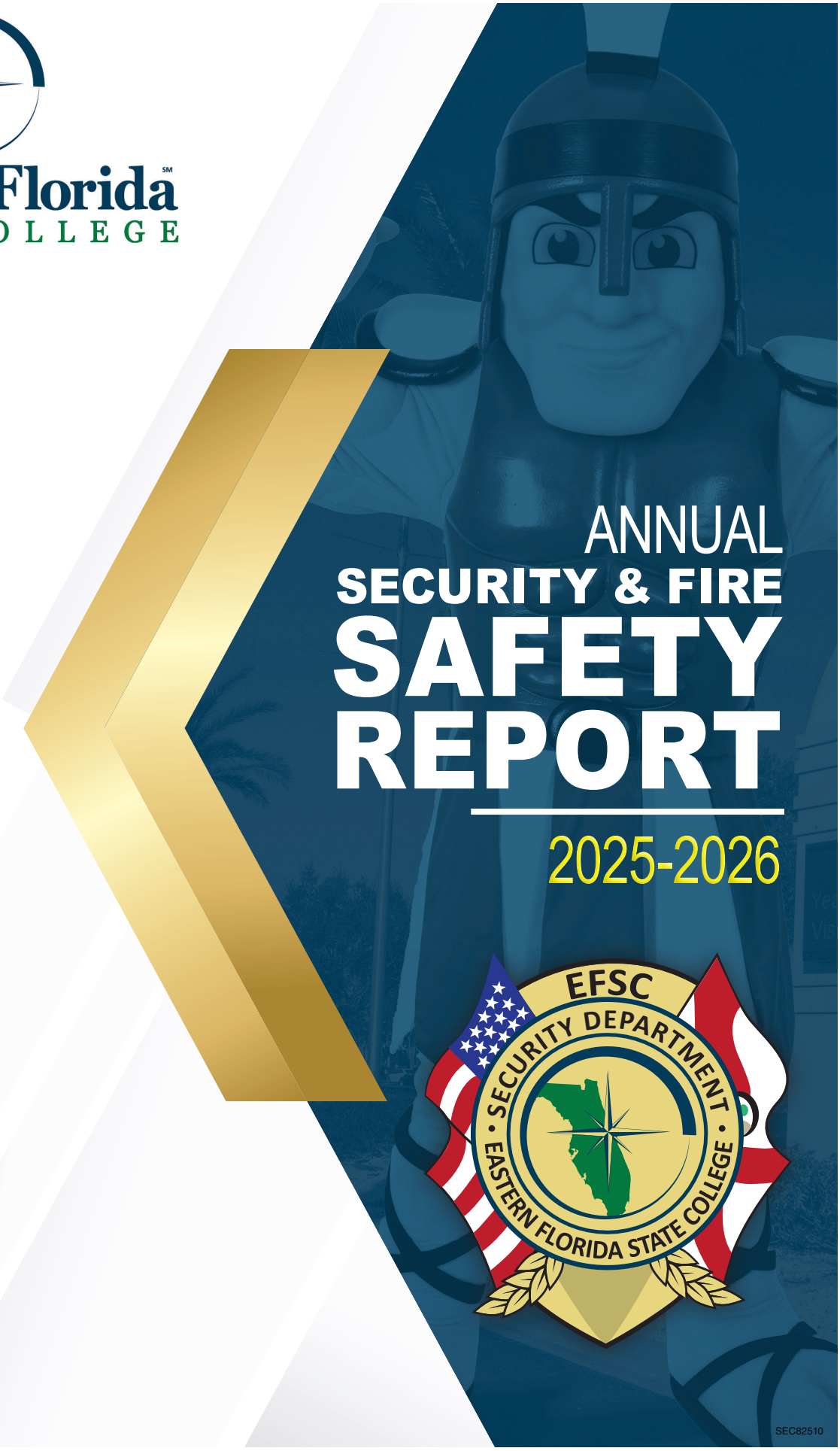
Eastern Florida[SM]
STATE COLLEGE



ANNUAL SECURITY & FIRE SAFETY REPORT

2025-2026

EFSC
SECURITY DEPARTMENT
EASTERN FLORIDA STATE COLLEGE

SEC82510

October 1, 2026

Greetings,

Eastern Florida State College has prepared this Annual Security and Fire Safety Report to provide safety and security information for all students, employees, and visitors. This report is published in accordance with the *Jeanne Clery Campus Safety 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 and Fire Safety 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 and Fire Safety 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 Campus Safety Act

Originally known as the Campus Security Act, the ***Jeanne Clery Campus Safety Act (20 USC § 1092(f))*** (the "*Jeanne Clery Campus Safety 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 *Jeanne Clery Campus Safety 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

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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) 952-3539
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) 264-5201

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.

Text to 9-1-1 in Brevard County

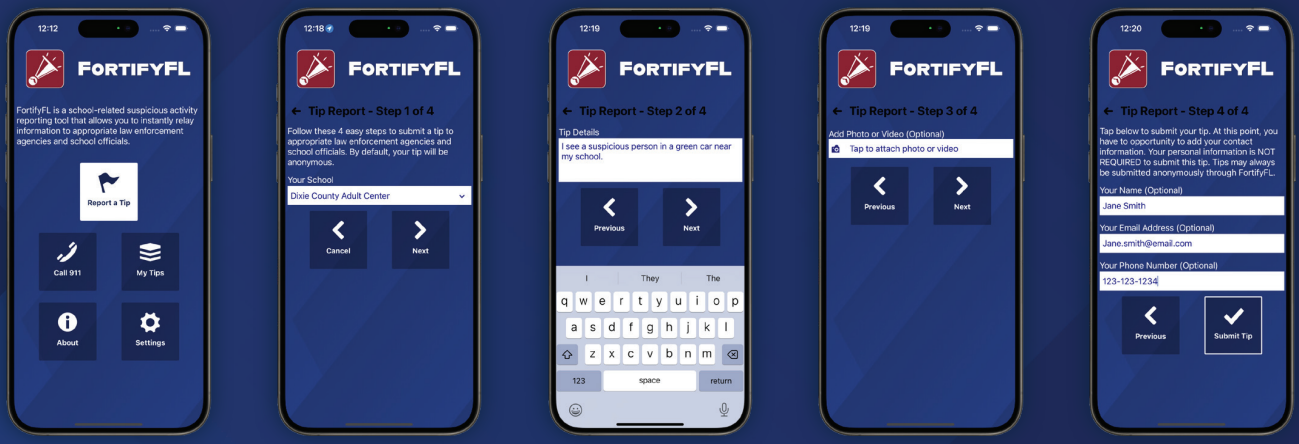
To text 9-1-1 in an emergency	Remember
· *Enter the numbers "911" in the "To" field* · *The first text message to 9-1-1 should be brief and contain the location of the emergency and type of help needed* · *Push the "Send" button.* · *Be prepared to answer questions and follow instructions from the 9-1-1 call taker.* · *Text in simple words – do not use abbreviations.* · *Keep text messages brief and concise.* · *Do not send pictures, emoji's or video* · *Do not send group text* · *Voice calls to 9-1-1 are still the best and fastest way to contact 9-1-1*	· *A text or data plan is necessary to place a Text-to-9-1-1.* · *Text-to-9-1-1 is not available if your phone is roaming.* · *As with all text messages, texts to 9-1-1 may take longer to receive, get out of order, or not be received at all; if you do not receive a text response from 9-1-1, try to contact 9-1-1 another way.* · *You will get a "bounce back" message if you are in an area where the service is not available telling you to make a voice call.*

Keep EFSC Campuses Safe!

Report suspicious activity through FortifyFL.

FortifyFL is a mobile app that provides students, faculty, and staff a tool that enables easy and anonymous reporting of suspicious activity, safety concerns, and potential threats directly to school officials and law enforcement.

Individuals who knowingly submit a false tip through FortifyFL will be subject to further investigation by law enforcement, and may be subject to criminal penalties under Sections 837.05 and 943.082, F.S.



FORTIFYFL

For more information, visit fortifyfl.com/#howitworks

Scan the QR codes to download the app.

Download On The App Store

Get It On Google Play

Eastern Florida STATE COLLEGE

Eastern Florida State College is committed to equal access/equal opportunity in its programs, activities, and employment. For additional information, visit Eastern Florida State College: easternflorida.edu/go/equity

SEC82649



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.

Campus Security Authorities

A **"Campus Security Authority" or "CSA"** is a *Jeanne Clery Campus Safety 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:

Title	Name	Phone	Email Address
Campus Security Officers			
All Cocoa Campus Security	Sgt. Marc Gelbke	321-433-5704	gelbkem@easternflorida.edu
All Melbourne Campus Security	Sgt. Paul Gayring	321-433-5447	gayringp@easternflorida.edu
All Palm Bay Campus Security	Sgt. Michael Loreth	321-433-5383	lorethm@easternflorida.edu
All Titusville Campus Security	Sgt. Ginger Davis	321-433-5085	davisg@easternflorida.edu
Collegewide Security			
Chief of Security	Chief Joe Ambrose	321-433-7007	ambrosej@easternflorida.edu
Security Lieutenant	Lt. Rob Delaune	321-433-5445	delauner@easternflorida.edu
Administrative Sergeant	Sgt. Ricky Carswell	321-433-7555	carswellr@easternflorida.edu
Title IX Coordinator	Dean Steve Salvo	321-433-5775	salvos@easternflorida.edu
Security Coordinator	Lynette Conner	321-433-5947	connerl@easternflorida.edu
College Vice Presidents			
VP, Academic & Student Affairs	Dr. Phil Simpson	321-433-7381	simpsonp@easternflorida.edu
VP, Operations/CFO	Laura Maxwell	321-433-7090	maxwelll@easternflorida.edu
VP, External Affairs	Jack Parker	321-433-7090	parkerj@easternflorida.edu
College Chief Financial Officer			
Chief Financial Officer/VP, Operations	Laura Maxwell	321-433-7090	maxwelll@easternflorida.edu
College Associate Vice Presidents			
AVP, Academic Affairs	Dr. Sandy Handfield	321-433-5502	handfields@easternflorida.edu
AVP, Athletics	Jeff Carr	321-433-5600	carrj@easternflorida.edu
AVP, Chief Information Officer	Bill White	321-433-7400	whiteb@easternflorida.edu
AVP, Communications	Suzanne Rains	321-433-7022	rainss@easternflorida.edu
AVP, Facilites & Special Projects	Russ DeGraw	321-433-7205	degrawr@easternflorida.edu
AVP, Financial Services	Angela McCullough	321-433-7046	mccullougha@easternflorida.edu
AVP, Human Resources	Darla Ferguson	321-433-7080	fergusond@easternflorida.edu
AVP, Institutional Effectiveness & Research	Dr. Mark Quathamer	321-433-5364	quathamerm@easternflorida.edu
AVP, Student Affairs	Dr. Laura Sidoran	321-433-7008	sidoranl@easternflorida.edu
Campus Administrators			
Campus Admin., PB Campus	Dr. Sharon Cronk-Raby	321-433-5881	cronk-rabys@easternflorida.edu
Campus Admin., Melbourne Campus	Dr. Sandy Handfield	321-433-5502	handfields@easternflorida.edu
Campus Admin., Cocoa Campus	Dr. Holly McKnight	321-433-7060	mcknighth@easternflorida.edu
Campus Admin., Titusville Campus	Frank Margiotta	321-433-7792	margiottaf@easternflorida.edu

