).

Sexual Misconduct diminishes individual dignity, jeopardizes the welfare of our students and employees and impedes access to educational, social and employment opportunities. Sexual Misconduct violates our institutional values of Respect, Integrity, Accountability and Excellence. Sexual Misconduct is expressly prohibited by College policies and procedures as well as federal and state law.

The following procedures exist to prevent Sexual Misconduct when possible, explain the steps that should be taken if Sexual Misconduct occurs, and provide the manner in which the College will respond once it is made aware of reported Sexual Misconduct. These procedures are to be implemented in keeping with Section 800.10 of the Board Policy Governance Manual and to meet the College's legal obligations under Title IX, the “Jeanne Clery Act,” the “Violence Against Women Reauthorization Act” (VAWA), and other applicable state and federal laws. Every member of the College community should be aware that the College strictly prohibits all forms of Sexual Misconduct. The College will respond promptly and effectively to reports of Sexual Misconduct and will take any and all appropriate actions to prevent, correct, and when necessary, to discipline behavior that violates the College’s policy and procedures regarding Sexual Misconduct.

A. Implementation of the Sexual Misconduct Policy & Procedures

The Vice President of Operations, the Vice President of Academic and Student Affairs & Chief Learning Officer, and the Associate Vice President of Human Resources are the Responsible Officers for the Sexual Misconduct policy and have the authority to implement the policy and to develop procedures for the President's review and implementation to support the implementation of the policy. Responsible Officers may apply appropriate and consistent interpretations to clarify the policy provided that the interpretations do not result in substantive changes to the underlying policy.

B. Scope and Jurisdiction

The College's Sexual Misconduct policy and procedure applies to any allegation of Sexual Misconduct made by or against a student, employee, or affiliate doing business with or providing services to the College, regardless of the sex, sexual orientation, sexual identity, gender, gender expression, or gender identity of any party. The College's prohibition against Sexual Misconduct applies not only in the educational and working environment, but also to all other academic, educational, athletic, extracurricular, or work-related settings and activities, such as social functions, business trips, educational field trips, athletic trips, and clinical or internship placements. Moreover, the College's prohibition against Sexual Misconduct applies not only to physical contact, but also to oral, written, and electronic and other technology-assisted communications, such as email, text messages, voicemail, Internet communications and the like.

The College's prohibition against Sexual Misconduct applies whether or not the incident(s) occurs on College property and whether or not the incident(s) occurs during educational or working hours. If both parties are members of the College community, and an incident occurs away from College property or outside the context of a College program or activity, the College will consider the effects of the conduct on an individual's educational or working experience, including the impact on the individual's ability to participate in College programs or activities.

While there is no deadline for reporting Sexual Misconduct, incidents should be brought forward as soon as possible after the conduct occurs. Prompt reporting will better enable the College to investigate the acts, determine the issues, and provide an appropriate remedy and/or action. The College will respond to reports of Sexual Misconduct to the greatest
extent possible, taking into account the amount of time that has passed since the alleged conduct occurred.

C. Prohibited Acts

The College prohibits all forms of Sexual Misconduct as set forth in Section Q of this procedure. Sexual Misconduct is a broad term that includes sexual or gender-based harassment, sexual violence, dating violence, domestic violence, stalking, sexual exploitation, retaliation, and aiding or facilitating the commission of a violation of this procedure. In addition, the College may treat attempts to commit any of the prohibited forms of Sexual Misconduct set forth in Section Q as if those attempts had been completed.

D. Consensual Relationships

This procedure specifically covers Sexual Misconduct as set forth in Section Q of this procedure. Consensual romantic relationships not involving Sexual Misconduct as contemplated by this procedure between members of the College community are subject to other College policies and procedures. While romantic relationships may begin as consensual, they may evolve into situations that lead to reports of Sexual Misconduct which are subject to this procedure.

E. Dissemination of the Policy, Educational Programs, and Employee Training

As part of the College’s commitment to providing a working and learning environment protected from Sexual Misconduct, this procedure shall be disseminated widely to the College community through publications, websites, new employee orientations, student orientations, and other appropriate channels of communication. Educational materials shall be available to all members of the College community to promote compliance with this procedure and familiarity with reporting procedures. Education and awareness programs/materials shall include information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks, as well as safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault or stalking against a person other than the individual. In addition, Title IX Compliance Coordinator, Chief Equity and Diversity Officer, or Chief of Security may designate employees responsible for handling reports of Sexual Misconduct and provide training to those designated employees at least annually.

F. Reporting Sexual Misconduct

The College will investigate any reported incident(s) of Sexual Misconduct, even if the person(s) making the report requests that no action be taken.

Reports or inquiries regarding Sexual Misconduct may be directed to any of the following College officials:

1. Title IX Compliance Coordinator, Mark Renkens, Melbourne Campus, Building 10, Room 215, 3865 North Wickham Road, Melbourne, Florida 32935; (321) 433-7180; e-mail: renkensm@easternflorida.edu.
2. AVP, Human Resources, Darla Ferguson, Cocoa Campus, Building 2, Room 113, 1519 Clearlake Road, Cocoa, Florida 32922; phone: (321) 433-7080; e-mail: fergusonod@easternflorida.edu.
3. Chief of Security, Joe Ambrose, Melbourne Campus, Building 8, Room 201, 3865 North Wickham Road, Melbourne, Florida 32935; phone (321) 433-7007; e-mail: ambrosej@easternflorida.edu.

Reports may also be made to any College Security Officer or Responsible Employee. Any Security Officer or Responsible Employee who receives a report shall immediately notify the above-referenced persons, or their respective designee. For purposes of this procedure, a “Responsible Employee” is a College employee who has the authority to redress Sexual Misconduct, who has the duty to report incidents of Sexual Misconduct or other student misconduct, or who a student could reasonably believe has this authority or duty, including any employee designated as a Campus Security Authority. In addition, anonymous reports may be made using the “Anonymous Reporting Form” available on the College website. Please note that anonymous reports will be investigated, but investigation may be limited depending on the information provided.

All members of the College community are
encouraged to contact any of the above-referenced persons if they observe or encounter conduct that may be subject to the College’s Sexual Misconduct policy and procedure. If the person to whom Sexual Misconduct normally would be reported is the individual accused of Sexual Misconduct, the report may be made to any Vice President.

 Individuals who make reports that are later found to have been intentionally false or made maliciously without regard for truth may be subject to disciplinary action and possible arrest and criminal action. This provision does not apply to reports made in good faith, even if the facts alleged in the report cannot be substantiated by an investigation.

 Individuals experiencing alleged Sexual Misconduct also have the right to file a formal grievance with outside government agencies such as:

 Florida Department of Education  
 Division of Florida Colleges, Equity and Civil Rights Compliance  
 325 West Gaines Street, Suite 1544  
 Tallahassee, FL 32399-0400  
 Phone: 850-245-9468  
 or  
 U.S. Department of Education  
 Office for Civil Rights, Atlanta Office  
 61 Forsyth St. S.W., Suite 19T10  
 Atlanta, GA 30303-8927  
 Telephone: 404-974-9406

G. Information to Reporting Parties

Any person who provides credible information alleging conduct that may fall within the provisions the College’s Sexual Misconduct policy and procedure ("reporting party"), whether the offense occurred on or off campus, shall be provided with a hard or electronic copy of the College’s most recent Sexual Misconduct Resource Guide, which shall contain information about:

1. The College’s Sexual Misconduct policy and procedure.
2. Their option to contact law enforcement authorities immediately and directly.
3. Their ability to obtain assistance of Campus Security Officers or College staff in notifying law enforcement authorities if the reporting party so chooses.
4. Their option to decline to notify law enforcement authorities.
5. The procedures and contact information needed to obtain orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal or civil courts.
6. The importance of preserving evidence as may be necessary to prove criminal domestic violence, dating violence, sexual assault, sexual battery or stalking, or to assist in obtaining a protection order.
7. Existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims both on-campus and in the community.
8. Options for, and available assistance in, changing academic, living, transportation, and working situations, if requested by the reporting party and if reasonably available.
9. Options for resolution by the College.
10. Their rights and options as a crime victim in the State of Florida.

H. Interim Protective Measures, Accommodations, and Disciplinary Sanctions

Once a report of alleged Sexual Misconduct has been made to the College, the Title IX Compliance Coordinator (or designee), in consultation with other appropriate College officials, will determine whether any interim protective measures, accommodations, and/or disciplinary sanctions are needed to address the reported Sexual Misconduct. If at any point during the resolution process, the Title IX Compliance Coordinator (or designee) reasonably believes that any person(s) alleged to have violated the College’s Sexual Misconduct policy and procedure ("responding party") poses a substantial threat of harm to the reporting party or other member(s) of the College community; threatens or endangers College property; or disrupts the stability and continuance of normal College operations and functions, the Title IX Coordinator (or designee), in consultation with appropriate College officials, may take interim actions such as those listed below.

1. Interim Protective Measures and Accommodations for Reporting Parties.

When warranted to protect a reporting
party, the Title IX Coordinator (or designee) may implement one or more interim protective measures and/or accommodations, if appropriate and/or reasonably available, including but not limited to the following:

a. Issuing of no-contact orders to prevent any contact between a reporting party, a responding party, witnesses, and/or third parties to ensure the safety of all parties and the integrity of the process;

b. Providing the reporting party an escort on campus to ensure that he or she can move safely between classes, work, and/or activities;

c. Rescheduling class work, assignments, and examinations (with the agreement of the appropriate faculty);

d. Changing work arrangements or schedules (with the agreement of the appropriate supervisor);

e. Providing academic support services such as: providing alternative course completion options, dropping a course without penalty, or transferring to a different class section (with the agreement of the appropriate faculty);

f. Limiting an individual or organization’s access to certain College facilities or activities pending resolution of the matter;

g. Transportation accommodations, such as alternate parking arrangements to ensure safety.

2. Interim Disciplinary Measures for Responding Parties. Examples of possible interim disciplinary measures may include:

a. Restrictions on contact with certain individuals;

b. Restrictions on entry and/or movement on College property;

c. Restrictions or revocation of privileges;

d. Restrictions on, or suspension from, participation in any College-sponsored program, activity, event, organization, club, athletic team, or competition;

e. Placement on disciplinary probation;

f. Suspension or expulsion from the College;

g. Change of position, duties, assignments, or job location;

h. Placement on paid or unpaid administrative leave;

i. Termination of employment.

The specific interim measures, whether protective or disciplinary in nature, will vary depending on the facts of each case. The Title IX Compliance Coordinator (or designee) will consider a number of factors in determining what interim measures to take, including, for example, the specific need expressed by the reporting party; the age of the parties involved; the severity or pervasiveness of the allegations; any continuing effects on the reporting party; whether the parties share the same class, transportation, job location, or residence; and whether other judicial measures have been taken to protect the parties (e.g., injunctions).

I. Preliminary Inquiry

Upon receipt of credible information alleging conduct that may fall within the provisions of the College's Sexual Misconduct policy and procedure, a preliminary inquiry will be conducted to determine an appropriate course of action. During the preliminary inquiry, various College representatives may meet with or receive statements from the reporting party, responding party, or witnesses, and gather information regarding the allegations.

At the conclusion of the preliminary inquiry, the Title IX Compliance Coordinator (or designee) will decide an appropriate course of action in consultation, as necessary, with the reporting party, responding party, and other College officials. While the facts of each case will be different, and the Title IX Compliance Coordinator (or designee) has ultimate discretion to decide the appropriate course of action to be taken in any particular case, in general, cases will be resolved consistent with the following:

1. If there is reasonable cause to believe the allegations, if substantiated, could constitute a violation of the College's Sexual Misconduct policy and procedure, and the reporting party elects a resolution by the College, options for Informal Resolution and Formal Investigation will be explored.
2. If there is reasonable cause to believe the allegations, if substantiated, could constitute a violation of the College’s Sexual Misconduct policy and procedure, but the reporting party does not elect a resolution by the College, requests that the College not investigate, requests confidentiality, refuses to cooperate, or if the allegations are made anonymously, the Title IX Compliance Coordinator shall determine the appropriate action to be taken, which may include a Formal Investigation.

3. If there is reasonable cause to believe the allegations, if substantiated, would not constitute a violation of the College’s Sexual Misconduct policy and procedure, or if the conduct at issue would be more appropriately addressed by another College unit or official, the matter may be referred to another College unit or official.

4. If the College does not have jurisdiction over the matter, or if the information received is insufficient to warrant further investigation, the case may be closed, subject to the right of the College to reopen it at any time for good cause.

5. Other appropriate action to be taken as determined by the Title IX Compliance Coordinator.

J. Requests for Confidentiality

Information received by the College alleging conduct that may be subject to the College’s Sexual Misconduct policy and procedure is not generally confidential due to the obligation of the College to respond to the alleged conduct. Additionally, it may be necessary for College representatives to contact law enforcement or other agencies if a victim is subject to Chapter 39, Florida Statutes (Proceedings Relating to Children; Vulnerable Persons Act), a crime has been committed, or if an individual is in danger.

Notwithstanding the above, individuals who allege they have been subjected to Sexual Misconduct have the right to (i) request that the College not investigate the information or allegation(s) reported, (ii) request confidentiality, and/or (iii) refuse to cooperate in the investigation and/or resolution of allegation(s).

The College shall take any such request and decision seriously; however, such requests and decisions may limit the College’s ability to investigate and take reasonable action in response to a report of Sexual Misconduct. In such cases, the College will evaluate such requests and decisions in the context of the College’s commitment to provide a reasonably safe and non-discriminatory environment.

In order to make such an evaluation, the Title IX Compliance Coordinator may conduct a preliminary inquiry into the alleged Sexual Misconduct and may weigh such requests and decisions against the following factors:

1. The increased risk that the alleged perpetrator will commit additional acts of sexual or other violence, such as:
   a. Whether there have been other Sexual Misconduct complaints about the same alleged perpetrator;
   b. Whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
   c. Whether the alleged perpetrator threatened further Sexual Misconduct or other violence against the victim or others;
   d. Whether the Sexual Misconduct was committed by multiple perpetrators.

2. The seriousness of the alleged Sexual Misconduct, including but not limited to whether the Sexual Misconduct was perpetrated with a weapon;

3. Whether the victim is a minor;

4. The responding party’s right to receive information about the allegations if the information is maintained by the College as an "Education Record" under FERPA;

5. Whether the College possesses other means to obtain relevant evidence of the Sexual Misconduct (e.g., security cameras or security personnel, physical evidence); and

6. Whether the victim’s report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group or person.

The presence of one or more of these factors could lead the College to investigate (and possibly even initiate a Formal Investigation) and, if appropriate, pursue disciplinary action. If none of these factors is present, the College will likely respect the victim’s request for confidentiality. If the College honors the request for confidentiality, a victim must understand that the College’s ability to meaningfully
investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited. There are times when the College may not be able to honor a victim’s request in order to provide a safe, non-discriminatory environment for all members of the College community. If the College determines that it cannot maintain a victim’s confidentiality, the Title IX Compliance Coordinator or designee will inform the victim prior to initiating an investigation and will, to the extent possible, only share information with people responsible for handling the College’s response.

The State of Florida places a high value on being transparent with regards to public records. As a result, many documents and records maintained by public entities including public colleges and universities are public records. There are provisions under the law which protects the identity of victims of sexual abuse and other criminal acts. Any release of public information will be done in compliance with state and federal laws. In addition, all College employees shall protect the confidentiality of victims and other necessary parties in any publicly available records, reports, or disclosures, and shall maintain as confidential any accommodations or protective measures provided to a victim to the extent that maintaining such confidentiality would not impair the College’s ability to provide the accommodations or protective measures.

K. Procedures for Informal Resolution

In appropriate instances where it is deemed possible and safe, the Title IX Compliance Coordinator (or designee) may choose to attempt to resolve certain allegations of Sexual Misconduct through Informal Resolution means. If, based on the facts of the case, it is determined that an Informal Resolution may be appropriate, the Title IX Compliance Coordinator or designee will discuss this option with the reporting party and/or the responding party during the preliminary inquiry.

The College will not use the Informal Resolution process to address matters alleging any form of Sexual Violence.

It is not necessary to pursue Informal Resolution first in order to make a request for Formal Investigation. Moreover, a reporting party may terminate the Informal Resolution process at any time and proceed with a Formal Investigation. The Title IX Compliance Coordinator may also terminate Informal Resolution at any time and order that the parties proceed with Formal Investigation 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 Investigation proceedings.

If Informal Resolution is determined to be appropriate, the Title IX Compliance Coordinator (or designee) may meet separately with both parties to present and discuss an informal resolution based on the information available. In the Informal Resolution process, the Title IX Compliance Coordinator (or designee) does not serve in the role of fact finder but rather identifies possible resolutions to the alleged conduct. If both the reporting party and responding party are satisfied with a proposed resolution and the Title IX Compliance Coordinator believes the resolution satisfies the College’s obligation to provide a safe and non-discriminatory environment for the entire College community, the resolution will be implemented, and the matter will be closed.

If these efforts are unsuccessful, the Formal Investigation process will commence as set forth in Section L below.

The Title IX Coordinator will maintain records of all reports and conduct referred for Informal Resolution. Informal Resolution will typically be completed within thirty (30) days of receipt of the report.