Collegewide Chairs			
Chair, Arts & Social Sciences	Wendy McLallen	321-433-7541	mclallenw@easternflorida.edu
Chair, CTE/Applied Tech/Business	Andrew Lieb	321-433-5411	lieba@easternflorida.edu
Chair, Advanced Tech/Comp Science Programs	Dan Mondshein	321-433-5427	mondsheind@easternflorida.edu
Chair, Communications & Library Science	Carrie Wells	321-433-5236	wellsc@easternflorida.edu
Chair, Community Health Sciences	Marianne D'Altilio	321-433-7151	daltiliom@easternflorida.edu
Chair, Mathematics	Beth Rountree	321-433-7183	rountreeb@easternflorida.edu
Chair, Nursing & Applied Health Sciences	Terri Morrison	321-433-5343	morrisont@easternflorida.edu
Chair, Sciences & Engineering	Jimmy Gamez	321-433-7653	gamezj@easternflorida.edu
College Deans			
Dean, Academic Innovation & Learning Excellence	Ilana Grimes	321-433-5856	grimesi@easternflorida.edu
Dean, Arts & Social Sciences /Communications & Library Science	Dr. Sharon Cronk-Raby	321-433-5150	cronk-rabys@easternflorida.edu
Dean, Career & Tech/Applied Technology	Frank Margiotta	321-433-7792	margiottaf@easternflorida.edu
Dean, Enrollment Management	Michelle Loufek	321-433-7765	loufekm@easternflorida.edu
Dean of Allied Health	Loretta Beorlegui	321-433-7742	beorleguil@easternflorida.edu
Dean, Public Safety Institute	Steve Salvo	321-433-5775	salvos@easternflorida.edu
Dean, Students	Dr. Barbara Kennedy	321-433-5591	kennedyb@easternflorida.edu
Dean, Science/Engineering/Math	Dr. Holly McKnight	321-433-7060	mcknighth@easternflorida.edu
Assoc. Dean, Transition Services	Christine Tripp	321-433-5921	trippc@easternflorida.edu
Assoc. Dean, Enrollment Management	Sonya Joseph	321-433-7392	josephs@easternflorida.edu
Assoc. Dean, Student Success/Support	Emily Tonn	321-433-7715	tonne@easternflorida.edu
Assoc. Dean, Student Life	Paola Moneymaker	321-433-5563	moneymakerp@easternflorida.edu
General Counsel			
General Counsel	Dr. Michael Richey	321-433-5559	richeym@easternflorida.edu
Directors			
Exec. Director, Collegwide Financial Aid	Denise Scalzo	321-433-5687	scalzod@easternflorida.edu
Interim Exec. Director, Foundation	Victoria Jones	321-433-5927	jonesv@easternflorida.edu
Exec. Director, Workforce & Perkins	Rose Dubois	321-433-7515	duboisr@easternflorida.edu
Exec. Director, Community Engagement	Dr. Michael Cadore	321-433-7663	cadorem@easternflorida.edu
Director, Academic Technology	Dayla Nolis	321-433-5280	nolisd@easternflorida.edu
Director, Accounting/DSO Svcs	Priscilla Small	321-433-7230	smallp@easternflorida.edu
Director, Athletic Communications	Michael Parsons	321433-5700	parsonsmeasternflorida.edu
Director, Aviation Programs	Rick McKee	321-433-7527	mckeer@easternflorida.edu
Director, BPTC	James Gibbens	321-433-5639	gibbensj@easternflorida.edu
Director, Call Center/Comm. Project Mngmt. Spec	Cody Herington	321-433-5490	heringtonc@easternflorida.edu
Director, Campus Admissions/Rcrds - Palm Bay	Renee Hayes	321-433-5176	hayesr@easternflorida.edu
Director, Campus Admissions/Rcrds - Melbourne	Tim Farr	321-433-5553	farrtim@easternflorida.edu
Director, Campus Admissions/Rcrds - Cocoa	Lori Campbell	321-433-7317	campbelll@easternflorida.edu
Director, Career Services	Renee Roth	321-433-5626	rothr@easternflorida.edu
Director, C/W Admissions	Doreen Erickson	321-433-7247	ericksond@easternflorida.edu
Director, C/W Advising	Angela Trujillo	321-433-5146	trujilloa@easternflorida.edu
Director, C/W Printing & Graphic Services	Cinthya Salmon Gatica	321-433-7497	salmongaticac@easternflorida.edu
Director, C/W Testing/Assessment	Valerie Rolling	321-433-5357	rollingv@easternflorida.edu
Director, C/W Science Lab	Michelle Provencal	321-433-5747	provencalm@easternflorida.edu
Director, C/W Communications	Sascha Lee	321-433-7657	lees@easternflorida.edu
Director, Curriculum Development	Amy Krewson	321-433-5098	krewsona@easternflorida.edu
Director, Dual Enrollment/EC&CCR	Shereen Luchten	321-433-5013	luchtens@easternflorida.edu
Director, EMS Program	Kim Eddleman	321-433-7612	eddlemank@easternflorida.edu
Director, Enterprise Application Services	Jose Garcia	321-433-7420	garciajo@easternflorida.edu
Director, Facilities Operations	Chad Blansett	321-433-7208	blansettc@easternflorida.edu
Director, Institutional Effectiveness	Dr. Sarah Stoeckel	321-433-7576	stoeckels@easternflorida.edu
Director, Military/Veteran Services	JC Burchette	321-433-5532	burchettejc@easternflorida.edu
Director, Network & Cloud Services	Anna Welsh	321-433-7460	welsha@easternflorida.edu
Director, Small Business Development Center	Robin Braswell	321-433-5573	braswellr@easternflorida.edu

Director, Payroll Services	Lauren Edinger	321-433-7052	edingerl@easternflorida.edu
Interim Director, Support Services	Sgt. Ricky Carswell	321-433-7555	carswellr@easternflorida.edu
Director, Student Success & Support/ADA Coordinator	Lisa Casillas	321-433-5962	casillasl@easternflorida.edu
Director, Service Learning & Civic Engmnt.	Dr. Erin Baird	321-433-7613	bairde@easternflorida.edu
Director, Tech Support Services	Chris Pearson	321-433-5594	pearsonc@easternflorida.edu
Director, TRiO	Eric Moss	321-433-7303	mosse@easternflorida.edu
Chief Director of Production, WEFS TV Station	Roger Heyward	321-433-7123	heywardr@easternflorida.edu
Manager, Services Contracts	Richard Hess	321-433-7204	hessr@easternflorida.edu
Manager, Advancement Services	Cory Barranti	321-433-7095	barrantic@easternflorida.edu
Manager, Banner Support Services	Margaret Thurman	321-433-7407	thurmanm@easternflorida.edu
Manager, Construction Projects	Paul Kalle	321-433-7287	kallep@easternflorida.edu
Manager, Continuing & Community Education Programs	Joe Crespo	321-433-7503	crespoj@easternflorida.edu
Manager, Event	Dawn Niehoff	321-433-7053	niehoffd@easternflorida.edu
Manager, Fac Cred/Empl Plcmnt	Dan Capman	321-433-7068	capmand@easternflorida.edu
Manager, Perkins Programs	Kym Carlisle	321-433-7081	carlislek@easternflorida.edu
Manager, Planning & Construction	Ryan Price	321-433-7344	pricer@easternflorida.edu
Manager, Procurement	Kristen Salitore	321-433-7345	salitorek@easternflorida.edu
Manager, Technical Support	Stephanie Hansford	321-433-7600	hansfords@easternflorida.edu
Manager, Technical Support	Sonal Patel	321-433-7600	patels@easternflorida.edu
Manager, Technical Support Desk	Roxan Kelley	321-433-7600	kelleyr@easternflorida.edu
Manager, Theatre/Auditorium Operations	Paul McKee	321-433-7177	mckeep@easternflorida.edu
Manager, Training & Staff Development	Kelly Fletcher	321-433-7155	fletcherk@easternflorida.edu
Manager, Maintenance	Mike Jones	321-433-7203	jonesmi@easternflorida.edu
Registrar	Gail Rebeta	321-433-5137	rebetag@easternflorida.edu
Student Life Coordinators			
Coord., Student Life – Palm Bay	Ancel Robinson	321-433-5374	robinsona@easternflorida.edu
Coord., Student Life – Cocoa	Dana Arace	321-433-5297	araced@easternflorida.edu
Coord., Student Life – Melbourne	Rhonda Morelock	321-433-7758	morelockr@easternflorida.edu
Coord., Student Life – Titusville	Rebecca Gunness	321-433-7141	gunnessr@easternflorida.edu
Student Housing			
Support Services Coordinator	Melissa McArthur	321-433-5436	mcarthurm@easternflorida.edu
Support Services Coordinator	Robert Roper	321-433-7132	roperr@easternflorida.edu
Support Services Specialist	Micky Maxwell	321-433-5876	maxwelle@asternflorida.edu
Student Union Welcome Specialist	Sandy Gabor	321-433-5435	gabors@easternflorida.edu
Resident Assistant	Chylle Remon'	321-258-7717	remon.chylle@titans.easternflorida.edu
Resident Assistant	Gabrielle Davis	321-433-5631	davis.gabby@titans.easternflorida.edu
Resident Assistant	Robert Shaw	321-433-5631	shaw.robert@titans.easternflorida.edu
Student Ombudsman			
Student Ombudsman	Emily Tonn	321-433-7715	Student-ombudsman@easternflorida.edu
Athletics			
AVP, Athletics	Jeff Carr	321-433-7054	carrj@easternflorida.edu
Associate Director, Athletics	Ryan Kiel	321-433-5797	kielr@easternflorida.edu
Head Athletic Trainer	Patricia Denny	321-433-5604	dennyp@easternflorida.edu
Interim Head Coach, Men's Baseball	Mitchell Gallagher	321-433-5752	gallagherm@easternflorida.edu
Head Coach, Men's Basketball	Zach Ferrell	321-433-5859	ferrellz@easternflorida.edu
Head Coach, Men's/Women's Golf	Jamie Howell	321-504-2073	howellj@easternflorida.edu
Head Coach, Men's Soccer	Bart Sansnett	321-433-5729	sansnettb@easternflorida.edu
Head Coach, Men's/Women's Cross Country	Doug Butler	321-433-5600	butlerdo@easternflorida.edu
Head Coach, Men's/Women's Tennis	Nick Rosatti	321-433-7054	rosattin@easternflorida.edu
Head Coach, Women's Basketball	Zack Banks	321-433-0061	banksz@easternflorida.edu
Head Coach, Women's Soccer	Scott Carswell	321-433-5603	carswells@easternflorida.edu
Head Coach, Women's Softball	Andrew Zeger	321-433-5412	zegera@easternflorida.edu
Head Coach, VB/Asst.GameDayOps	Carmelo Eleutiza De Jesus	321-433-5857	eleutizadejesusc@easternflorida.edu
Director, Athletic Communications	Michael Parsons	321-433-5700	parsonsm@easternflorida.edu

******In addition to those listed above, all Advisors/Sponsors to EFSC recognized student clubs and organizations are Campus Security Authorities.***

Crime Statistics[2]

In accordance with the requirements of the *Jeanne Clery Campus Safety Act*, the following eight pages contain the crime statistics for the three most recent calendar years concerning the number of *Jeanne Clery Campus Safety 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. Statistics for all non-campus housing facilities of student organizations officially recognized by EFSC are identified on page 19.

Jeanne Clery Campus Safety Act crimes include[3]:

Primary Crimes	VAWA Crimes	Arrests For Violation of:	Disciplinary Referrals for Violation of:	Hate Crimes[4] (categories of bias)	Stop Campus Hazing Act
· *Murder/Non-Negligent Manslaughter* · *Negligent Manslaughter* · *Rape* · *Fondling* · *Incest* · *Statutory Rape* · *Robbery* · *Aggravated Assault* · *Burglary* · *Motor Vehicle Theft* · *Arson*	· *Domestic Violence* · *Dating Violence* · *Stalking*	· *Liquor Laws* · *Drug Laws* · *Weapons Laws*	· *Liquor Laws* · *Drug Law* · *Weapons Law*	· *Race* · *Gender* · *Gender Identity* · *Religion* · *Sexual Orientation* · *Ethnicity* · *National Origin* · *Disability*	· *Hazing*

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.

2 Fire Statistics for calendar year 2019 and prior years are not provided because there were no on-campus student housing facilities in calendar year 2019 and prior years (first on-campus student housing facility opened in 2020).

3 Please see the "Definitions" section of this Annual Security Report for definitions of each Jeanne Clery Campus Safety Act crime.

4 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.

Cocoa Campus Statistics

Crime Classification	On Campus			Public Property			TOTAL		
Primary & VAWA Crimes	2023	2024	2025	2023	2024	2025	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	1	0	0	1	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Thefts	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	1	0	0	0	0	0	1	0
Arrests for:									
Liquor Law Violations	0	0	1	0	1	0	0	1	1
Drug Law Violations	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0	0	0	0
Disciplinary Referrals for:									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	3	0	0	2	0	0	5
Weapons Law Violations	0	0	0	0	0	0	0	0	0
Hate Crimes (by category of bias)									
Race	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0
Stop Campus Hazing Act									
Hazing	N/A	N/A	0	N/A	N/A	0	N/A	N/A	0

Melbourne Campus Statistics

Crime Classification	On Campus			Public Property			On Campus Residential			TOTAL		
Primary & VAWA Crimes	2023	2024	2025	2023	2024	2025	2023	2024	2025	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	1	0	0	0	0	0	0	0	0	1	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	1	0	0	0	0	0	0	0	0	1	0	0
Motor Vehicle Thefts	1	0	0	0	0	0	0	0	0	1	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	4	0	0	0	0	0	2	0	0	4	0	0
Stalking	1	0	0	0	0	0	0	0	0	1	0	0
Arrests for:												
Liquor Law Violations	0	0	1	0	0	0	0	0	1	0	0	1
Drug Law Violations	0	0	1	0	0	0	0	0	0	0	0	1
Weapons Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referrals for:												
Liquor Law Violations	10	14	12	0	0	0	8	14	12	10	14	12
Drug Law Violations	1	0	4	0	0	0	0	0	4	1	0	4
Weapons Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes (by category of bias)												
Race	0	0	0	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0
Stop Campus Hazing Act												
Hazing	N/A	N/A	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A	0

Palm Bay Campus Statistics

Crime Classification	On Campus			Public Property			TOTAL		
Primary & VAWA Crimes	2023	2024	2025	2023	2024	2025	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	1	0	0	0	0	0	1
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	1	0	0	0	0	0	1	0	0
Motor Vehicle Thefts	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Arrests for:									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0	0	0	0
Disciplinary Referrals for:									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0	0	0	0
Hate Crimes (by category of bias)									
Race	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0
Stop Campus Hazing Act									
Hazing	N/A	N/A	0	N/A	N/A	0	N/A	N/A	0

Titusville Campus Statistics

Crime Classification	On Campus			Public Property			TOTAL		
Primary & VAWA Crimes	2023	2024	2025	2023	2024	2025	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Thefts	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	1	0	0	0	0	0	1	0
Stalking	0	0	0	0	0	0	0	0	0
Arrests for:									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	1	0	0	1	0	0
Weapons Law Violations	0	0	0	0	0	0	0	0	0
Disciplinary Referrals for:									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0	0	0	0
Hate Crimes (by category of bias)									
Race	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0
Stop Campus Hazing Act									
Hazing	N/A	N/A	0	N/A	N/A	0	N/A	N/A	0