L. Procedures for Formal Investigation

The College will determine whether an individual is responsible for a violation of the College’s Sexual Misconduct policy and procedure, and what, if any, disciplinary sanctions and/or remedial actions are appropriate, in accordance with the procedures described below:

1. The individual(s) accused of Sexual Misconduct shall be provided with notice of the allegations, and a copy of the College’s Sexual Misconduct policy and this procedure.
2. The reporting party and the responding party are both entitled to be advised about
the estimated timeframe of the investigation.

3. The College will administer a fair and impartial investigation, which may include a formal hearing at the request of the reporting party, the responding party, or Title IX Compliance Coordinator. The person conducting the investigation (“investigator”) shall be familiar with the College’s Sexual Misconduct policy and this procedure and have training or experience in conducting Sexual Misconduct investigations.

4. Formal investigations may include, but are not limited to, conducting separate interviews with the reporting party, the responding party, and any witnesses, reviewing available law enforcement investigation documents, reviewing student and personnel files, and gathering and examining other relevant documents or evidence as appropriate. A formal investigation may also include a formal hearing, which shall afford each party the opportunity to present any relevant information to the investigator. Throughout a formal investigation, disclosure of facts to parties and witnesses shall be limited to what is reasonably necessary to conduct a fair and thorough investigation and hearing (if applicable) and in accordance with state and federal laws.

5. Upon request, the reporting party and the responding party may each have a representative (“advisor”) present when he or she is interviewed and at any subsequent proceeding, hearing, or related meeting. Other witnesses may have a representative present at the discretion of the investigator or as required by applicable College policy or collective bargaining agreement.

6. Requests for a formal hearing must be made in writing and received by the Title IX Compliance Coordinator (or designee) within five (5) business days of the report of Sexual Misconduct for reporting parties, and within five (5) business days of receipt of the notice of allegations for responding parties. A business day constitutes a day where the College is open for business. Any requests for a formal hearing made after these deadlines will only be granted upon showing of good cause.

7. Any formal hearing will be conducted by the investigator, and both parties shall be given reasonable notice and an equal opportunity to present relevant information to the investigator, as well as have an advisor of their choice present, although that advisor’s role may be limited at the discretion of the investigator. The investigator shall have no authority to compel the attendance of either party or any witness, and neither party, nor their advisor, may personally question or cross-examine the other party or any witness. Any questions for cross-examination must be submitted to the investigator, who shall have the sole discretion to ask or not ask a particular question as he or she deems appropriate. Further, no questions about a reporting party’s sexual history with anyone other than the responding party shall be allowed.

8. If requested or appropriate, alternative testimony options will be given for any formal hearing, such as placing a privacy screen in the hearing room, or allowing the reporting party or any witness to testify outside the presence of the responding party, such as by Skype or phone. While these options are intended to help make the reporting party or witness more comfortable, they are not intended to work to the disadvantage of the responding party. Any requests for alternative testimony options must be received by the investigator at least seventy-two (72) hours prior to the formal hearing.

9. If any party or witness fails to appear for a formal hearing, the hearing will be conducted in their absence.

10. Any hearings may be recorded (audio or video), transcribed, or otherwise documented at the discretion of the investigator and/or Title IX Compliance Coordinator.

11. At the conclusion of the formal investigation, a written report shall be prepared and contain, at a minimum, a statement of the allegations and issues, the positions of the parties, a summary of the evidence, the findings of fact, and a determination as to whether the College’s Sexual Misconduct policy and procedure have been violated.

12. The “preponderance-of-the-evidence” standard (i.e., more likely than not) shall be used in determining whether or not there has been a violation of the College’s Sexual Misconduct policy and procedure.

13. The reporting party and the responding party will be informed in writing of:
   a. The result of the formal investigation
(i.e. whether the College's Sexual Misconduct policy and procedure was violated);

b. The procedures for appealing the result of the investigation;

c. Any change to the result that occurs prior to the time that such result becomes final; and

d. When the result becomes final.

e. In addition to the above, the reporting party shall also be informed in writing of any individual remedies offered or provided to the reporting party, and/or any sanctions imposed on the responding party, whether or not they directly relate to the reporting party. Further, the reporting party shall be informed of steps the College has taken to eliminate the hostile environment, if the College finds one to exist, and steps taken to prevent recurrence. The responding party shall not be notified of the individual remedies offered or provided to the reporting party.

14. The reporting party and the responding party may request a copy of the investigative report pursuant to College policy governing privacy and access to personal information. However, the report shall be redacted to protect any confidential information in accordance with College policy and state law.

15. The reporting party and/or the responding party may appeal the result of the formal investigation. Any appeal must be submitted in writing to the College's Title IX Compliance Coordinator within seven (7) days of the result becoming final. All appeals shall be based upon one or more of the following: (1) improper procedures materially affected the result of the investigation; (2) newly discovered material information or evidence was obtained that was not available at time of the investigation or hearing (if applicable) and would have a significant impact on the result; or (3) the sanction imposed was inappropriate for the offense in question. Dissatisfaction with the result is not grounds for appeal. Any sanctions imposed will not be stayed during the appeals process.

16. The appeal shall consist of a plain, concise, and complete written statement outlining the grounds for appeal. Upon receipt of the appeal, the College's Title IX Compliance Coordinator or designee will provide the other party notice of the appeal and the opportunity to respond in writing to the appeal. Any response must be submitted within seven (7) days from the notice of appeal. In the event both parties initially appeal the result, each party will be provided notice and a copy of the other party's appeal or response.

17. Any appeal will be conducted in an impartial manner by an assigned appeals officer, which may include oral argument at the sole and absolute discretion of the appeals officer.

18. In any appeal, the burden of proof lies with the party requesting the result and/or sanction be modified in some respect, as the original result and sanction are presumed to be decided reasonably and appropriately. The appeal is not a new review of the underlying matter. The appeals officer shall consider the merits of an appeal only on the basis of the three stated grounds for appeal (as identified in paragraph 15 above).

19. The appeals officer can affirm the original result, alter the result, and/or alter the sanctions, depending on the basis of the requested appeal. If the appeal is based on improper procedures, the appeals officer can ask that a new investigation and/or adjudication, or other appropriate action, occur. In the case of newly discovered material information or evidence, the appeals officer can recommend that the case be returned to the investigator to assess the weight and effect of the newly discovered information or evidence and render a determination after considering the new information or evidence.

20. The appeals officer will communicate the result of the appeal to the parties within fourteen (14) days from the date of the submission of all appeal documents by both parties, or the date of oral argument (if any), whichever is later. The decision of the appeals officer is final.

M. Dual Agency Investigation Procedures – Criminal and Administrative

If the alleged conduct is also the subject of a criminal investigation, the College is not permitted to wait for the conclusion of the criminal investigation to begin an administrative investigation, as criminal investigations and successful prosecutions can
take months and sometimes years to conclude. However, the College may need to temporarily delay the fact-finding portion of a Sexual Misconduct investigation while law enforcement authorities are gathering evidence for their criminal case. Once notified that the Police Department or Sheriff's Office has completed its gathering of evidence, the College shall promptly resume and complete its fact-finding for the Sexual Misconduct investigation. The gathering of evidence may include the interviewing of witnesses and subjects. Prior to interviewing persons involved with a criminal case, efforts should be made by College representatives to discuss intentions with law enforcement investigators to ensure administrative efforts are not interfering with the criminal case.

N. Other Complaint or Grievance Procedures

An individual who believes he or she has been subjected to Sexual Misconduct may file a complaint or grievance pursuant to any applicable complaint resolution or grievance procedure provided in the Student Handbook or any applicable collective bargaining agreement. Such complaint or grievance may be filed either instead of or in addition to making a report of Sexual Misconduct to the Title IX Compliance Coordinator, Chief Equity and Diversity Officer, Chief of Security, or other appropriate official designated to review and investigate Sexual Misconduct complaints under this procedure. A complaint or grievance alleging Sexual Misconduct must meet all the requirements under the applicable complaint resolution or grievance procedure, including time limits for filing.

1. If a complaint or grievance alleging Sexual Misconduct is filed in addition to a report made to the Title IX Compliance Coordinator, Chief Equity and Diversity Officer, Chief of Security, or other appropriate official designated to review and investigate Sexual Misconduct complaints under this procedure, the Informal Resolution or Formal Investigation shall constitute the first step or steps of the applicable complaint resolution or grievance procedure.

2. Once a complaint or grievance is filed, the reporting party shall be provided with a hard or electronic copy of the College's most recent Sexual Misconduct Resource Guide.

0. Remedies and Sanctions

If a report, complaint, or grievance alleging a violation of the College's Sexual Misconduct policy and procedure is substantiated, the College will determine the appropriate sanctions.

1. For Students, sanctions may include one or more of the following:
   a. Expulsion. Mandatory separation from the College with no promise of future re-admission. A student who has been expelled is barred from enrolling at or visiting any of the campuses or centers of Eastern Florida State College. The Provost will present recommendations for expulsion to the President. Only the President may authorize an expulsion.
   b. Suspension. Mandatory separation from the College for a period of time as specified in the order of suspension. A student who has been suspended is barred from enrolling at or visiting any of the campuses or centers of Eastern Florida State College during the suspension. The student may re-enroll at the College when the suspension order has elapsed. The Provost will present recommendations for suspension to the President. Only the President may authorize a suspension.
   c. Final Disciplinary Probation. A disciplinary sanction serving notice to a student that the behavior is in flagrant violation of College standards and that the following conditions exist:
      i. The sanction is for the remainder of the student's attendance at the College.
      ii. Another violation of any College policy, procedure, or Student Code of Conduct will result in the imposition of the minimum sanction of suspension.
   d. Disciplinary Probation. A disciplinary sanction serving notice to a student that the student's behavior is in serious violation of College standards and that continued enrollment depends upon the maintenance of satisfactory citizenship during the period of probation.
   e. Disciplinary Censure. A disciplinary sanction serving notice to a student that the student's behavior has not met
College standards. This sanction remains in effect for the duration of one complete semester. Future violations of any College policy, procedure, or Student Code of Conduct, if occurring while disciplinary censure is in effect, could result in more serious disciplinary sanctions.

f. **Trespass from the College.** A student may be trespassed from the College for behavior which is disruptive or illegal as administered by the local police municipalities. Upon notification of trespass order from the local municipality, security will notify the appropriate Associate Provost and Provost for follow up. Students will receive a letter of notification and instruction from the Associate Provost addressing the order, right to appeal and individual to contact for follow up.

g. **Restrictions or Revocation of Privileges.** Temporary or permanent restrictions and/or loss of privileges, including but not limited to:
   i. Contact or interaction with other members of the College community;
   ii. Access to, use of, or physical presence in specified areas of a campus or other property owned or controlled by the College;
   iii. Participation in any College-sponsored program, activity, event, organization, club, athletic team, or competition;
   iv. College-related employment, service, or assignments.

h. **Restitution.** Reimbursement for damage to, or misappropriate use of, property of the College or other persons. Reimbursement may take the form of rendering repair or compensating for damages.

i. **Community Service.** A student may be required to complete work assignments or other service to the College community.

j. **Educational or Counseling Assignment.** A student may be assigned sanctions, educational or supportive in nature, to aid in his/her development and better understanding of his/her choices. The student will be given a definite time frame for each assignment and is expected to complete assignments within that time frame in order to avoid further conduct action.

k. **Withholding of diplomas, transcripts, or other records.**

l. **Transcript notations.**

m. **Verbal or written warning or reprimand.**

n. **Other action as deemed appropriate.**

2. For **Staff and Faculty** employees, sanctions may include any form of discipline, up to and including termination, as set forth in the Eastern Florida State College Procedures Manual, and/or applicable collective bargaining agreement then in effect.

P. **Privacy Concerns**

The College shall protect the privacy of individuals involved in a report of Sexual Misconduct to the extent permitted by law and College policy. A report of Sexual Misconduct may result in the gathering of extremely sensitive information about individuals in the campus community. College policy, procedure, or applicable law regarding access to public records and disclosure of personal information may require disclosure of certain information concerning a report of Sexual Misconduct. The College may claim an exemption to disclosure of any records relating to any investigation or resolution methods subject to this procedure as provided in F.S. 119.071.

It should be noted that the Family Educational Rights and Privacy Act (FERPA) generally prohibits the improper disclosure of personally identifiable information derived from education records. Thus, information that an official obtains through personal knowledge or observation, or has heard orally from others, is not protected under FERPA. This remains applicable even if education records exist which contain the same information. Thus, information received in conjunction with a verbal report of Sexual Misconduct is not protected by FERPA.

In addition, under FERPA, schools may disclose information from “law enforcement unit” records to anyone, including outside law enforcement authorities, without consent from parents or eligible students. A “law enforcement unit” means any individual, office, department, division, or other component of a
school that is officially authorized or designated by the school to enforce any local, State, or Federal law, or refer to appropriate authorities a matter for enforcement of any law against any individual or to maintain the physical security and safety of the school. The law enforcement unit does not lose its status as a law enforcement unit if it also performs other functions for the school, including investigating allegations of Sexual Misconduct. However, education records, or personally identifiable information from education records, which the school shares with the law enforcement unit do not lose their protected status as education records because they were shared with the law enforcement unit.

Further, an individual who has made a report of Sexual Misconduct may be advised of sanctions imposed against the responding party when the individual needs to be aware of the sanction in order for it to be fully effective (such as restrictions on communication or contact with the individual who made the report).

Finally, when the offense involves a crime of violence or a non-forcible sex offense, FERPA permits disclosure to the reporting party of the final results of a disciplinary proceeding against the responding party, regardless of whether the College concluded that a violation was committed.

Q. Terms, Definitions and Conduct Guidelines

The terms set forth below and referenced in this procedure have the following meanings:

1. Sexual Harassment
   Sexual Harassment is defined as unwelcome conduct of a sexual nature, including but not limited to unwelcome sexual advances, requests for sexual favors, other verbal, nonverbal, visual, or physical conduct of a sexual nature, such as acts of Sexual Violence (defined below), or other offensive behavior directed toward an individual because of or on account of the individual’s sex or sexual orientation, whether by a person of the same or opposite gender, when either:
   a. Submission to, rejection, or toleration of such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, education, or participation in a College program or activity, or is used as a basis or factor in decisions affecting an individual’s employment, education, or participation in a College program or activity (“Quid Pro Quo Sexual Harassment”); or
   b. Such conduct creates a Hostile Environment (defined below).

   Sexual Harassment may include incidents between any members of the College community, including faculty and other academic appointees, staff, coaches, residents and interns, students, student employees (when acting within the course and scope of employment), and non-student or non-employee participants in College programs, such as vendors, contractors, visitors, and patients. Sexual Harassment may occur in hierarchical relationships or between peers, or between persons of the same sex or opposite sex.

   Sexual Harassment may occur in many forms. When determining whether alleged conduct constitutes Sexual Harassment, the conduct will be evaluated based upon the standard of a reasonable person in the position of the reporting party, taking into consideration the context and circumstances in which the conduct occurred. Examples of behavior that might be considered Sexual Harassment include, but are not limited to:

   • Threats, either directly or by implication, of adverse employment or academic action if sexual favors are not granted or punishing, either directly or by implication, for refusing to tolerate harassment, for refusing to submit to sexual activity, or for reporting harassment;
   • Promising favorable treatment or continued employment in return for sexual favors;
   • Change of academic or employment responsibilities (increase in difficulty or decrease of responsibility) based on sex or gender-related status;
   • Unwanted, unnecessary or objectively inappropriate physical contact or suggestive body language, such as touching, patting, pinching, hugging, kissing, or brushing against an
individual’s body, especially after being told to such behavior was unwanted, unnecessary or inappropriate;
• Any act of Sexual Violence (as defined below);
• Physical coercion or pressure of an individual to engage in sexual activity or punishment for a refusal to respond or comply with sexual advances;
• Display or distribution of pornographic material or sexual explicit drawings, pictures, or written materials;
• Sexual rumors or ratings of sexual activity/performance or the circulation, display, or creation of e-mails or websites of a sexual nature;
• Excessively offensive remarks, including unwelcome graphic or suggestive comments about an individual's body, appearance or dress;
• Jokes and humor about sex or gender-specific traits;
• Inappropriate use of sexually explicit or offensive language or derogatory language directed at another person’s sexuality, gender, gender identity, sexual orientation or gender expression;
• Insults and threats based on sex, gender, gender identity, sexual orientation or gender expression;
• The display in the workplace of sexually suggestive objects or pictures which create an intimidating or Hostile Environment;
• The display or circulation of written materials or pictures degrading to an individual(s) or gender group where such display is not directly related to an educational/pedagogical, artistic, or work goal;
• Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping. Harassment for exhibiting what is perceived as a stereotypical characteristic for one's sex, or for failing to conform to stereotypical notions of masculinity and femininity, regardless of actual or perceived gender related status of the harasser or her/his/their target;
• Abusive, disruptive or harassing behavior, whether verbal or physical, which endangers another's mental or physical health, including but not limited to threats, acts of violence, or assault based on gender related status and/or in the context of intimate partner violence;
• Other unwelcome and unwanted conduct of a sexual nature, such as leering, name calling, suggestive comments and sexual propositions or innuendos and other oral, written or electronic communications of a sexual nature that an individual communicates is unwanted and unwelcome.

Sexual Harassment in any form is prohibited by the College, and the above definition and examples will be used in determining whether a responding party is responsible for committing Sexual Harassment under the College’s Sexual Misconduct policy and procedure; with the understanding that while the above examples are illustrative, the list is not exhaustive.