Non-Campus Buildings and Property Statistics

Crime Classification	EFSC Fred Gay Golf Academy Located at: 3570 S.R. 520, Cocoa, FL			EFSC Firearms Training Complex Located at: 2955 Pluckebaum Rd., Cocoa, FL		
Primary & VAWA Crimes	2023	2024	2025	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Motor Vehicle Thefts	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0
Stalking	0	0	0	0	0	0
Arrests for:						
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0
Disciplinary Referrals for:						
Liquor Law Violations	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0
Hate Crimes (by category of bias)						
Race	0	0	0	0	0	0
Gender	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0
Religion	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0
National Origin	0	0	0	0	0	0
Disability	0	0	0	0	0	0
Stop Campus Hazing Act						
Hazing	N/A	N/A	0	N/A	N/A	0

Non-Campus Buildings and Property Statistics

Crime Classification	EFSC Aviation Building & Hangar at Orlando Melbourne International Airport (MLB)			EFSC Student-Athlete Housing Facilities (Off-Campus Locations)			All Other EFSC Non-Campus Buildings and Property (All Other Clery Geography)		
Primary & VAWA Crimes	2023	2024	2025	2023	2024	2025	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Thefts	0	0	0	0	0	0	0	1	0
Arson	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Arrests for:									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0	0	0	0
Disciplinary Referrals for:									
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0	0	0	0
Hate Crimes (by category of bias)									
Race	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0
Stop Campus Hazing Act									
Hazing	N/A	N/A	0	N/A	N/A	0	N/A	N/A	0

EFSC Total Statistics

Crime Classification	On Campus			On Campus Residential			Public Property			Non-Campus Buildings and Property			Unfounded		
Primary & VAWA Crimes	2023	2024	2025	2023	2024	2025	2023	2024	2025	2023	2024	2025	2023	2024	2025
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Burglary	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Thefts	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	4	1	0	2	0	0	0	0	0	0	0	0	0	0	0
Stalking	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0
Arrests for:															
Liquor Law Violations	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Drug Law Violations	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disciplinary Referrals for:															
Liquor Law Violations	10	14	12	8	14	12	0	0	0	0	0	0	0	0	0
Drug Law Violations	1	0	6	0	0	4	0	0	0	0	0	0	0	0	0
Weapons Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes (by category of bias)															
Race	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Stop Campus Hazing Act															
Hazing	N/A	N/A	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A	0

Annual Fire Safety Report

The purpose of the Annual Fire Safety Report is to disclose fire safety policies and procedures related to Eastern Florida State College's on-campus student housing facilities located on the Melbourne Campus and to disclose fire statistics for those facilities. For detailed fire safety policies and procedures, please see pages 38-68 of this Annual Security and Fire Safety Report. Students did not begin living in Building B until its opening in 2023.

FIRE SAFETY SYSTEMS IN RESIDENTIAL FACILITIES FOR CALENDAR YEAR 2025							
Facility	Fire Alarm Monitoring (Remote or On-Site)	Sprinkler System (Full or Partial)	Smoke Detection Devices	Fire Extinguisher Devices	Evacuation Plans and Placards	Number of Fire Evacuation Drills Per Each Calendar Year	Number of Fire Incidents Per Each Calendar Year
3865 N. Wickham Rd. –Building A	Remote	Full	Yes	Yes	Yes	2	0
3865 N. Wickham Rd. –Building B	Remote	Full	Yes	Yes	Yes	2	0

Annual Fire Drill Findings and Improvement Plan

In accordance with applicable guidelines, Eastern Florida State College provides a proactive approach to ensuring the safety of our on-campus housing residents. For example, we provide bi-annual (once per major semester - Fall & Spring) training to our Resident Assistants (RAs) and residents on the utilization of portable fire extinguishers and the inspection of fire safety systems within the housing suites and individual bedrooms. This training is designed to prepare the RAs and residents with the correct procedures for employing portable fire extinguishers in a variety of potential fire scenarios. In addition to bi-annual training with RA's and residents, additional training can be completed via tabletop sessions, demonstrations, and physical applications. Furthermore, we conduct monthly health and safety inspections throughout the housing facilities, which encompass evaluations of fire safety equipment, including sprinkler systems, smoke detectors, and in-room portable fire extinguishers. This systematic approach is aimed at ensuring a secure living environment for all residents.

During calendar year 2025, a fire Evacuation Drill was conducted on December 17, 2025, for residents of Building A and B. Eastern Florida State College Melbourne is currently in the process of hiring and restructuring personnel with Student Housing. A second Fire Evacuation Drill will be conducted following the completion of the Resident Assistants (RA's) hiring and orientation process. This will allow newly hired Resident Assistants to receive the appropriate training and participate in the evacuation procedures with residents.

Fire Safety Contacts

After a fire has occurred, the following individuals must be notified:

TITLE	NAME	PHONE NUMBER	EMAIL ADDRESS
Chief of Collegewide Security/Emergency Management Director	Chief Joe Ambrose	(321) 433-7007	ambrosej@easternflorida.edu
Emergency Management Deputy Director	VACANT		
Collegewide Security Lieutenant/Public Safety Hazmat Compliance Officer	Robert Delaune	(321) 433-5445	delauner@easternflorida.edu

Annual Fire Statistics

Statistics and Related Information Regarding Fires in Residential Facilities																		
Residential Facility	Total Fires in Each Building			Fire Number			Cause of Fire			Number of Injuries That Required Treatment at a Medical Facility			Number of Deaths Related to Fire			Value of Property Damage Caused by Fire (Values are in dollars)		
	2023	2024	2025	2023	2024	2025	2023	2024	2025	2023	2024	2025	2023	2024	2025	2023	2024	2025
Building A	0	0	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Building B	0	0	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

(Fire Statistics for calendar year 2019 and prior years are not provided because there were no on-campus student housing facilities in calendar year 2019 and prior years (Building A on-campus student housing facility opened in 2020. Building B on-campus student housing facility opened in 2023.)

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 *Jeanne Clery Campus Safety 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 *Jeanne Clery Campus Safety 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 MANAGEMENT RESPONSE PLAN

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

https://www.easternflorida.edu/documents/emergency-management-response-plan.pdf

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.
- Community patrons (non-EFSC/non-UCF affiliated persons) who wish to use EFSC libraries must possess a valid Community Patron Library Card. For security reasons, all applicants must undergo a criminal background check (i.e. fingerprinting). Applicants who are designated a Sexual Offender or Sexual Predator (or similar designation in another jurisdiction), or who otherwise pose a security risk to the college as determined by the administration in its sole and absolute discretion are not eligible for and will not receive a Community Patron Library Card. The Community Patron Application Process can be found at: https://www.easternflorida.edu/our-campuses/campus-security/id-card.cfm
- The first ID and/or library card issued is free to students. 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/Active Shooter Trainings" 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 *Jeanne Clery Campus Safety 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 ¼ 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. Hide. Fight.

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.

Sexual Misconduct and Title IX

Eastern Florida State College is 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. To that end, the College has zero tolerance for sexual harassment, sexual assault, dating violence, domestic violence or stalking, (collectively referred to as "Sexual Misconduct").[1]

TITLE IX AND VICTIM 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: https://www.easternflorida.edu/titleix/index.php

REPORTING SEXUAL MISCONDUCT

Reports of Sexual Misconduct may be directed to the College's Title IX Coordinator:

Stephen Salvo
Title IX Coordinator
Melbourne Campus, Bldg. 8 , Room 201G
Phone: (321) 433-5775
E-Mail: salvos@easternflorida.edu

In addition, reports of Sexual Misconduct may be made to any of the following College officials: any Vice President, Associate Vice President, Campus Administrator, Dean, Collegewide Chair, Student Life Coordinator, Student Ombudsman, Athletic Coach, Director of Support Services, Resident Assistant, or Campus Security Officer. Upon receipt of such a report, the College official must immediately notify the Title IX Coordinator.

[1] 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.

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 employee 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 College 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:

Brevard County Clerk of Courts 400 South Street Titusville, FL 32780 (321) 637-6521	Brevard County Clerk of Courts 50 South Nieman Avenue Melbourne, FL 32901 (321) 637-6548	Brevard County Clerk of Courts 2825 Judge Fran Jamieson Way Viera, FL 32940 (321) 637-5413 (option 2, then 0)
For more information, please visit the Clerk's website at: http://brevardclerk.us/injunctions-for-protection		

Supportive Measures. Regardless of whether a formal complaint 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 supportive measures, please contact the Title IX 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 and Fire Safety Report on pages 38 and 42 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.

SAVS/Women's Center in Brevard 1425 Aurora Road Melbourne, FL 32935 Phone: (321) 242-3110	SAVS/Women's Center in Brevard 400 Julia Street Titusville, FL 32796 Phone: (321) 607-6811

SAVS/Women's Center **24 Hour Rape Hotline: (321) 784-HELP (4357)**

SAVS/Women's Center Website: https://www.womenscenter.net/

Sexual Misconduct Prevention and Awareness[6]

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.

[6] Sexual Misconduct Prevention and Awareness information from the Rape, Abuse & Incest National Network (RAINN) website - http://www.rainn.org

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.

Prevention and Awareness Program - 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: https://www.easternflorida.edu/green-dot/index.php.

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 https://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.js.

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

Counseling & Behavioral Health
Gee RESOLUTIONS
We Care. Just Call. 321-631-8569

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.

Select College Security and Fire Safety-Related Policies[10]

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 conductive 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 and fire reports and crime and fire 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 and fire safety report containing safety and security related policy statements and crime and fire 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 and fire statistics by type, location and year.
- Maintain a campus security department daily crime and fire log of alleged criminal and fire incidents that is opened to public inspection.

[Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. 20 USC § 1092(f)(18)]

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 weapons for self-defense or other weapons 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. §790.115 (2016).

(SACSCOC Standard 13.8)

[§1006.60; §1006.61, §790.115;§790.25;§790.251; Fla. Stat. (2016)]

400.9 HAZING

Hazing is prohibited at EFSC. Hazing is defined as any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes including, but not limited to, initiation, admission into, or affiliation with a college sanctioned organization, or the perpetuation or furtherance of a tradition or ritual of a college sanctioned organization. Hazing includes, but is not limited to, pressuring or coercing a student into violating state or federal law, any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other forced physical activity that could adversely affect the physical health or safety of a student, and also includes any activity that would subject a student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of a student. Hazing does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective. This policy applies to any hazing on or off campus.

[§1001.64(8)(e); §1006.63, Fla. Stat.]

[10] The entire Board Policy Governance Manual may be found at: http://www.easternflorida.edu/administration-departments/board-of-trustees/documents/efsc-trustees-governance-manual.pdf

800.2 Disclosure of Crime and Fire Statistics and Annual Security and Fire Safety Report

On or before October 1st of each year, EFSC's Chief of Security or his/her designee shall publish an Annual Security and Fire Safety Report (ASR) containing crime, arrest, referral, and fire 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, stalking and hazing;
- 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 https://www.easternflorida.edu/security/crime-statistics.php

Click here to view the Annual Security and Fire Safety Report.

When compiling the crime, arrest, referral, and fire statistics, the Chief of Security or his/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 and Fire Safety 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 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 and Fire Safety 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 and 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, Chief Financial Officer, Campus Administrators, Collegewide Chairs, Deans, Directors, Security Personnel, Coaches, Assistant Coaches, Athletic Directors, Student Life Directors, 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.

The ASR will also include: (1) a description of each on-campus student housing facility fire safety system; (2) the number of fire drills held during the previous calendar year; (3) policies or rules on portable electrical appliances, smoking, and open flames in a student housing facility; (4) procedures for student housing evacuation in the case of a fire; (5) policies regarding fire safety education and training programs provided to students and employees, including procedures that students and employees should follow in case of a fire; (6) a list of the titles of each person or organization to which students and employees should report that a fire occurred; (7) plans for future improvements in fire safety (if determined necessary by EFSC); and (8) fire statistics.

Fire statistics will identify the name and street address of each on-campus student housing facility, and for each facility, include: (1) the number of fires; (2) the cause of each fire; (3) the number of persons who received fire-related injuries that resulted in treatment at a medical facility; (4) the number of deaths related to a fire; and (5) the value of property damage related to a fire.

In addition to crime and fire statistics, the Annual Security and Fire Safety 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. The ASR will also include information about missing student notification for students residing in on-campus housing, including procedures to be followed if such a student is determined to be missing for 24 hours.

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 and Fire Safety 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 reports 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) or by calling the respective Campus Security Office.

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

Prospective students and employees may obtain a copy of the report via the College website (https://www.easternflorida.edu/security/crime-statistics.php) and paper copies may be obtained free of charge from any Campus Security Office upon request. The website address to electronically access the Annual Security and Fire Safety Report will also be included with the employment application.

The full text of the Annual Security and Fire Safety Report shall be located on the College's website at www.easternflorida.edu/documents/asr.pdf.

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 general arrest authority, but may use force as provided in Section 800 of the College's Procedure Manual.

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 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, as well as primary and ongoing prevention and awareness programs relating to dating violence, domestic violence, sexual assault, stalking, and hazing. 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, stalking, and hazing. 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, stalking, and hazing, 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: https://www.easternflorida.edu/titleix/.

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 https://www.easternflorida.edu/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 AND TITLE IX GRIEVANCE POLICY

On May 19, 2020, the U.S. Department of Education issued a Final Rule ("Final Rule") under Title IX of the Educational Amendments of 1972 that: (1) defines the meaning of sexual harassment, sexual assault, dating violence, domestic violence, and stalking (collectively, "sexual misconduct"); (2) addresses how the College must respond to reports of sexual misconduct; and (3) mandates a grievance process that the College must follow before issuing a disciplinary sanction against a person accused of sexual misconduct. The Final Rule is effective August 14, 2020.