2. **Gender-Based Harassment**

Gender-Based Harassment is unwelcome conduct of a non-sexual nature based upon an individual's actual or perceived sex, including conduct based on an individual’s sexual orientation, gender identity, gender expression, and nonconformity with gender stereotypes.

Gender-Based Harassment that creates a Hostile Environment is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Gender-Based Harassment under the College’s Sexual Misconduct policy and procedure.

3. **Unwelcome Conduct**

Conduct is considered unwelcome if a person did not request or invite it and considered the conduct to be undesirable or offensive. Unwelcome conduct may take various forms, including name-calling, graphic or written statements (including the use of cell phones or the Internet), or other conduct that may be physically threatening, harmful, or humiliating. Unwelcome conduct does not have to include intent to harm, be directed at a
specific target, or involve repeated incidents. Unwelcome conduct can involve persons of the same or opposite sex. Participation in the conduct or the failure to complain does not always mean that the conduct was welcome. The fact that a person may have welcomed some conduct does not necessarily mean that the person welcomed other conduct. Also, the fact that a person requested or invited conduct on one occasion does not mean that the conduct is welcome on a subsequent occasion.

Unwelcome conduct is prohibited by the College.

4. **Hostile Environment**

A Hostile Environment exists when conduct is sufficiently serious to deny or limit an individual’s ability to participate in or benefit from the College’s programs or activities. A hostile environment can be created by anyone involved in a College’s program or activity (e.g., administrators, faculty members, students, and campus visitors).

In determining whether conduct has created or evinced a Hostile Environment, the College considers the conduct in question from both a subjective and objective perspective. It will be necessary, but not enough, that the conduct was unwelcome to the individual who was harassed. But the College will also need to find that a reasonable person in the individual’s position would have perceived the conduct as undesirable or offensive in order for that conduct to create or contribute to a Hostile Environment.

To make the ultimate determination of whether a Hostile Environment exists for an individual or individuals, the College considers a variety of factors related to the severity, persistence, or pervasiveness of the conduct including: (1) the type, frequency, and duration of the conduct; (2) the identity and relationships of persons involved; (3) the number of individuals involved; (4) the location of the conduct and the context in which it occurred; and, (5) the degree to which the conduct affected one or more student’s education.

The more severe the conduct, the less need there is to show a repetitive series of incidents to find a Hostile Environment. Indeed, a single instance of Sexual Violence (defined below) may be sufficient to create a Hostile Environment. Likewise, a series of incidents may be sufficient even if the conduct is not particularly severe.

**First Amendment Considerations** - This procedure does not impair the exercise of rights protected under the First Amendment; rather, it prohibits only conduct that creates a Hostile Environment. In this way, the College applies and enforces this procedure in a manner that respects the First Amendment rights of students, faculty, and others.

5. **Consent**

a. Consent is informed. Consent consists of an affirmative, conscious decision by each participant to engage in mutually agreed-upon sexual activity. Consent to some form of sexual activity does not imply consent to other forms of sexual activity.

b. Consent is voluntary. It is given without coercion, force, threats, or intimidation; it is a positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.

c. Consent is given when the person is not impaired or incapacitated. A person cannot consent if s/he is unconscious or coming in and out of consciousness. A lack of “no” does not mean “yes.” A person cannot consent if s/he is under the threat of violence, bodily injury or other forms of coercion, or has a mental disorder, developmental disability, or physical disability that would impair his/her understanding of the act. Consent cannot be given by persons who have not yet reached the legal age of consent in the State of Florida.

d. Incapacitation is the physical and/or mental inability to make informed, rational judgments. States of incapacitation include, but are not limited to, unconsciousness, sleep and blackouts.

e. Where alcohol and/or drugs are involved, incapacitation is distinct from
drunkenness or intoxication, and is defined with respect to how the alcohol or other drugs consumed impacts a person’s decision-making capacity, awareness of consequences, and ability to make fully informed judgments. The factors to be considered include whether the accused knew, or a reasonable person in the position of the accused should have known, that the complainant was impaired or incapacitated.

f. In Florida, the term “consent” is statutorily defined as intelligent, knowing, and voluntary consent and does not include coerced submission. Consent shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender. See Florida Statute §784.011(1)(a).

6. **Sexual Violence**

   Sexual Violence is defined as physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent (e.g., due to the person’s age or use of drugs or alcohol, or because of an intellectual or another disability that prevents the person from having the capacity to give consent). A number of different acts may fall under the category of Sexual Violence, including:

   a. **Sexual Assault**

      Sexual Assault is defined to include actual or attempted:

      *Non-Consensual Sexual Contact:* Any intentional sexual touching, however slight, with any object, by a person upon another person that is without consent and/or by force. Sexual contact includes intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; or any other intentional bodily contact in a sexual manner; or

      *Non-Consensual Sexual Intercourse:* Any sexual intercourse, however slight, with any object, by a person upon another person that is without consent and/or by force. Intercourse includes vaginal or anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact), no matter how slight the penetration or contact.

   Sexual Assault is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Sexual Assault under the College’s Sexual Misconduct policy and procedure.

   b. **Sexual Coercion**

      Sexual Coercion is the improper use of unreasonable and persistent pressure to compel another person to initiate or continue sexual activity against a person’s will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. Coercion may be emotional, intellectual, psychological, or moral. A person’s words or conduct are sufficient to constitute coercion if they wrongfully impair another person’s freedom of will and ability to choose whether or not to engage in sexual activity.

      Sexual Coercion is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Sexual Coercion under the College’s Sexual Misconduct policy and procedure.

   c. **Force**

      Force is the use or threat of physical violence or intimidation to overcome a person’s freedom of will to choose whether or not to participate in sexual activity.

      Force is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Force under the College’s Sexual Misconduct policy and procedure.

   d. **Inducing Incapacitation for Sexual Purposes**
Using drugs, alcohol, or other means with the intent to affect, or having an actual effect on, the ability of a person to consent or refuse to consent to sexual contact.

Inducing Incapacitation for Sexual Purposes is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Inducing Incapacitation for Sexual Purposes under the College's Sexual Misconduct policy and procedure.

e. Sexual Battery
In the state of Florida, Sexual Assault is legally referred to as “sexual battery” and law enforcement and the court system will utilize this definition in determining whether to pursue criminal charges. Florida Statute 794.011 defines sexual battery as "any oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose."

7. Dating Violence
Dating Violence is violence committed by a person who is or has been in romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Dating Violence is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Dating Violence under the College's Sexual Misconduct policy and procedure.

In Florida, the term "dating violence" is statutorily defined as any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member. “Family or household member” means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in

2. The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and
3. The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship.

Florida law enforcement agencies will utilize this definition in determining whether to pursue criminal Dating Violence charges. See Florida Statute 784.046.

8. Domestic Violence
Domestic Violence is defined as felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, or by a person with whom the victim shares a child in common, or by a person who is cohabitating with or has cohabitated with the victim as a spouse, or by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Florida, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Florida. Domestic violence is not tolerated by the College.

Domestic Violence is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Domestic Violence under the College's Sexual Misconduct policy and procedure.

In Florida, the term "Domestic Violence" is statutorily defined as any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member. “Family or household member” means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in
common, regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

Florida law enforcement agencies will utilize this definition in determining whether to pursue criminal Domestic Violence charges. See Florida Statute 741.28.

9. Stalking

Stalking is defined as engaging in a repetitive course of conduct (e.g., repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device, or method) directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others; or (b) suffer substantial emotional distress.

The College also considers Stalking to include the concept of Cyber-Stalking, a particular form of Stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.

Stalking and Cyber-Stalking are prohibited by the College, and the above definitions will be used in determining whether a responding party is responsible for committing Stalking under the College’s Sexual Misconduct policy and procedure. Stalking in Florida is defined as the willful, malicious and repeated following or harassing of a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress; or an aggravated stalking, which means the willful, malicious and repeated following or harassing another with credible threats with the intent to place that person in reasonable fear of death or bodily injury; or willfully, maliciously, repeatedly following or harassing a minor under age 16; or after injunction for protection or any court-imposed prohibition of conduct, knowingly, willfully, maliciously and repeatedly follows or harasses another person.

Sexual Cyberharassment in Florida means to publish a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person to an Internet website without the depicted person’s consent, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person.

Florida law enforcement agencies will utilize these definitions in determining whether to pursue criminal Stalking and/or Sexual Cyberharassment charges. See Florida Statutes 784.048 and 784.049.

10. Sexual Exploitation

Sexual Exploitation occurs when a person takes advantage of the sexuality of another person without consent or in a manner that goes beyond the boundaries of consensual sexual activity without the knowledge of the other individual for any purpose, including sexual gratification, financial gain, personal benefit, or any other non-legitimate purpose. Examples of behavior that could rise to the level of Sexual Exploitation include:

- Viewing another person’s sexual activity, intimate body parts, or nakedness in a place where that person would have a reasonable expectation of privacy, without the consent of all parties involved;
- Recording, distributing, publishing, or streaming images (e.g., video, photograph) or audio of another person’s sexual activity, intimate body parts, or nakedness without that person’s consent;
- Prostituting another person;
- Exposing one’s intimate body parts in unwelcome or non-consensual circumstances, or inducing another person to so expose;
- Knowingly exposing another individual to a sexually transmitted infection or disease; and
• Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

Sexual Exploitation is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Sexual Exploitation under the College’s Sexual Misconduct policy and procedure.

11. Retaliation

Retaliation is defined as taking adverse action against an individual making a report under the College’s Sexual Misconduct policy and procedure or against any person cooperating or participating in the investigation of a report or the enforcement of any interim measures or sanctions under this procedure. Retaliation includes intimidation, threats, harassment, and other adverse action including adverse job action and adverse academic action against any such complainant or third party.

Retaliation is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Retaliation under the College’s Sexual Misconduct policy and procedure.

12. Aiding or Facilitating Sexual Misconduct

Aiding or Facilitating Sexual Misconduct is defined as promoting, aiding, facilitating or encouraging the commission of any behavior prohibited under the College’s Sexual Misconduct policy and procedure.

Aiding or Facilitating Sexual Misconduct is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Aiding or Facilitating Sexual Misconduct under the College’s Sexual Misconduct policy and procedure.

R. Retention of Records Regarding Reports of Sexual Misconduct

The office of the Title IX Compliance Coordinator is responsible for maintaining records relating to sexual harassment and sexual violence reports, investigations, and resolutions. Records shall be maintained in accordance with College records policies, generally five years after the date the complaint is resolved or five years after the termination of employment, whichever is later. Records may be maintained longer at the discretion of the Title IX Compliance Coordinator in cases where the parties have a continuing affiliation with the College. All records pertaining to pending litigation or a request for records shall be maintained in accordance with instructions from legal counsel.

S. Noncompliance with the Sexual Misconduct Policy & Procedures

Noncompliance with the policy and procedures is managed in accordance with the EFSC Board Policy Governance Manual, the EFSC Procedures Manual, the Student Code of Conduct and any other official College documents such as the collective bargaining agreement.

T. Free Speech and Academic Freedom

The faculty and other academic appointees, staff, and students of the College enjoy significant constitutionally-guaranteed free speech protections. This procedure is intended to protect members of the College community from sexual harassment and other forms of Sexual Misconduct, not to regulate protected speech. This procedure shall be implemented in a manner that recognizes the importance of these rights. However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates federal or state anti-discrimination or Sexual Misconduct laws.

800.11 ALCOHOL AND DRUG PREVENTION

Sections 203.4 and 302.5 of the College’s Procedures Manual govern alcoholic beverages and illicit drugs on College property.

The enforcement of state and federal alcohol and drug laws is primarily the responsibility of the local law enforcement agencies having jurisdiction over College property. Security Department personnel do not have arrest authority, but serve as liaisons to the various law enforcement agencies, and support efforts to enforce alcohol and drug laws.

Persons in violation of state and federal alcohol and drug laws are subject to arrest, criminal prosecution, fine, and imprisonment. In addition to criminal
sanctions, students and employees violating the College's alcohol or drug policies and procedures may also be subject to disciplinary action up to and including expulsion or termination of employment. For students, Associate Provosts shall be notified of a violation, and shall be responsible for initiating the disciplinary process. For employees, the Human Resources Department shall be notified of a violation, and shall be responsible for initiating the disciplinary process. Sections 201.5 and 201.6 of the College’s Procedures Manual shall apply to student-related disciplinary action. Sections 308.3, 308.4, and 308.5 of the College’s Procedures Manual shall apply to employee-related disciplinary action.

The College reserves the right to terminate any contracts or agreements it may have with vendors, independent contractors, student organizations, or other affiliates whose agents or members violate the College’s alcohol or drug policies and procedures.

The College’s Human Resources Department shall be responsible for preparing and disseminating an annual notification to all students and employees, which shall contain College policies and procedures related to alcohol and drugs, along with a clear statement that the College will impose disciplinary sanctions for violations, and a description of the possible sanctions. In addition, the annual notification shall contain a summary of the applicable state and federal laws related to alcohol and drugs, their possible legal sanctions, known health risks, and information on counseling, treatment, and rehabilitation services available in the community, including employee assistance programs. The annual notification may be disseminated in any manner, including e-mail, as long as it is reasonably certain to be received by all students and employees.

The College’s Safety Policy and Procedures Compliance Committee shall conduct an annual review of the College’s alcohol and drug policies, procedures, and prevention programs to determine effectiveness and consistency of sanction enforcement. The Committee shall prepare a written report of its conclusions, containing at a minimum, a description of current alcohol and drug prevention programs, and their strengths, weaknesses, and recommendations for improvement to the College President within 14 days of meeting.

Medical Marijuana in Florida. Despite the provisions of Article X, Section 29 of the Florida Constitution, as well as applicable Florida Statutes and implementing F.A.C. Rules, marijuana remains a controlled substance under federal law, and continues to be prohibited by the College. Thus, any member of the College community who meets the definition of “qualified patient” under §381.986(1), Florida Statutes, shall continue to abide by federal law as it relates to marijuana, as well as any and all applicable College policies and procedures.

800.12 CRIME LOG

The Eastern Florida State College Security Department shall maintain a daily “crime log” in the Security Office of each campus, containing at a minimum, the date a crime was reported, the date and time the crime occurred, a brief description of nature of the crime, the general location of the crime, and the disposition of the complaint, if known.

The purpose of the daily crime log is to record criminal incidents and alleged criminal incidents that are reported which shall be immediately available for public review during normal business hours:

- Crime log entries include all criminal offenses reported to the EFSC Security Department for the required geographic locations, not just Clery Act crimes.
- The crime log discloses specific information about criminal incidents, not crime statistics.
- The crime log is designed to disclose crime information more quickly than the annual report.
- The UCR hierarchy rule does not apply to the crime log. If multiple criminal offenses are committed during a single incident, all of the offenses must be recorded in the log.
- The log has a more specific location focus than the statistical disclosures. For example, the location might be recorded as “on the second floor of the administration building” rather than “on campus.”

An entry, an addition to an entry, or a change in the disposition of a complaint, must be recorded within two business days of the reporting of the information to the EFSC Security Department. Exceptions to this requirement would be if disclosure is prohibited by law, or would jeopardize the confidentiality of a victim. Disposition updates are not required to be updated if more than 60 days have passed since the original entry date.

Information may be temporarily withheld from the
crime log in cases where there is clear and convincing evidence that the release of information would jeopardize an ongoing investigation, jeopardize the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. The request for withholding the information must be forwarded to the Chief of Security for consideration and approval.

If a reported crime is investigated by law enforcement personnel, and it is determined that a crime did not occur, the crime log should indicate that the disposition of the crime is “unfounded.” Only an active, sworn law enforcement officer that has jurisdictional authority over the case can make this determination. A Campus Security Authority or Security Officer cannot determine a crime to be unfounded.

The crime log may be either hard copy or electronic. If an electronic crime log becomes inaccessible for technical reasons, efforts should be made to use a hard copy log as a temporary replacement until the problems are resolved.

The College will make a good faith effort to advise students and employees that the crime log is available, the information it contains, and how it may be accessed. The College may post notices on the College website, in Campus Security offices, and other locations frequented by students and employees.

The crime log for the most recent 60-day period must be open to public inspection, upon request, during normal business hours at all Campus Security offices. Security Department personnel may not request nor require a written request or disclosure of identification prior to complying with the request to review the crime log. Any person may have supervised access to the crime log, whether or not they are associated with the College. Persons requesting a copy of the crime log may have one at no cost to the requestor.

Because the crime log must be made available for immediate public inspection, the log should contain no information that is confidential in nature. Case reports and incident reports that may accompany the crime log may be viewed by the public as long as the confidential information has been fully redacted.

The College takes reasonable steps to provide a healthy, safe, and secure environment for all members of the campus community.

The College shall maintain an active property and personnel security program in conformity with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) originally known as the Crime Awareness and Campus Security Act of 1990). Security officers shall appropriately respond to each incident, keep record of each event, and provide upon request of legal authority statistics and other data required by the Act. They may report violations of law to local law enforcement. The Campus Security Department shall publish an Annual Security Report no later than October 1st of each year which will be widely available to students, faculty, staff and guests and will provide required criminal statistical information and crime prevention strategies to ensure safe campuses.

802.1 BUILDING AND EQUIPMENT SECURITY

College employees are expected to close and lock their offices and work areas at the end of the day, observing strict security of college keys, lending them neither to students, nor to student assistants. Student assistants are not permitted to work on the campus after normal working hours without supervisory permission.

Audio-visual equipment, which has been checked out to a college employee, may not be loaned to another person, nor should it be left unattended in an empty classroom.