Eastern Florida State College is firmly committed to maintaining a campus environment free from all forms of sexual misconduct. 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.

[11] The entire EFSC Procedures Manual may be found at: https://www.easternflorida.edu/administration-departments/documents/procedures-manual.pdf

The College shall provide educational programs to promote the awareness and prevention of sexual misconduct.

The College shall maintain procedures consistent with the Final Rule, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, and any other applicable law or regulation.

The standard of proof in any sexual misconduct disciplinary proceeding shall be 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 it 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 AND FIRE 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 and Fire Log for each campus (fire log for Melbourne campus only) for the purpose of recording specific information about all criminal incidents and alleged criminal incidents that are reported to the Campus Security Department, as well as all fires that occur in on-campus housing facilities.

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 and Fire Safety-Related Procedures[11]

201.5 Student Code of Conduct

Any student who accepts the privilege extended by the laws of Florida of attending Eastern Florida State College gives his/her consent to the policies of the College, the State Board of Education, and the laws of Florida.

This Code of Conduct broadly applies to conduct occurring either on or off campus that substantially disrupts or interferes with the College's programs or mission, a civil and safe environment conducive to learning and inquiry, or the rights of other students and College employees to be secure and to be let alone. It applies to conduct that actually causes such disruption or interference, or that is reasonably forecasted to do so.

Student Code of Conduct proceedings are intended to be prompt, fair and impartial. The formal rules governing criminal or civil courts, including the rules of evidence, are not applicable to these proceedings. However, except for interim action (see 201.5.2 below), no disciplinary sanction may be imposed on a student unless and until the student has been notified in writing of the alleged violation(s) and afforded a meaningful opportunity to be heard. While students shall be afforded the opportunity to be heard, proper decorum is expected and required at all times. Abuses may result in the immediate termination of any proceeding and additional charges under the Code of Conduct.

The College may impose discipline for violation of, or an attempt to violate, any of the standards of conduct set forth in Appendix A, except for allegations of Sexual Misconduct, which shall be processed in accordance with College Procedure 800.10

In addition, students charged with violating the Student Code of Conduct are entitled to the following:

- The right to an impartial hearing officer;
- The right against self-incrimination and the right to remain silent. Such silence may not be used against the student;
- The right to present relevant information and question witnesses;
- The right to an advisor or advocate who may not serve in any other ole, including as an investigator, decider of fact, hearing officer, member of a committee or panel convened to hear or decide the charge, or any appeal;
- The right to have an advisor, advocate, or legal representative at the the student's own expense, present at proceedings, whether formal or informal. Such person may directly participate in all aspects of the proceeding, including the presentation of relevant information and questioning of witnesses;
- The right to appeal the final decision of a hearing officer as provided herein. Appeals may not be heard by College officials who directly participated in any other proceeding related to the charged violation.
- The right to an accurate and complete record of every disciplinary proceeding on or after July 1, 2021, relating to the charged violation of the code, including record of any appeal, to be made, preserved, and available for copying upon request by the charged student; and;
- The right to dismissal of any charge brought more than 1 year from the date of the alleged conduct. Such limitations period may be extended or waived for good cause, such as when the College was not made aware of the alleged conduct until after such limitations period had expired. Good cause determinations shall be made by the Dean of Students in consultation with appropriate College officials.

For purposes of this procedure, the term "student" shall mean:

- All persons enrolled in one or more EFSC courses, including on-campus courses or virtual (Eastern Florida Online (EFO), online, hybrid) courses, and continuing education courses, even if they are also enrolled as students in another educational institution;
- All persons who are not officially enrolled at EFSC for a particular term, but have a continuing relationship with EFSC or intend to enroll in a future term, including without limitation persons enrolled in the spring and fall semesters who engage in misconduct during the summer, and students who are first time enrollees, or applicants, who engage in misconduct prior to the time of enrollment; and
- Student groups and organizations may be held collectively responsible when violations of the code by those associated with the group or organization have received approval, express or implied consent, or encouragement of the group or organization or of the group's or organization's leaders or officers.

This definition also includes persons who may have committed violations of the Code of Conduct while a student but may no longer be actively enrolled at EFSC.

For purposes of this procedure, references to "day(s)" shall mean calendar day(s), while references to "business day(s)" shall mean Monday through Thursday. Relevant timeframes are held in abeyance during any official breaks, closures, or holiday observances.

Level of disciplinary sanctions related to violations of the Code of Conduct include but are not limited to: verbal/ written warning, disciplinary censure, disciplinary probation, final disciplinary probation, suspension, and/ or expulsion. A complete list of disciplinary sanctions is set forth in Appendix B.

Students with a good faith scheduling conflict may request a continuation of any noticed proceeding if such request is submitted in writing to the presiding College official not less than 24 hours prior to the scheduled proceeding. If a student fails or refuses to attend any scheduled proceeding, the student consents to the presiding College official conducting the proceeding in the student's absence. Students are responsible to arrange for the presentation of any relevant information and witnesses on their behalf. The College cannot compel any person to attend any proceeding on behalf of a student. The presiding College official shall have the authority to exclude irrelevant or cumulative information, and to limit the number of live witnesses in order to avoid unreasonable delays where the testimony is irrelevant or cumulative.

Students may have an advisor, advocate, or legal representative (one person) in attendance for any proceeding. Any such person serves at the student's own expense and initiative (the College is not responsible for recommending or providing for any student. A person may not serve in such role if their service would unreasonably conflict with or disrupt the fair administration of the matter under consideration, as determined by the presiding College official. This person's main role is to advise the student. A student may consult this person at any time, provided such consultation does not disrupt or unreasonably delay the proceeding. If the person does not adhere to their defined role, they may be removed from the proceeding in the presiding College official's sole discretion. Students must provide the identity of such person, as well as a signed FERPA waiver, to the presiding College official at least 2 business days prior to the proceeding, which will not be adjourned or continued due to a claimed scheduling conflict of the student's chosen person.

Any action taken against a student pursuant to College Procedure 201.7 (Trespass on College Property) does not prohibit any proceeding under the Student Code of Conduct based on the same or other alleged misconduct by the student. Trespassed students may not appear in person at any proceeding under the Student Code of Conduct but will be afforded the opportunity via teleconference to be heard and present relevant information, witness testimony (including written witness statements), and any other documentary evidence supporting the student's position.

Except as provided herein, proceedings under the Student Code of Conduct may not be recorded (audio or video), televised, live-streamed, or otherwise electronically or telephonically disseminated or captured without the express written consent of the presiding College official. Deviations from this procedure shall not invalidate a proceeding or resulting decision, except where such deviation has clearly resulted in significant prejudice to an accused student or to the College.

The College President has designated the Vice President for Academic and Student Affairs/CLO to authorize a student's suspension or expulsion in accordance with this procedure.

Appendix A: Student Code of Conduct

This code of conduct relates to all actions disruptive or otherwise harmful to the educational process and includes both physical and virtual (online) educational communities and communications. Violation of the standard of conduct herein will be considered a disciplinary matter and treated in accordance with procedures of due process and with respect of the right and welfare of all members of the College community. Standards of conduct for which students are subject to disciplinary action, such as suspension or expulsion from EFSC, include, but are not limited to, those described below:

1. Academic Dishonesty - Cheating, plagiarism and any other misrepresentation of work are prohibited. Students who are found to be in violation of this standard may receive severe sanctions including a failing grade in their respective course and, depending on the circumstances, possible expulsion from Eastern Florida State College.
2. Aiding or Facilitating – No student may aid, facilitate, assist, support, promote, or otherwise encourage the commission of any conduct or behavior prohibited by this Student Code of Conduct. In addition, students witnessing any prohibited conduct or behavior must report same to appropriate College officials in a timely manner.
3. Alcoholic Beverages - Alcoholic beverages are prohibited on the campuses of Eastern Florida State College and at any College-sponsored activity or event unless approved in advance by the President. Students found to be in possession without prior approval, or unlawfully in possession or under the influence of alcoholic beverages while on campus or at a College-sponsored activity or event is subject to discipline including suspension or expulsion. Sanctioning a student for conduct prohibited by this section is not conditioned upon the student being cited or convicted in a court of law.
4. Animals - Animals are not permitted on any property owned or controlled by the College unless they meet the definition of "service animal" under federal and state law, are an approved accommodation by the Office of Student Access for Improved Learning (SAIL), or are part of an approved course or presentation. See also Sections 203.5 and 203.6 of the College Procedures Manual.
5. Arson - No student shall commit or aid in the intentional commission of an act which results in fire being ignited that causes damage or is intended to cause damage, to the property of the College or to the property of any other person.
6. Assault and/or Battery - An "assault" is an intentional threat by word or act to do bodily harm to another, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in such other person that such bodily harm is imminent. A "battery" occurs when a person actually and intentionally touches another person against the will of the other or intentionally causes bodily harm to another person.
7. Breach of Peace - Conduct or expression on College owned or controlled property which disrupts the orderly functioning of the College or is lewd, indecent or obscene is prohibited. Cellular telephones and audible pagers should only be used outside of classrooms.
8. Bullying - Behavior of any sort (including communicative behavior) directed at another, that is severe, pervasive, or persistent, and is of a nature that would cause a reasonable person or group in the target's position substantial emotional distress and undermine his/her ability to work, study, or participate in College programs or activities, or which would place a reasonable person in fear of injury or death.
9. Children on Campus - Because of potential disruptiveness to the learning environment, non-enrolled children are not permitted to visit a class in session or a lab. Non-enrolled children will not be permitted to remain in the common areas of College buildings without adult supervision. Only registered students are allowed to sit in class.
10. College-sponsored Activities and Events - Use of College facilities must be approved by the proper College authority. All College-sponsored activities and events, e.g., outdoor concerts, student rallies, outside speakers, etc. are subject to any limitations and provisions established by the appropriate College official.
11. Contracting or Representation in the Name of the College - Students, including those acting as officers

within any of the Student Government Association or clubs, are prohibited from contracting in the name of Eastern Florida State College and may not claim to be official representatives of the College. Students will not endorse a product in a manner which implies an official endorsement by the College.

12. Cosmetology Prohibited Act - Student cosmetology services shall be performed only in the lab under the supervision of an instructor. All services must be approved in advance by the instructor. Services shall not be performed in restrooms, hallways, or other areas. Students are expected to adhere to the professional standards associated with licensure expectations. Florida Statute 477.0263 - Cosmetology services shall be performed only by licensed cosmetologists in licensed salons. Florida Statute 477.0265. Prohibited acts. It is unlawful for any person to engage in the practice of cosmetology or a specialty without an active license as a cosmetologist or registration as a specialist issued by the department pursuant to the provisions of this chapter.

Any person who violates any provision of this section commits a misdemeanor of the second degree, punishable as provided in §.775.082 or §.775.083.

13. Damage or Destruction of Property - Accidental damage, vandalism or malicious damage to property belonging to Eastern Florida State College or others may require restitution from the person(s) responsible for such damage and/ or may result in disciplinary action.

14. Defamation, Threats and Extortion - Verbal or written communication which unlawfully exposes any individual or group to hatred, contempt, or ridicule and thereby injures the person, property, of reputation of another is prohibited. Verbal or written communication which threatens another with a crime or offense, threatens injury to the person, property, or reputation of another, or maliciously threatens to expose another to disgrace, with the intent to extort money or other advantage is prohibited.

15. Disruption - In accordance with F.S. 1006.61 (1): "Any person who accepts the privilege extended by the laws of this state of attendance at any public postsecondary educational institution shall, by attending such institution, be deemed to have given his/her consent to the policies of that institution, the State Board of Education, and the laws of this state. Such policies shall include prohibition against disruptive activities at public postsecondary educational institutions."

Students who intentionally act to impair, interfere with or obstruct the orderly conduct, process and functions of the College, either on or off campus, shall be subject to appropriate disciplinary action by College authorities. Disruptive conduct shall include, but not be limited to, the following:

a. Violence against or endangerment of any member or guest of the College community.

b. Deliberate interference with academic freedom and freedom of speech (including not only disruption of a class but also interference with the freedom of any speaker invited by any section of the College community to express his/her views).

c. Theft or willful destruction of College property.

d. Forcible interference with the freedom of movement of any member or guest of the College.

e. Participation in a disturbance of the peace or unlawful assembly.

f. Public intoxication.

g. Exposing sexual organs or engaging in sexual acts, or similar lewd, obscene, or indecent conduct in a public place or while in public view.

h. Sleeping in class, repeated tardiness, interfering with the learning process of others, outbursts, verbal abuse, and/or profanity.

i. Obstruction of the normal process and activities essential to the College community. Orderly demonstrations of points of view by signs, etc., which are neither vulgar nor profane are not considered disorders.

16. Distribution or Sale of Literature or Goods - Distribution or sale of literature or goods on the campuses must be conducted in accordance will all applicable College policies and procedures.

17. Dress and Appearance - Students are expected to maintain standards of personal appearance and dress which are conducive and appropriate to the maintenance of health, welfare and safety for themselves and for their associates in the community. Dress worn by students must be of sufficient quality and quantity to properly cover and protect the body, including shirt and shoes.

18. Duplication of Keys - Duplication of College keys is prohibited.

19. Endangerment - Any action that endangers the health, safety, or welfare of one's own self or others, including but not limited to:

- Physical violence towards another person or group.
- The threat of physical violence towards another person or group.
- Interference with the freedom of another person or group to move about in a lawful manner.
- Intentional or reckless transmission of illness or disease (including but not limited to COVID-19) to another person or group.

20. Failure to Pay Financial Obligations - The College may initiate disciplinary proceedings against a student who has allegedly refused to pay or failed to pay a debt he/ she owes to the College. If a student fails to pay the

College an amount due, disciplinary action may be initiated. College transcripts will not be issued to any student who has not satisfied all financial obligations to the College. Students will not be allowed to register for classes until account is cleared.

21. Falsification of Records - Falsification of College records, including, but not limited to, admission, registration, disciplinary and health records, by forgery or other means of deception, is prohibited.

22. Firearms, Weapons, Fireworks, Explosives -

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, specifically 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, F.S. (2017)]

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 carry 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. [§790.115; §790.25; §790.251, F. S. (2017)]

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 F.S. §790.115, (2017).

23. Gambling - Gambling is prohibited on the campuses of Eastern Florida State College.

24. Guest Responsibility - Students may be held responsible for the actions of their guests.

25. Hazing – Any action or situation that recklessly or intentionally endangers the mental or physical health or safety of another for purposes including, but not limited to:

- Initiation into any organization operating under the sanction of a postsecondary institution;
- Admission into any organization operating under the sanction of a postsecondary institution;
- Affiliation with any organization operating under the sanction of a postsecondary institution; or
- The perpetuation or furtherance of a tradition or ritual of any organization operating under the sanction of a postsecondary institution.

The term includes, but is not limited to, pressuring or coercing another into violating state or federal law; any brutality of a physical nature, such as whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other forced physical activity that could adversely affect the physical health or safety of another; or any activity that would subject another to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or other forced activity that could adversely affect the mental health or dignity of another. The term does not include customary athletic events or other similar contests or competitions or any activity or conduct that furthers a legal and legitimate objective.

26. Harassment – Threats, intimidation, coercion, or any other conduct that places a reasonable person in fear of physical harm, through words or actions, or objectively disrupts a person's daily activities, including education and employment. Harassment does not include conduct protected by the First Amendment.

27. Housing Conduct - Students residing in the College's on-campus student housing facility must adhere to any rules, regulations, and standards of conduct that are specific to that facility, including but not limited to, the Housing Code of Conduct.

28. Identification of Students - Students are required to present proper identification when requested by authorized College officials. Any misrepresentation, alteration or misuse of identification is prohibited. In addition, students are required to obtain a College-issued identification card as soon as practicable upon enrollment.

29. Illegal Drugs and Controlled Substances - The College cannot protect students from state and federal drug abuse laws and will cooperate fully with law enforcement agencies. All applicants for admission to

Eastern Florida State College shall certify in writing that they will not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during enrollment at EFSC according to the College's Drug-Free Policy. This means that students:

- Will not use, possess, purchase, solicit, sell, manufacture, distribute, or deliver (or possess with intent to unlawfully use, purchase, solicit, sell, manufacture, distribute, or deliver) narcotics, controlled substances, prescription medication without a personal prescription, or other illegal drugs.
- Will notify the College within five (5) business days of any conviction for any offense occurring on or away from campus relating to the possession, sale, purchase, delivery, use, manufacture or distribution of illegal drugs or controlled substances.
- Has read, understood and will obey the College's Drug-Free Policy. Applicants who refuse to sign the drug-free certification may be refused admission to the College. If an applicant cannot agree to accept the above conditions for admission to the College, he/ she may be offered counseling which may include information as to where to obtain rehabilitative services. The statement of certification will be considered a legal contract between the student and the College and such contract will be considered broken upon commission of an offense relating to the use, possession, purchase, solicitation, sale, manufacture, distribution, or delivery (or possession with intent to unlawfully use, purchase, solicit, sell, manufacture, distribute, or deliver) narcotics, controlled substances, prescription medication without a personal prescription, or other illegal drugs. A student who commits a drug-related offense on campus or while in attendance at a College event will be sanctioned up to and including suspension or expulsion. A student who is tested positive for an illegal drug or controlled substance during screening for College-related programs or for program-related clinical experiences will also be sanctioned up to and including suspension or expulsion.

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.

Sanctioning a student for conduct prohibited by this section is not conditioned upon the student being cited or convicted in a court of law.

30. Intellectual Property Rights - The College promotes an academic environment that encourages and rewards the creative efforts and innovative spirit of its students. The College, therefore, does not claim ownership rights to the intellectual property created by students in the scope of their attendance except where the student has utilized substantial resources of the College in the development of the work that goes beyond resources commonly provided to students for production of publications or class projects. Intellectual property is meant to include both traditional forms of intellectual property such as student publications, class projects and student papers, as well as non-traditional intellectual property such as CD-ROMS, computer programs, TV courseware or other electronically recorded materials. All such intellectual property remains the property of the authoring student. However, the College retains an interest in said property by virtue of the College's assistance and support for its development, production and dissemination and, therefore, shall have reasonable access to and use of the intellectual property for such purposes as student evaluation and reproduction in exercising their administrative duties.
31. Interference with College Guests - The College may initiate disciplinary actions for any interference with the freedom of movement of any guest of the College.
32. Invasion of Privacy - Making, using, disclosing, or distributing a recording or other image of another person in a location or situation in which that person has a reasonable expectation of privacy and is unaware or does not consent to it; and any other conduct that constitutes an invasion of the privacy of another person under applicable laws and regulations. Such conduct includes, without limitation, taking unauthorized photographs, recording personal conversations or sexual encounters, acts of voyeurism, peeping, spying, or similar conduct that otherwise invades the privacy of another where a reasonable expectation of privacy exists. See also #49 (Unauthorized Recordings).
33. Misuse of Emergency Equipment - Fire escapes, designated ground-level doors, fire hoses, extinguishers and alarm equipment are to be used only in emergencies. Tampering with or misuse of these emergency devices, as well as blocking fire exits or impeding traffic in any way, is prohibited.
34. Obeying Reasonable Orders of College Officials - Students are required to comply with reasonable requests or orders by authorized College officials or representatives acting on the part of the College. This requirement includes reasonable requests for students to comply with health and safety directives (including those related to COVID-19), to meet appointments in administrative offices and at disciplinary investigations and hearings, and to abide by "no contact orders" and similar restrictions regarding access to, use of, or physical presence on College property, including trespass notices.

35. Obstruction of Process - Interference with or obstruction of the Student Code of Conduct, Housing Code of Conduct, Sexual Misconduct, or other similar process, by any means and through any medium, including but not limited to the following:

- Knowingly filing a false report.
- Falsification, distortion, or misrepresentation of information.
- Disruption or interference with the orderly conduct of a proceeding.
- Harassment or intimidation of a College official or participant.
- Attempting to influence the impartiality of a College official.
- Influencing or attempting to influence another person to commit an obstruction of process

36. Outside Speakers - Speakers may be invited to address a campus audience by a recognized student organization and the Student Government Association. These invitations must be approved by the Associate Dean of Student Life or the Dean of Students.

37. Public Laws - Any act by a student which constitutes a charge of a violation of public law, occurring either on or off campus, may establish cause of legal and/or disciplinary action by the College. However, if a student is later found to be not guilty of all related charges in a court of law, the College may reconsider any disciplinary sanctions imposed at the request of the student.

38. Providing False Information – Furnishing false or misleading information to the College or to any College official. This includes but is not limited to forging documents or other data or omitting facts that are material to the purpose for which the information is submitted.

39. Recognition of Student Groups - In order to be classified as a student organization, established, recognized procedures must be met and approved by the Dean of Students.

40. Retaliation – No student may retaliate against a person or group who makes a report or complaint, cooperates with an investigation, or otherwise assists College officials in the enforcement of this Student Code of Conduct or any other College policy or procedure. Retaliation includes intimidation, threats, harassment, and other adverse actions.

41. Search and Seizure – With reasonable suspicion, College officials may conduct a search of a student's person or property for the purpose of obtaining information or evidence incident to a violation or suspected violation of the law or this Student Code of Conduct. If necessary, local law enforcement may be contacted for follow up. Students who fail or refuse to cooperate may be subject to discipline.

42. 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.
- Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

Please note that Sexual Exploitation may also constitute Sexual Misconduct (Sexual Harassment) depending on the circumstances

43. Sexual Misconduct – Conduct that constitutes, or allegations that if proven would constitute, Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, or Stalking, as those terms are defined in Section 800.10 of the College Procedures Manual. Any allegations of Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, or Stalking, as those terms are defined in Section 800.10 of the College Procedures Manual, shall be processed in accordance with that section. Similar conduct not specifically addressed in Section 800.10 of the College Procedures Manual may be subject to discipline under this code of conduct, including but not limited to, #6-Assault/Battery, #15-Disruption, #19-Endangerment, #25-Hazing, #31-Interference with College Guests, #32-Invasion of Privacy, #42-Sexual Exploitation, and #47-Threats/Threatening Behavior.

44. Smoking - Smoking – Consumption of any tobacco products and electronic cigarettes is strictly prohibited within all College work areas, including conference rooms, classrooms, restrooms, stairwells, and hallways. Smoking is also prohibited in any vehicle (to include golf carts) the College owns, hires, or leases. Smoking on College property will only be allowed at designated

smoking areas. Employees, students, and visitors may use designated smoking areas only. Proper disposal of smoking material in the ash urns provided is required.

45. Theft or Other Abuse of Computer Time, including but not limited to:

    j. Unauthorized entry into a file to use, read, change contents or for any other use.

    k. Unauthorized transfer of a file or unauthorized copying of licensed products.

    l. Use of another individual's identification and password.

    m. Use of computer facilities including laptop and wireless access to interfere with the work of another student, faculty member or College official.

    n. Use of computing facilities including laptop and wireless access to send obscene or abusive messages.

    o. Use of computer facilities including laptop and wireless access to interfere with the normal operations of the College computing system.

    p. Use of computing facilities including laptop and wireless access to download obscene materials.

    q. Violation of other established computer lab policies or laptop computer loan agreements.

46. Theft, Unauthorized Possession and/or Sale of Property Students involved in theft, unauthorized possession and/or sale of property not belonging to them are subject to College disciplinary action as well as to arrest and prosecution by legal authorities. Students are required to make full restitution. Students in possession of property owned or controlled by the College (i.e., the bookstore, library, audio-visual department, athletic department) or by another person, without authorization or payment for such property, will be subject to College disciplinary action.

47. Threats/Threatening Behavior - Any statement, communication, conduct, or gesture, including those in written form, directed toward another that causes a reasonable apprehension of physical harm to a person or property. A student can be responsible even if the person who is the object of the threat does not observe or receive it, so long as a reasonable person would interpret the maker's statement, communication, conduct, or gesture as a serious expression of intent to physically harm.

48. Unauthorized Use of College Facilities - The unauthorized use of, or entry into, any College facilities (i.e., classrooms, labs, athletic fields), whether by force or not, is prohibited.

49. Unauthorized Recordings – The unauthorized use of recordings including, but not limited to, the recording of personal conversations, meetings, or activities; use of a camera, video, phone, or other device to record another person or group without expressed permission or prior authorization; recording of classes or academic lectures. EXCEPTION: Academic accommodation per approval and permission through the Student Access for Improved Learning (SAIL). *Pursuant to Florida Statute 1004.097(3)(g), a student may record video or audio of class lectures for one or more of the following purposes: (1) for their own personal educational use: (2) in connection with a complaint to the College; or (3) as evidence in orr in preparation for criminal or civil proceeding. Otherwise, a recorded lecture may not be published without the consent of the lecturer. For this purpose, the term "publish" means to make generally known or available to another In addition, the College shall not be responsible for any damages, court costs, or attorney fees resulting from a student's violation of the statute; any recovery shall be the sole responsibility of the offending student.

50. Use of College Mail Services - Use of College mail services is limited to official business of the College or College-sponsored or approved College-related organizations. Students must receive approval from the Dean of Student's in order to use College mail services.

51. Use of Vehicles - Riding bicycles in hallways, in buildings, or on walkways is prohibited. Motorized vehicles, roller skating and skateboarding are prohibited in areas other than designated roadways on the campuses of Eastern Florida State College. EXCEPTION: Motorized vehicles for handicapped persons may be used on walkways and in buildings.

52. Violation of Probationary Status - A student, who is alleged to have violated the Code of Conduct, while being subject to disciplinary or final disciplinary probation, may be charged with the separate offense of violating disciplinary probation.

53. Violations of Law - Federal and state law, respective county and city ordinances, and all College and Board of Trustees rules, regulations, policies, and procedures will be strictly enforced.

54. Violation of Florida Statute 553.865 ("Safety in Private Spaces Act"). Willfully entering a restroom or changing facility designated for the opposite sex (based on biological sex at birth) on the premises of the College and refusing to depart when asked to do so by any administrative personnel, faculty member, security personnel, or law enforcement personnel, except when entering for these purposes:

    - To accompany a person of the opposite sex for the purpose of assisting or chaperoning a child under the age of 12, an elderly person as defined in s. 825.101, F.S., or a person with a disability as defined in s. 760.22, F.S., or a developmental disability as defined in s. 393.063, F.S.;
    - For law enforcement or governmental regulatory purposes;
    - For the purpose of rendering emergency medical assistance or to intervene in any other emergency

situation where the health or safety of another person is at risk;

- For custodial, maintenance, or inspection purposes, provided that the restroom or changing facility is not in use; or
- If the appropriate designated restroom or changing facility is out of order or under repair and the restroom or changing facility designated for the opposite sex contains no person of the opposite sex.