Employees finding evidence of burglary or vandalism to the campus must immediately report the incident to their Campus’s Security Department Office.

802.2 TELEPHONE NUMBERS FOR EMERGENCIES

Eastern Florida State College encourages its students, faculty, staff, and guests to report crime, suspicious activity, or emergency situations to Security Department personnel and to the appropriate law enforcement agency in a timely manner.

To report a crime in progress, or to report an incident requiring immediate police or fire/rescue response, please first contact 911, immediately followed by a call to the campus Security
Department Office so that Security Officers can help stabilize the scene and assist arriving first responders.

If using a campus/classroom phone, you may dial 8911, 9911 or 911 to reach 911 emergency dispatchers.

Campus Security Offices:
Palm Bay Campus Security Office: (321) 403-5911
Melbourne Campus Security Office: (321) 403-5909
Cocoa Campus Security Office: (321) 403-5907
Titusville Campus Security Office: (321) 403-4200

802.3 MISSING PROPERTY

The budget custodian will inform the Property Accounting Office (as well as the Security Office) when tagged college property is determined to be missing. After 30 days, if the missing items are not located, the Property Accounting Office will prepare a list of the items and forward it through the Business Office to the President. Inventory adjustment will be initiated by the Business Office once property has been missing for a period of 2 years.

802.4 PARKING LOTS

Neither the College nor the Board is responsible for any damage or theft to vehicles left in the college parking lots.

802.5 HAZARDOUS WASTE REMOVAL

The College is committed to improving safety by reducing accidents, enhancing education of faculty, staff and students in the management of hazardous waste. The College will manage hazardous waste in compliance with state and federal regulations. Appropriate laboratory manuals and safety measures will be accessible to faculty, staff and students.

Training. Hazard Communication Standards (HCS), or “worker-right-to-know” laws, regulate how information about workplace chemical hazards is communicated to employees. As with most workplace health and safety standards, worker right-to-know laws and guidelines have developed in large part according to standards adopted under the federal Occupational Safety and Health Act (OSHA). The EFSC Training Program considers multiple elements:

- Employee Training. All employees will be required to participate in the mandatory Hazard Communication Training offered by the Training & Development Department within the first 30 days of employment. The key changes included in the training are:
  - Safety Data Sheet Forms,
  - Hazard Symbols and Pictograms,
  - Standardized Hazard Classifications,
  - Universal Four Digit Codes for Identifying Chemical Information.

- General Awareness/Familiarization Training. All employees should be knowledgeable of general areas on the campuses where chemicals are used/stored, familiar with the general requirements for the handling of chemicals, and with the meaning of the various hazard symbols and pictograms—all of which are covered in the online employee training program.

- Function-Specific Training. Employees who work with specific chemicals should have specific training, usually from the department supervisor, regarding the safety methods of handling the chemical(s).

- Safety Training. In addition to safe handling of chemicals, safety training should include methods and procedures for accident avoidance (transport of chemicals, confined spaces, etc.) and emergency response information (fire, spills, etc.).

- Security Awareness Training. Employees working in a department where chemicals are stored should have additional training relating to recognizing, prevention of, and responding to a possible campus security threat.

Responsibilities

- Departments. All departments that use or store chemicals are required to:
  - Provide a complete chemical inventory list for their work areas;
  - Maintain a current Safety Data Sheets (SDS) for each chemical;
  - Ensure all chemical labeling is according to current GHS requirement that each label includes a:
    - signal word,
    - pictogram,
    - hazard statement,
    - precautionary statement for each hazard class and category;
  - Protect the employees and the environment by following established waste removal practices.
• **Human Resources.** The HR Training & Development Department is responsible for the collegewide employee training program and for training programs in specific HazComm areas that may be requested by individual departments.

• **Maintenance.** The Maintenance Department is responsible for assisting the Human Resources Training & Development Department by providing technical information that may be needed for area-specific training programs.

• **Health Sciences, Nursing, and Labs.** The various nursing or health departments, chemistry, biology, or other labs will have specific procedures to deal with the various chemicals that are labeled and stored in their areas. All labeling will follow the GHS Classification System.

• **Contractors.** All contractors are responsible for providing relevant OSHA Hazard Communication Standards to their employees. The contractors are responsible for notifying the EFSC Project Director/Coordinator/Manager if they will be using a hazardous chemical that could result in exposure to the EFSC staff/students/community.

**802.6 HAZARDOUS WASTE REMOVAL**

The definition of hazardous waste: a waste, or combination of wastes, which because of its concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in serious irreversible, or incapacitating reversible illness or pose a substantial present or potential hazard to human health, safety, or welfare to the environment when improperly treated, stored, transported, used or disposed of, or otherwise managed.

a. All projects concerning the removal of any type of hazardous waste from any of the Eastern Florida State College facilities must have prior approval from the Director of Safety before the project may commence. The approval process will involve the evaluation of the materials to be removed, the location of the materials, and the method of removal. Each project will be evaluated individually, taking into consideration the situation, location, and currently mandated guidelines.

b. Once the approval process is complete, the Associate Vice President of Facilities or designee will be involved in the removal process by making periodic safety compliance inspections (i.e., site preparation, materials handling, extraction of materials, and site clean-up). The inspections should include the assurance that all appropriate paperwork (e.g., testing data, MSDS sheets, and material Manifests) is being collected.

c. The follow up process will include the submission of all appropriate forms and records to the Office of the Associate Vice President of Facilities.

d. The project will be evaluated for procedural adherence and review once all materials have been removed from the site, the site has been cleaned, and the Associate Vice President for Facilities or a designee has conducted a final inspection of the site and a clearance for job continuation is given.

**802.7 INTERNAL CONTROLS**

The President shall institute a set of internal controls that shall properly safeguard the assets of the college. Financial records should be maintained in conformity with applicable laws and regulations. College equipment, supplies, or facilities cannot be used by employees for revenue generating activities that do not directly benefit the college, unless expressly approved by the President.

**804 CAMPUS SAFETY AND SECURITY-FIREARMS AND WEAPONS ON CAMPUS**

This policy/procedure applies to all students, staff, faculty, administration, employees, and invitees to EASTERN FLORIDA STATE COLLEGE property/campuses.

**A. Introduction**

EASTERN FLORIDA STATE COLLEGE is committed to maintaining an educational and workplace environment that is free of violence. The College further recognizes the existence of extensive legislative acts and constitutional provisions pertaining to the rights and obligations of those who own or possess firearms, especially those addressing the right to carry, store, and transport firearms on one's person and within motor vehicles.

**B. Authority**

1. While on college grounds or facilities or at college-sponsored activities and events, students, staff, faculty, administration, employees, and invitees, hereinafter referred to as “person,” are prohibited from introducing, exhibiting, possessing, using, storing, buying or selling weapons, firearms,
destructive devices, or explosives. [§790.001; §790.115, Fla. Stat. (2016)].

2. Exceptions: The following circumstances shall not be a violation of this policy/procedure:
   
a. It is lawful and is not a violation of Florida Statute or EASTERN FLORIDA STATE COLLEGE policy/procedure 803 for a person 18 years of age or older to possess a concealed firearm or other weapon for self-defense or other lawful purpose within the interior of a private vehicle (conveyance), without a license, if the firearm or other weapon is securely encased or is otherwise not readily accessible for immediate use. Nothing in this policy prohibits the carrying of a legal firearm other than a handgun anywhere in a private conveyance when such firearm is being carried for a lawful use. [§790.01; §790.25; §790.251, Fla. Stat. (2016)].
   b. A firearm in the possession of a law enforcement officer who is authorized to possess the firearm whether on or off duty, by the employing law enforcement agency.
   c. A firearm in the possession of an Armed Security Officer, as defined by College policy and procedure.
   d. Any other possession of a firearm specifically authorized pursuant to the provisions of Fla. Stat. §790.115 (2016).
Definitions

**Aggravated Assault** - An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

**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.

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

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

**Consent** - An informed, affirmative, and conscious decision by each participant to engage in mutually agreed-upon sexual activity. Consent to some form(s) of sexual activity does not imply consent to other forms of sexual activity.

Consent is voluntary. It is given without coercion, force, threats, or intimidation; it is a positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.

Consent is given when the person is not impaired or incapacitated. A person cannot consent if s/he is unconscious or coming in and out of consciousness. A lack of “no” does not mean “yes.” A person cannot consent if s/he is under the threat of violence, bodily injury or other forms of coercion, or has a mental disorder, developmental disability, or physical disability that would impair his/her understanding of the act. Consent cannot be given by persons who have not yet reached the legal age of consent in the State of Florida.

Incapacitation is the physical and/or mental inability to make informed, rational judgments. States of incapacitation include, but are not limited to, unconsciousness, sleep and blackouts.