See also Fla. Admin. Code R. 6A-14.00612. The requirements of s. 553.865, F.S., and Fla. Admin. Code R. 6A-14.00612, do not apply to an individual who is or has been under treatment by a physician who, in his or her good faith clinical judgment, performs procedures upon or provides therapies to a minor born with either of the following medically verifiable genetic disorders of sexual development: (1) external biological sex characteristics that are unresolvably ambiguous; or (2) a disorder of sexual development in which the physician has determined through genetic or biochemical testing that the patient does not have a normal sex chromosome structure, sex steroid hormone production, or sex steroid hormone action for a male or female, as applicable.

Any student who violates Florida Statute 553.865 is subject to disciplinary sanctions up to and including expulsion from the College.

Students, administrative personnel, faculty members, security personnel, and law enforcement personnel have the right to file a complaint with the Attorney General alleging the College failed to meet the minimum requirements for restrooms and changing facilities under s. 553.865(4) and (5), F.S.

800.2 DISCLOSURE OF CRIME AND FIRE STATISTICS AND ANNUAL SECURITY AND FIRE SAFETY REPORT

On or before October 1st of each year, EFSC's Chief of Security or his/her designee shall publish an Annual Security and Fire Safety Report (ASR) containing crime, arrest, referral, and fire 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, 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 and fire statistics shall be available in the Annual Security and Fire Safety Report.

See http://www.easternflorida.edu/our-campuses/campus-security/crime-statistics.cfm

Click here to view the Annual Security and Fire Safety Report.

When compiling the crime, arrest, referral, and fire 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 and Fire Safety 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 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 and Fire Safety 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 and 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, Chief Financial Officer, Campus Administrators, Collegewide Chairs, Deans, Directors, Security Personnel, Coaches, Assistant Coaches, Athletic Directors, Student Life Directors, Advisors/Sponsors to Student Clubs and Organizations, Title IX 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.

The ASR will also include: (1) a description of each on-campus student housing facility fire safety system; (2) the number of fire drills held during the previous calendar year; (3) policies or rules on portable electrical appliances, smoking, and open flames in a student housing facility; (4) procedures for student housing evacuation in the case of a fire; (5) policies regarding fire safety education and training programs provided to students and employees, including procedures that students and employees should follow in case of a fire; (6) a list of the titles of each person or organization to which students and employees should report that a fire occurred; (7) plans for future improvements in fire safety (if determined necessary by EFSC); and (8) fire statistics.

Fire statistics will identify the name and street address of each on-campus student housing facility, and for each facility, include: (1) the number of fires; (2) the cause of each fire; (3) the number of persons who received fire-related injuries that resulted in treatment at a medical facility; (3) the number of deaths related to a fire; and (4) the value of property damage related to a fire.

In addition to crime and fire statistics, the Annual Security and Fire Safety 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. The ASR will also include information about missing student notification for students residing in on-campus housing, including procedures to be followed if such a student is determined to be missing for 24 hours.

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 and Fire Safety 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 reports 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) or by calling the respective Campus Security Office.

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

Prospective students and employees may obtain a copy of the reports via the College website (https://www.easternflorida.edu/security/crime-statistics.php) and paper copies may be obtained free of charge from any Campus Security Office upon request. The website address to electronically access the Annual Security and Fire Safety Report will also be included with the employment application.

The full text of the Annual Security and Fire Safety Report shall be located on the College's website at www.easternflorida.edu/documents/asr.pdf.

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, Campus Administrators, Collegewide Chairs, Deans, Directors, Security Personnel, Coaches, Assistant Coaches, Athletic Directors, Student Life Coordinators, Advisors/Sponsors to Student Clubs and Organizations, Title IX 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 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. For more information regarding the authority of Eastern Florida State College Security personnel, see Procedure 805 – Use of Force.

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

Sections 203.3, 203.4, 203.5, and 203.6 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 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 604 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:

- College President, (Chair)
- Vice President, Academic & Student Affairs/Chief Learning Officer
- Vice President, Operations
- Vice President External Affairs
- Associate Vice President, Communications
- Chief of Security/Emergency Management Director (or designee)
- General Counsel

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 Management Director 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 EMRP can be accessed at https://www.easternflorida.edu/documents/emergency-management-response-plan.pdf.

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 Management Director, 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: https://www.easternflorida.edu/titleix/.

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 https://www.easternflorida.edu/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 – TITLE IX GRIEVANCE PROCEDURE.

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with an individual's ability to equally access educational programs and opportunities.

On May 19, 2020, the U.S. Department of Education issued a Final Rule ("Final Rule") under Title IX that:

Defines the meaning of sexual harassment, sexual assault, dating violence, domestic violence, and stalking (collectively referred to in this procedure as "Sexual Misconduct");

Addresses how the College must respond to reports of Sexual Misconduct; and

Mandates a grievance process that the College must follow before issuing a disciplinary sanction against a person accused of Sexual Misconduct.

Under the Final Rule, the College must narrow both the geographic scope of its authority to act under Title IX and the types of conduct that it must subject to its Title IX investigation and adjudication process. Only incidents falling within the Final Rule's definitions will be investigated and, if appropriate, brought to a live hearing through the grievance process outlined below. However, the College remains committed to addressing any violations of its community standards, including those not meeting the strict definitions of the Final Rule, through enforcement of its Student Code of Conduct and/or other applicable policies, procedures, handbooks, rules, or regulations.

As required by the Final Rule, the College implements the following procedure for formal complaints of Sexual Misconduct brought on or after August 14, 2020.

A. Definitions

1. Actual Knowledge

Means notice of Sexual Misconduct or allegations of Sexual Misconduct provided to the College's Title IX Coordinator, or any College Vice President, Associate Vice President, Provost, Dean, Associate Provost, Student Life Coordinator, Student Ombudsman, Varsity Athletics Coach, Director of Support Services, Resident Assistant, or Campus Security Officer. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the College with actual knowledge is the respondent.

2. Complainant

Means an individual who is alleged to be the victim of conduct that could constitute Sexual Misconduct.

3. Consent

r. Means an act or statement that is knowing, freely given, and mutually understood to communicate a willingness to engage in an activity.

s. It is the responsibility of each person involved in any sexual act to ensure that they have the consent of the other(s).

t. The existence of a dating or sexual relationship between the people involved, or the existence of a past sexual encounter, is not by itself an indication of consent for any current or future sexual encounter.

u. Consent cannot be obtained by force, threat, coercion, or by causing a reasonable fear of imminent injury.

v. For sexual activity to be consensual, consent must be ongoing throughout the sexual encounter. A person can withdraw consent at any time. Consent to one sexual act does not automatically constitute consent to another sexual act.

w. A person withdraws consent by clearly communicating withdrawal through words or actions.

x. Consent to engage in sexual activity with one person does not automatically constitute consent to engage in sexual activity with another person.

y. Lack of protest or resistance, alone, is not consent.

z. A person who is incapacitated cannot give consent.

The above definition will be used in determining whether a respondent is responsible for violating the College's Sexual Misconduct policy and procedure.

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 794.011.

4. Dating Violence

Dating Violence is violence committed on the basis of sex 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.

The above definition will be used in determining whether a respondent is responsible for violating the College's Sexual Misconduct policy and procedure.

In Florida, the term "dating violence" is statutorily defined as violence between persons 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:

e. A dating relationship must have existed within the past 6 months;

f. The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and

g. 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.

5. Domestic Violence

Domestic Violence is defined as felony or misdemeanor crimes of violence committed on the basis of sex 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.

The above definition will be used in determining whether a respondent is responsible for violating 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.

6. Education Program or Activity
For purposes of the College's Sexual Misconduct policy and procedure, an "education program or activity" means locations, events, or circumstances over which the College exercises substantial control over both the respondent and the context in which the Sexual Misconduct occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the College.

7. Fondling
The touching of the private body parts of another person for the purpose of sexual gratification without the consent of the other person, including instances where the other person is incapable of giving consent.

8. Formal Complaint

Formal complaint means a document filed by a complainant or signed by the Title IX Coordinator **alleging** Sexual Misconduct against a respondent and requesting that the College investigate the allegation of Sexual Misconduct. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in an education program or activity of the College. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by e-mail, by using the contact information listed in Section D. As used in this paragraph, the phrase "document filed by a complainant" means a document or electronic submission that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

9. Impaired

Means a person's normal faculties are diminished in some material respect. Normal faculties include but are not limited to the ability to see, hear, walk, talk, judge distances, drive an automobile, make judgments, act in emergencies and, in general, to normally perform the many mental and physical acts of daily life.

10. Incapacitation/Incapacitated

Incapacitation is a temporary or permanent state in which a person is physically or mentally unable to communicate a willful, voluntary, and knowing decision. A person can be incapacitated because of age, alcohol or drug consumption, being unconscious or asleep, a disability, or any other circumstance that prevents a person from having the capacity to give consent. For a person to be rendered incapacitated by alcohol or drugs, the person must be so impaired that they are unable to give consent. This level of impairment must be obvious to a reasonable person; it is not enough for a person to be merely under the influence of, or to have impaired judgment because of, alcohol or drugs.

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

12. 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 other person.

13. Relevant Evidence and Questions
Relevant evidence and questions refer to any questions and evidence that tends to make an allegation of Sexual Misconduct more or less likely to be true. Relevant evidence and questions do not include the following types of evidence and questions, which are deemed "irrelevant" at all stages of the Title IX Grievance Process:

a. Evidence and questions about the complainant's sexual predisposition or prior sexual behavior unless:
    - They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
    - They concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. 34 C.F.R. § 106.45(6)(i).
b. Evidence and questions that constitute, or seek disclosure of, information protected under a legally recognized privilege.
c. Any party's medical, psychological, and similar records unless the party has given voluntary,

written consent. 85 Fed. Reg. 30026, 30294 (May 19, 2020).

14. Respondent
An individual who has been reported to be the perpetrator **of** conduct that could constitute Sexual Misconduct.

15. Sexual Assault
An offense that meets the definition of Rape, Fondling, Incest, or Statutory Rape, as those terms are defined herein.

The above definition will be used in determining whether a respondent is responsible for violating the College's Sexual Misconduct policy and procedure.

In Florida, the term "Sexual Assault" is legally referred to as "Sexual Battery" and law enforcement and the court system will utilize the following definition in determining whether to pursue criminal charges: 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 without consent; however, sexual battery does not include an act done for a bona fide medical purpose. See Florida Statute 794.011.

16. Sexual Harassment
Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:

a. An employee (staff or faculty) of the College conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct;

b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity; or

c. Sexual Assault, Dating Violence, Domestic Violence, or Stalking, as those terms are defined herein.

17. Sexual Misconduct
Conduct that constitutes, or allegations that if proven would constitute, Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, or Stalking, as those terms are defined herein.

18. Stalking
Stalking is defined as engaging on the basis of sex 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. For purposes of this definition:

Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

The above definition will be used in determining whether a respondent is responsible for violating the College's Sexual Misconduct policy and procedure.

In Florida, the term "Stalking" 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.

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

20. Supportive Measures
Means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to a complainant or respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the College's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the College's educational environment, or deter Sexual Misconduct. Supportive measures may include counseling, extensions of deadlines

or other course-related adjustments, modifications of work or class schedules, campus escort services, restrictions on contact or communication between individuals, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The College must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

21. 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.

B. <u>Scope and Jurisdiction</u>

1. The College's prohibition against Sexual Misconduct applies to conduct occurring in an education program or activity of the College by a student, staff or faculty member, or affiliate doing business with or providing services to the College, regardless of the sex, sexual orientation, gender, or gender identity of any party. In addition, 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, to include communication via telephone, voicemail, e-mail, text message, social media, chat/forum/messaging (or similar concept), video call/messaging/conferencing (or similar concept), learning management system and other learning software, gaming program, and other technology-assisted tools and platforms. 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.

2. Consensual Relationships. This procedure specifically covers Sexual Misconduct as defined in Section A. Consensual romantic relationships not involving Sexual Misconduct as contemplated by this procedure between members of the College community may be subject to other College policies and procedures. In addition, 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. Romantic relationships between individuals with significant power differentials are particularly problematic. For this reason, the College strongly discourages romantic relationships between staff/faculty and students, and between staff/faculty and supervisors.

C. <u>Title IX Grievance Process</u>

1. The College will treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for Sexual Misconduct has been made against the respondent before the imposition of any disciplinary sanctions against a respondent. Respondents will be presumed not responsible until a determination regarding responsibility is made at the conclusion of the grievance process.
2. The College will use the preponderance-of-the-evidence standard (i.e. more likely than not) in determining responsibility.
3. The College will make an objective evaluation of all relevant and available evidence – including both inculpatory and exculpatory evidence – and may not make credibility determinations based on a person's status as a complainant, respondent, or witness.
4. The College will provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and may not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding. For purposes of this Title IX Grievance Procedure, the term "advisor" shall be interpreted as singular and not plural, and thus shall mean only one (1) person.
5. Any advisor serves at a party's own expense and initiative. The College is not responsible for providing an advisor for any party, except under the limited circumstances and for the limited purposes described in Section M.4. A person may not serve as an advisor if their service would unreasonably conflict with or disrupt the fair administration of the matter under consideration, as determined by the presiding College official. An advisor's main role is to advise a party. A student may consult with an advisor during any meeting or grievance proceeding, provided such consultation does not cause disruption or unreasonable delay. If an advisor does not adhere to the reasonable requests of the presiding College official, the advisor may be removed at the discretion of the presiding College official. Students must provide the identity of any advisor, as well as a signed FERPA waiver, to the presiding College official prior to the start of any meeting or grievance proceeding attended by the advisor.

6. The College will ensure that the Title IX Coordinator and any individual designated as an investigator, decision-maker, or informal resolution facilitator does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The College will ensure that the Title IX Coordinator, investigators, decision-makers, and informal resolution facilitators receive training on the definition of Sexual Misconduct, the scope of the education program or activity of the College, how to conduct an investigation and grievance process, including hearings, appeals, and informal resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. The College will make all training materials publicly available on its website.
7. The College will ensure that decision-makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant. The College will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. Any materials used to train the Title IX Coordinator, investigators, and decision-makers, and informal resolution facilitators, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of Sexual Misconduct.
8. The College will ensure reasonably prompt time frames for conclusion of the grievance process, including reasonably prompt time frames for filing and resolving appeals and informal resolution processes, and a process that allows for the temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. For this purpose, while the College will endeavor to conclude the grievance process as promptly as possible under the circumstances, the College considers 365 calendar days to be a reasonably prompt time frame.
9. The College must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of Sexual Misconduct, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination required to be adopted under § 106.8(c).

D. Reporting Sexual Misconduct

Reports of alleged Sexual Misconduct may be directed to the College's Title IX Coordinator:

Stephen W. Salvo, Title IX Coordinator
3865 North Wickham Road
Building 8, Room 201G
Melbourne, Florida 32935
Phone: (321) 433-5775
E-Mail: salvos@easternflorida.edu

In addition, reports of alleged Sexual Misconduct may be made to any of the following College officials: any Vice President, Associate Vice President, Provost, Dean, Associate Provost, Student Life Coordinator, Student Ombudsman, Athletic Coach, Director of Support Services, Resident Assistant, or Campus Security Officer. Upon receipt of such a report, the College official must immediately notify the Title IX Coordinator.

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

E. Initial Response

1. Upon receipt of actual knowledge of alleged Sexual Misconduct, the Title IX Coordinator or designee will promptly contact the complainant to discuss:
   - The availability of supportive measures;
   - Consider the complainant's wishes with respect to supportive measures;
   - Inform the complainant of the availability of supportive measures with or without the filing of

a formal complaint;
- Explain to the complainant the process for filing a formal complaint; and
- Inform the complainant that the College must investigate the allegations in a formal complaint and provide for a live hearing.

2. In addition, whether alleged Sexual Misconduct occurred on or off campus, the Title IX Coordinator or designee will ensure the complainant is promptly provided with a hard or electronic copy of the College's most recent Victim Resource Guide, which shall contain information about:
   - The College's Sexual Misconduct policy and procedure.
   - How to file a formal complaint.
   - Their option to contact law enforcement authorities immediately and directly.
   - Their ability to obtain assistance of Campus Security Officers or College staff in notifying law enforcement authorities if the complainant so chooses.
   - Their option to decline to notify law enforcement authorities.
   - 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.
   - 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.
   - 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.
   - Options for, and available assistance in, changing academic, living, transportation, and working situations, if requested by the complainant and if reasonably available.
   - Their rights and options as a crime victim in the State of Florida.
   - Information about how the College protects their confidentiality for crime reporting purposes.
   - Information about how the College maintains as confidential any accommodations or protective measures provided to the complainant, to the extent that maintaining such confidentiality would not impair the College's ability to provide the accommodations or protective measures.

F. Emergency Removal/Administrative Leave

At any time after receipt of actual knowledge, the College may remove a student respondent from an education program or activity on an emergency basis provided that the College undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of Sexual Misconduct justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. In addition, the College may place a staff or faculty member respondent on administrative leave or suspension in accordance with College or other applicable procedures or collective bargaining agreements.

G. Supportive Measures

1. Supportive measures, if appropriate and reasonably available, include but are not limited to the following:
   - Extensions of deadlines or other course-related adjustments (with the agreement of the appropriate faculty);
   - Modifications of class schedules (with the agreement of the appropriate faculty);
   - Counseling;
   - Campus escort services;
   - Increased security and monitoring of certain areas of campus;
   - Changes in housing locations or arrangements;
   - Changes in work locations, arrangements, or schedules;
   - Leaves of absence;
   - Restrictions on: (i) contact or interaction with other members of the College community; (ii) access to, use of, or physical presence on or within specified areas of College facilities or property; (iii) participation in any College-sponsored program, activity, event, organization, club, athletic team, or competition; or (iv) College-related employment, service, or assignments; and
   - Other similar measures.
2. In cases where no formal complaint is filed by the complainant or the Title IX Coordinator, the College will offer supportive measures to the complainant. The Title IX Coordinator is responsible for the effective implementation of supportive measures, and if supportive measures are not provided to a complainant, the Title IX Coordinator must document the reason(s) why supportive measures were not provided and the reason(s) why this was not clearly unreasonable in light of the known circumstances (for example, because the complainant did not wish to receive supportive measures or refused to discuss supportive measures with the Title IX Coordinator when the Title IX Coordinator contacted the complainant to have such a discussion). Thus, unless a complainant does not desire supportive measures (i.e., refuses the offer of supportive measures), complainants must receive supportive measures designed to restore or preserve the complainant's equal educational access, regardless of whether a formal complaint is filed.
3. There is no corresponding obligation to offer supportive measures to respondents; rather, the College may provide supportive measures to a respondent if appropriate and reasonably available.

4. When providing supportive measures, the College must be mindful of the respondent's presumption of non-

responsibility. Supportive measures are intended to restore or preserve equal access to education without unreasonably burdening a party, including measures designed to protect the safety of all parties or the College's educational environment, or deter Sexual Misconduct, and cannot be a disciplinary sanction listed in Section O. However, this does not mean the College cannot provide supportive measures that place some burden on a party. Rather, it only prohibits the College from providing supportive measures that place an unreasonable burden on a party. If a specific action is not listed as a possible disciplinary sanction under Section O, then such action may be taken as a supportive measure for a complainant if the action is not disciplinary or punitive and does not unreasonably burden the respondent. 85 Fed. Reg. 30181-30182 (May 19, 2020).

H. Dismissal of Formal Complaints

1. Mandatory Dismissal. If the conduct alleged in a formal complaint would not constitute Sexual Misconduct even if proven, or did not occur in an education program or activity, or did not occur against a person in the United States, then the College must dismiss the formal complaint as to that alleged conduct. However, such a dismissal does not preclude action under the College's Student Code of Conduct or and/or other applicable policies, procedures, handbooks, rules, or regulations.
2. Permitted Dismissal. The College may dismiss a formal complaint or any allegations therein, if at any time during the investigation or hearing a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein, the respondent is no longer enrolled or employed by the College, or specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.
3. Upon a dismissal required or permitted pursuant to Section H.1. or H.2. above, the College must promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties.

I. Notice of Allegations

1. Upon receipt of a formal complaint that is not dismissed pursuant to Section H, the College will provide the following information in writing (e-mail is sufficient) to the complainant and the respondent (if known):
2. A copy of this Procedures Manual Section 800.10.
3. Notice of the alleged conduct potentially constituting Sexual Misconduct, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview with a respondent.
4. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Sexual Misconduct, and the date and location of the alleged incident, if known.
5. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
6. A list of possible disciplinary sanctions and remedies that the College may implement following any determination of responsibility.
7. A list of possible supportive measures available to both parties.
8. Information about any available informal resolution processes.
9. Notice that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence.
10. Notice that the College's Student Code of Conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

J. Informal Resolution

At any time after a formal complaint is filed, the College may facilitate an informal resolution process, such as mediation, that does not involve a full investigation (see Section K), adjudication (see Section M), and/or appellate process (see Section N), provided the College:

1. Provides to the parties a written notice disclosing:

- The information required by Section I;
- The requirements of the informal resolution process, including the circumstances under which it precludes the parties from obtaining a written determination on a formal complaint;
- That at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to a formal complaint, and
- Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared in connection with the informal resolution process.

2. Obtains the parties' voluntary, written consent to the informal resolution process; and
3. Does not offer or facilitate an informal resolution process to resolve allegations involving a student complainant and employee respondent.

The College may not require any party to participate in informal resolution, and may not condition enrollment, employment, or enjoyment of any other right, on participation in informal resolution.

K. Investigation of Formal Complaints

The College will investigate allegations made in a formal complaint in substantial conformity with the following:

1. The College will provide the parties and others whose

participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative meetings, interviews, and hearings, with sufficient time for the participants to prepare.

2. The College will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, and shall not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
3. The College will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
4. The College will ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the College and not on the parties provided that the College cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the College obtains that party's (or parent/legal guardian's) voluntary, written permission to do so for the grievance process.
5. If, in the course of an investigation, the Title IX Coordinator decides to investigate allegations about the complainant or respondent that are not included in the notice provided pursuant to Section I, the College must provide notice of the additional allegations to the parties whose identities are known.
6. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the College does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the College must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report. The College must make all such evidence subject to the parties' inspection and review available at any live hearing and give each party equal opportunity to refer to such evidence during a live hearing, including for purposes of cross-examination.
7. The College will create an investigative report that fairly summarizes relevant evidence and, at least 10 calendar days prior to a live hearing, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response. An investigative report may contain recommendations for a decision-maker; however, any decision-maker is under an independent obligation to objectively evaluate relevant evidence and cannot simply defer to any recommendations contained in an investigative report.

L. Consolidation of Formal Complaints

The College may consolidate formal complaints as to allegations of Sexual Misconduct against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of Sexual Misconduct arise out of the same facts or circumstances.

M. Live Hearings

The College will conduct live hearings in substantial conformity with the following:

1. Live hearings may be conducted with all parties physically present in the same geographic location or, at the College's discretion, any or all parties, witnesses, and other participants may appear virtually, with technology enabling participants simultaneously to see and hear each other. In either format, attendance shall be limited to each party and their respective advisor, designated witnesses, and the Title IX coordinator(s), investigator(s), decision-maker(s), informal resolution facilitator(s), court-reporter/stenographer(s), and/or appropriate College staff.
2. At the request of either party, the College must provide for a live hearing to occur with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions.
3. The College must create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.
4. If a party does not have an advisor present at a live hearing, the College will provide without fee or charge to that party, an advisor of the College's choice, who may be, but is not required to be, an attorney, for the limited purpose of asking cross-examination questions on behalf of that party to the other party and/or witnesses during a live hearing. Such advisor shall not be expected or required to formulate the cross-examination questions to be asked, provide any advice (legal or otherwise), or perform any other service or function on behalf of that party beyond relaying that party's desired cross-examination questions during a live hearing.
5. Only relevant questions may be asked of a party or witness.

6. Any Ccross-examination must be conducted directly, orally, and in real time by a party's advisor and never by a party personally.

7. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

8. Determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the decision-maker(s).

9. If a party or witness does not appear or submit to cross-examination at the live hearing, the decision-maker(s - may consider statements made by the party or witness that are otherwise permitted under the regulations in reaching a determination regarding responsibility. For example, a decision-maker may consider statements made by the parties and witnesses during the investigation, emails or text exchanges between the parties leading up to the alleged sexual harassment, and statements about the alleged sexual harassment that satisfy the regulation's relevance rules, regardless of whether the parties or witnesses submit to cross-examination at the live hearing. A decision-maker may also consider police reports, Sexual Assault Nurse Examiner documents, medical reports, and other documents even if those documents contain statements of a party or witness who is not cross-examined at the live hearing.

10. For example, a decision-maker maynow consider statements made by the parties and witnesses during the investigation, emails or text exchanges between the parties leading up to the alleged sexual harassment, and statements about the alleged sexual harassment that satisfy the regulation's relevance rules, regardless of whether the parties or witnesses submit to cross-examination at the live hearing. A decision-maker may also consider police reports, Sexual Assault Nurse Examiner documents, medical reports, and other documents even if those documents contain statements of a party or witness who is not cross-examined at the live hearing.

11. Generally, credibility judgments should rest on the demeanor of the party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence. Still, credibility judgments should not rest on whether a party or witness' testimony is non-linear or incomplete, or if the party or witness is displaying stress or anxiety.

12. Decision-makers will afford the highest weight relative to other testimony to first-hand testimony by parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion. Except where specifically barred by the Final Rule, a witness' testimony regarding third-party knowledge of the facts at issue will be allowed, but will generally be afforded lower weight than testimony regarding direct knowledge of specific facts that occurred.

13. The Final Rule requires the College to allow parties to call "expert witnesses" for direct and cross examination. The College generally does not provide for expert witnesses in other proceedings. While the expert witness will be allowed to testify and be cross-examined, the decision-maker(s) will afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses, regardless of whether the expert witness testimony is the subject of cross examination and regardless of whether all parties present experts as witnesses.

14. The Final Rule requires the College to allow parties to call "character witnesses" to testify. The College generally does not provide for character witnesses in other proceedings. While the character witnesses will be allowed to testify and be cross-examined, the decision-maker(s) will afford very low weight to any non-factual character testimony of any witness.

15. The Final Rule requires the College to admit and allow testimony regarding polygraph/lie detector tests and other procedures that are outside of standard use in academic and non-academic conduct processes. While the processes and testimony about them will be allowed to testify and be cross-examined, the decision-maker(s) will afford lower weight to such processes relative to the testimony of fact witnesses.

16. Where a party or witness' conduct or statements demonstrate that the party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the decision-maker(s) may draw an adverse inference as to that party or witness' credibility.