Where alcohol and/or drugs are involved, incapacitation is distinct from drunkenness or intoxication, and is defined with respect to how the alcohol or other drugs consumed impacts a person’s decision-making capacity, awareness of consequences, and ability to make fully informed judgments. The factors to be considered include whether the accused knew, or a reasonable person in the position of the accused should have known, that the complainant was impaired or incapacitated.

In Florida, the term “consent” is statutorily defined as intelligent, knowing, and voluntary consent and does not include coerced submission. Consent shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender. See Florida Statute §784.011(1)(a).

**Dating Violence** - Dating Violence is violence committed by a person who is or has been in romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Dating Violence is prohibited by the College, and the above definition will be used in determining whether a responding party is responsible for committing Dating Violence under the College’s Sexual Misconduct policy and procedure.

In Florida, the term “dating violence” is statutorily defined as violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:

1. A dating relationship must have existed within the past 6 months;
2. The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and
3. The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis.
during the course of the relationship. See Florida Statute §784.046.

**Destruction/Damage/Vandalism of Property** - To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**Disciplinary Referral** - The referral of any person to any College official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.

**Domestic Violence** - A felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, or by a person with whom the victim shares a child in common, or by a person who is cohabitating with or has cohabited with the victim as a spouse, or by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Florida, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Florida.

In Florida, the term “domestic violence” is statutorily defined as any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member. See Florida Statute §741.28.

**Drug Law Violations** - The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

**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.

**Gender-Based Harassment** - Unwelcome conduct of a non-sexual nature based upon an individual’s actual or perceived sex, including conduct based on an individual’s sexual orientation, gender identity, gender expression, and nonconformity with gender stereotypes.

**Hate Crime** - A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim.

**Hostile Environment** – Exists when conduct is sufficiently serious to deny or limit an individual’s ability to participate in or benefit from the College's programs or activities. See EFSC Procedures Manual §800.10(Q)(4).

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

**Intimidation** - To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Larceny-Theft** - The unlawful taking, carrying, leading, or riding away of property from the possession, or constructive possession, of another.

**Liquor Law Violations** - The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

**Motor Vehicle Theft** - The theft or attempted theft of a motor vehicle.

**Murder and Non-Negligent Manslaughter** - The willful (non-negligent) killing of one human being by another.

**Negligent Manslaughter** - The killing of another person through gross negligence.

**Non-Campus Buildings and Property** – Buildings and property owned or controlled by officially recognized student organizations, as well as buildings and property located off campus but owned or controlled by the College, frequented by students and used in support of or relationship to the College's educational purposes.
On-Campus – Buildings and properties that are part of a campus, including any building or property owned or controlled by the College within the same reasonably contiguous geographic area and used by the College in direct support of, or in a manner related to the College’s educational mission. This includes any building or property owned by the College but controlled by another entity and which is frequently used by students and supports institutional purposes.

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

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.

Retaliation – Taking adverse action against an individual making a report under the College’s Sexual Misconduct policy and procedure or against any person cooperating or participating in the investigation of a report or the enforcement of any interim measures or sanctions under such policy and procedure. Retaliation includes intimidation, threats, harassment, and other adverse action including adverse job action and adverse academic action against any such complainant or third party.

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

Sexual Assault – Any actual or attempted:
Non-Consensual Sexual Contact: Any intentional sexual touching, however slight, with any object, by a person upon another person that is without consent and/or by force. Sexual contact includes intentional contact with the breasts, buttocks, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; or any other intentional bodily contact in a sexual manner; or
Non-Consensual Sexual Intercourse: Any sexual intercourse, however slight, with any object, by a person upon another person that is without consent and/or by force. Intercourse includes vaginal or anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact), no matter how slight the penetration or contact.

In Florida, the term "sexual assault" is legally referred to as sexual battery. The term "sexual battery" is statutorily defined as oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose. See Florida Statute §784.011(1)(h).

Sexual Exploitation – Occurs when a person takes advantage of the sexuality of another person without consent or in a manner that goes beyond the boundaries of consensual sexual activity without the knowledge of the other individual for any purpose, including sexual gratification, financial gain, personal benefit, or any other non-legitimate purpose. See EFSC Procedures Manual §800.10(Q)(10).

Sexual Harassment - Sexual Harassment is defined as unwelcome conduct of a sexual nature, including but not limited to unwelcome sexual advances, requests for sexual favors, other verbal, nonverbal, visual, or physical conduct of a sexual nature, such as acts of Sexual Violence, or other offensive behavior directed toward an individual because of or on account of the individual’s sex or sexual orientation, whether by a person of the same or opposite gender, when either:

a. Submission to, rejection, or toleration of such conduct is made either explicitly or implicitly a term or condition of an individual’s employment, education, or participation in a College program or activity, or is used as a basis or factor in decisions affecting an individual’s employment, education, or participation in a College program or activity (“Quid Pro Quo Sexual Harassment”); or
b. Such conduct creates a Hostile Environment.

For a complete definition, see EFSC Procedures Manual §800.10(Q)(1).

Sexual Violence - Physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent (e.g., due to the person’s age or use of drugs or alcohol, or because of an intellectual or another disability that prevents the person from having the capacity to give consent). A number of different acts may fall under the category of Sexual Violence, including Sexual Assault, Sexual Coercion, Force, Inducing Incapacitation for Sexual Purposes, and Sexual Battery. For a complete definition, see EFSC Procedures Manual §800.10(Q)(6).
**Simple Assault** - An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

**Stalking** - Stalking is defined as engaging in a repetitive course of conduct (e.g., repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device, or method) directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others; or (b) suffer substantial emotional distress.

The College also considers Stalking to include the concept of Cyber-Stalking, a particular form of Stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.

Stalking and Cyber-Stalking are prohibited by the College, and the above definitions will be used in determining whether a responding party is responsible for committing Stalking under the College's Sexual Misconduct policy and procedure.

Stalking in Florida is defined as the willful, malicious and repeated following or harassing of a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress; or an aggravated stalking, which means the willful, malicious and repeated following or harassing another with credible threats with the intent to place that person in reasonable fear of death or bodily injury; or willfully, maliciously, repeatedly following or harassing a minor under age 16; or after injunction for protection or any court-imposed prohibition of conduct, knowingly, willfully, maliciously and repeatedly follows or harasses another person.

Sexual Cyberharassment in Florida means to publish a sexually explicit image of a person that contains or conveys the personal identification information of the depicted person to an Internet website without the depicted person's consent, for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person.

Florida law enforcement agencies will utilize these definitions in determining whether to pursue criminal Stalking and/or Sexual Cyberharassment charges. *See* Florida Statutes 784.048 and 784.049.

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

**Unwelcome Conduct** - Conduct is considered unwelcome if a person did not request or invite it and considered the conduct to be undesirable or offensive. Unwelcome conduct may take various forms, including name-calling, graphic or written statements (including the use of cell phones or the Internet), or other conduct that may be physically threatening, harmful, or humiliating. Unwelcome conduct does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Unwelcome conduct can involve persons of the same or opposite sex. Participation in the conduct or the failure to complain does not always mean that the conduct was welcome. The fact that a person may have welcomed some conduct does not necessarily mean that the person welcomed other conduct. Also, the fact that a person requested or invited conduct on one occasion does not mean that the conduct is welcome on a subsequent occasion.

**Weapons Law Violations** - The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. *See also* EFSC Procedures Manual §804.
Other Useful Resources

Law Enforcement Agencies
Brevard County Sheriff’s Office - www.BrevardSheriff.com
Cocoa Police Department - www.cocoapolice.com
Melbourne Police Department - www.melbourneflorida.org/police/
Palm Bay Police Department - www.palmbayflorida.org/government/departments/police
Titusville Police Department - www.titusville.com
Florida Department of Law Enforcement - www.fdle.state.fl.us
Federal Bureau of Investigation – www.fbi.gov

Sexual Assault & Domestic Violence Resources
Florida Council Against Sexual Violence - www.fcasv.org
Florida Coalition Against Domestic Violence - www.fcadv.org
SAVS/Women’s Center in Brevard - womenscenter.net/sexual-assault-victims-services
Women’s Center in Brevard - www.womenscenterinbrevard.org
Serene Harbor - www.sereneharbor.org
Circles of Care – www.circlesofcare.org

Other Important Websites
Eastern Florida State College – www.easternflorida.edu
EFSCares/Gee Resolutions - www.geecounseling.com
Brevard Public Schools - www.edline.net/pages/Brevard_County_Schools
U.S. Dept. of Ed., Office for Civil Rights - www2.ed.gov/about/offices/list/ocr/index.html
Clerk of Court, Brevard County – www.brevardclerk.us
The Clery Center - www.CleryCenter.org
2-1-1 Brevard - www.211brevard.org
United Way of Brevard – www.uwbrevard.org
Crosswinds Youth Services - www.crosswindsyouthservices.org