17. Within fourteen (14) calendar days of the conclusion of the live hearing (unless extenuating circumstances exist) the decision-maker(s) will issue a written determination regarding responsibility ("written determination"), which at a minimum shall include:
    - Identification of the allegations potentially constituting Sexual Misconduct;
    - A description of the procedural steps taken from the receipt of the formal complaint through the written determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and live hearings held;
    - Findings of fact supporting the determination;

- Conclusions regarding the application of this Procedures Manual Section 800.10 to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the College imposes on the respondent, and whether remedies designed to restore or preserve equal access to the College's education program or activity will be provided by the College to the complainant; and
- The College's procedures and permissible bases for the complainant and respondent to appeal.

18. The Final Rule does not preclude the College from having multiple decision-makers in the context of any given formal complaint, some of whom decide the question of responsibility, and some of whom reach a decision as to appropriate disciplinary sanctions.

19. The College must provide the written determination to the parties simultaneously.

20. The determination regarding responsibility becomes final either on the date that the College provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

N. Appeals

Complainants and respondents may appeal a determination regarding responsibility, or a dismissal of a formal complaint or any allegations therein, in substantial conformity with the following:

1. Any appeal must be submitted in writing to the Title IX Coordinator within seven (7) calendar days of the date of issuance (not including the date of issuance) of the written determination or notice of dismissal pursuant to Section H.3., as appropriate, and must be based upon one or more of the following:
   a. Procedural irregularity that affected the outcome of the matter;
   b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
   c. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
2. As to all appeals, the College must:
   a. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
   b. Ensure that the decision-maker for the appeal is not the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
   c. Ensure that the decision-maker for the appeal complies with the standards set forth in Section C.6. and C.7.;
   d. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
   e. Issue a written decision describing the result of the appeal and the rationale for the result; and
   f. Provide the written decision simultaneously to both parties.

O. Disciplinary Sanctions

1. Students who are determined to be responsible for Sexual Misconduct may be subject to the following range of disciplinary sanctions:
   b. 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. Only the President or his designee may authorize an expulsion.
   c. 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. Only the President or his designee may authorize a suspension.
   d. 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.
   e. 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.
   f. 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.

   g. 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.

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

i. Withholding of diplomas, transcripts, or other records.

j. Transcript notations.

k. Written warning or reprimand.

l. Other disciplinary or punitive action as deemed appropriate.

2. Staff and Faculty members who are determined to be responsible for Sexual Misconduct may be subject to 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. Generally, for Staff and Faculty members, a recommendation of termination or other disciplinary action may implicate other applicable laws, procedures, and legal processes which may involve additional steps depending on the circumstances.

P. Retaliation

1. No one may intimidate, threaten, coerce, discriminate, or otherwise retaliate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Procedures Manual Section 800.10.
2. The exercise of rights protected under the First Amendment does not constitute retaliation.
3. Intimidation, threats, coercion, or discrimination, including charges against an individual for student or housing code of conduct violations that do not involve sex discrimination or Sexual Misconduct, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of Sexual Misconduct, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation. However, charging an individual with a student or housing code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Q. Recordkeeping

1. The College will maintain for a period of at least seven (7) years:

   b. Each Sexual Misconduct investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required under Section M.3., any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the College's education program or activity;

   c. Any appeal and the result therefrom;

   d. Any informal resolution and the result therefrom; and

   e. All materials used to train Title IX Coordinators, investigators, decision-makers, and informal resolution facilitators.

6. For each response required under Section E, the College must create and maintain for a period of seven (7) years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of Sexual Misconduct. In each instance, the College must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the College's education program or activity.

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, the Dean of Students 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 AND FIRE LOG

The Eastern Florida State College Security Department shall maintain a daily crime and fire log in the Security Office of each campus (fire log in Melbourne campus Security Office only), 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 fire log must include the date a fire was reported, the nature of the fire, the date and time of the fire, and the general location of the fire.

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 in the crime log 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 has 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, or his designee, 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."

For purposes of the fire log, a "fire" is defined as any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner. The fire log will pertain only to the on-campus student housing facility. An entry, or an addition to an entry, to the fire log must be recorded by the EFSC Security Department within two business days of receiving the information

The crime and fire log may be either hard copy or electronic. If an electronic version becomes inaccessible for technical reasons, efforts should be made to use a hard copy 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 and fire log are available, the information they contain, and how they 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 and fire 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 (the fire log for the most recent 60-day period must be open to public inspection, upon request, during normal business hours at the Melbourne campus Security Office only). Any portion of the log older than 60 days will be made available within two business days of a request for public inspection. 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 and/or fire log. Any person may have supervised access to the crime log and/or

fire log, whether or not they are associated with the College. Persons requesting a copy of the crime log and/or fire log may have one at no cost to the requestor.

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

800.13 PROTECTION OF MINORS AND REPORTING OF ABUSE, ABANDONMENT, OR NEGLECT

A. Introduction

The Eastern Florida State College committed to the safety and wellbeing of minor children while on College property and/or participating in College events or functions. For this purpose, and in compliance with Sections 39.201 and 39.205, Florida Statutes, and Fla. Admin. Code R. 6A-14.099, the College establishes the following community expectations and reporting obligations.

B. Definitions

For purposes of this procedure, the applicable terms are defined as follows:

1. Abuse," "Abandonment," "Neglect," "Child," and "Caregiver" are defined as set forth in Section 39.01, Florida Statutes.

   a. "Abuse" means any willful act or threatened act that results in any physical, mental, or sexual abuse, injury, or harm that causes or is likely to cause the child's physical, mental, or emotional health to be significantly impaired. Abuse of a child includes acts or omissions. Corporal discipline of a child by a parent or legal custodian for disciplinary purposes does not in itself constitute abuse when it does not result in harm to the child.

   b. "Abandoned" or "abandonment" means a situation in which the parent or legal custodian of a child or, in the absence of a parent or legal custodian, the caregiver, while being able, has made no significant contribution to the child's care and maintenance or has failed to establish or maintain a substantial and positive relationship with the child, or both.

   c. "Neglect" occurs when a child is deprived of, or is allowed to be deprived of, necessary food, clothing, shelter, or medical treatment or a child is permitted to live in an environment when such deprivation or environment causes the child's physical, mental, or emotional health to be significantly impaired or to be in danger of being significantly impaired.

   d. "Child" means any unmarried person under the age of 18 years who has not been emancipated by order of the court.

   e. "Caregiver" means the parent, legal custodian, permanent guardian, adult household member, or other adult person responsible for a child's welfare.

2. The term "Administrator" means the following high-level personnel who have been assigned the responsibilities of college-wide or campus-wide academic or administrative functions, and who serve the College with the title of: College President, Vice President, Associate Vice President, Collegewide Chair, Dean, Chief of Security, and Title IX Compliance Coordinator.

3. The term "Law Enforcement Agency" means the unit of the College which is vested with the authority to bear arms and make arrests, and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic or highway laws of the state. Eastern Florida State College does not have a unit vested with the authority to make arrests, or whose primary responsibility is the enforcement of the penal, criminal, traffic or highway laws of the state, and therefore does not have a Law Enforcement Agency.

4. The term "College Community" means all Eastern Florida State College faculty, staff, other employees, and volunteers.

C. College Expectations and Reporting Obligations

The College strictly prohibits abuse, abandonment, or neglect of any kind of any child by any member of the College Community while on College property or in the context of a College-sponsored event or function. Any member of the College Community who knows of, or has reasonable cause to suspect, that a child is or has been abused, abandoned, or neglected while on College property or during a College-sponsored event or function must immediately report such knowledge or suspicion to an Administrator. Upon receipt of such a report, the Administrator will provide the reported information to appropriate College personnel for investigation.

In addition, a child, while on College property, who is not a student or participant in a College- sponsored event or function must be supervised at all times by a caregiver. Any member of the College Community who encounters an unsupervised child on College property should immediately notify the nearest College security office.

D. State of Florida Statutory Reporting Obligations

1. AnyPerson
   Section 39.201, Florida Statutes requires any person who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected, to report such knowledge or suspicion to the Florida Department of Children and Family Services (DCF) Abuse Hotline (see E. below). In addition to this reporting obligation, Section 39.205(1), Florida Statutes prohibits any person from knowingly and willfully preventing another person from meeting their reporting obligation to DCF. Any person may contact local law enforcement authorities to make a report of suspected child abuse at any time; however, this does not negate their statutory obligation to first report to the DCF.

2. College Administrators
   In addition to the mandates set forth in Sections

39.201 and 39.205, Florida Statutes which apply to any person; Section 39.205(3), Florida Statutes requires Administrators, upon receiving information from faculty, staff, or other College employees of known or suspected child abuse, abandonment, or neglect committed on College property, or during a College-sponsored event or function, to report such knowledge or suspicion to DCF (see E. below); and prohibits Administrators from knowingly and willfully preventing another person from doing so.

E. DCF/Florida Abuse Hotline

The DCF/Florida Abuse Hotline accepts reports 24 hours a day and 7 days a week of known or suspected child abuse, abandonment, or neglect. Reporting options include:

- online at https://reportabuse.dcf.state.fl.us/
- call 1-800-962-2873
- Florida Relay 711 or TTY 800-955-8771
- fax to 800-914-0004

F. Sanctions for Non-Compliance

1. State Level Sanctions for Non-Compliance

   Florida State Board of Education (SBOE) sanctions for non-reporting or non-compliance are codified in Section 39.205, Florida Statutes and establish specific sanctions and processes for a review of an allegation of non-compliance and include a possible sanction of a fine of$1 million for each such failure to be assessed against the College in the event the SBOE determines that an Administrator knowingly and willfully failed to report known or suspected child abuse, abandonment, or neglect to DCF.

   A person who is required to report known or suspected child abuse, abandonment, or neglect and who knowingly and willfully fails to do so, or who knowingly and willfully prevents another person from doing so, commits a felony of the third degree, punishable as provided in Sections 775.082, 775.083, or 775.084, Florida Statutes, which includes up to 5 years imprisonment and a $5,000 fine. Details concerning the SBOE review and appeal process are codified in Fla. Admin. Code R. 6A-14.099.

2. College Sanctions for Non-Compliance Any member of the College Community who fails to comply with this procedure will be subject to the applicable penalties as described above. In addition, College may impose additional direct penalties in accordance with College policies and procedures up to suspension and termination from employment.

G. Immunity

Any member of the College Community who makes a report in good faith to the DCF/Florida Abuse Hotline, or any law enforcement agency, regarding known or suspected child abuse, abandonment or neglect shall be immune from any civil or criminal liability (Section 39.203, Florida Statutes).

H. Non-Retaliation

Eastern Florida State College prohibits retaliation against any individual because of a good faith report of child abuse, abandonment, or neglect. In accordance with Section 39.203(2)(b), Florida Statutes, a person who makes a child abuse, abandonment, or neglect report shall have a civil cause of action for appropriate compensatory and punitive damages against any person who causes detrimental changes in the employment status of such reporting person by reason of his/her making such report.

802 OVERVIEW OF COLLEGE SECURITY & SAFETY

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 (excluding classrooms) at the end of the day, observing strict security of college keys, lending them neither to students, nor to student assistants. All unoccupied rooms should remain unlocked during regular business hours. Employees who encounter a locked unoccupied classroom during regular business hours should immediately notify the Security Office on campus. 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. (2018)].
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. (2018)].
   b. A person may carry self-defense chemical spray while on campus; provided, the self-defense chemical spray: (i) is a device carried solely for purposes of lawful self-defense; (ii) is compact in size and designed to be carried on or about the person; and (iii) contains no more than two (2) ounces of chemical. A person does not need a concealed weapons license to carry self-defense chemical spray. [§790.001(3)(b), Fla. Stat. (2018)].
   c. A person may carry a stun gun or nonlethal electric weapon or device designed solely for defensive purposes while on campus; provided: (i) it does not fire a dart or projectile; and (ii) the person is a registered student, employee, or faculty member; and (iii) the person possesses a valid concealed weapons license under section §790.06, Florida Statutes (2018).
   d. 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.
   e. A firearm in the possession of an Armed Security Officer, as defined by College policy and procedure.
   f. Any other possession of a firearm specifically authorized pursuant to the provisions of Fla. Stat. §790.115 (2018).

808 OVERVIEW OF MISSING PERSONS

It is Eastern Florida State College's policy to comply with the requirements of the Clery Act regarding missing persons by providing notice to an emergency contact, parent, or guardian if a student living in on-campus housing is missing for 24 hours.

If any member of the College community has reason to

believe a student living in on-campus housing has been missing for 24 hours, they should contact the Eastern Florida State College Department of Security at (321) 403-5909 immediately. The Eastern Florida State College Department of Security will generate a missing person report and initiate an investigation.

Students living in on-campus housing will be instructed on how to register their contact person(s) during the application process and at the Housing Orientation. The student's emergency contact person can be updated through Support Services.

Emergency contact information provided by students will be registered confidentially and will be accessible only to authorized campus officials. It will not be disclosed to anyone except law enforcement personnel in order to assist a missing person investigation or medical emergency.

For students under 18 years of age who are not emancipated, the College will notify a custodial parent or guardian, as well as any additional contact person(s) designated by the student, within 24 hours of the determination that the student is missing.

College Officials will notify local law enforcement within 24 hours of the determination that a student is missing, unless local law enforcement made the initial missing person determination.

If the student has designated an emergency contact person, College officials will notify the emergency contact person within 24 hours after the missing person determination has been made.

Regardless of whether the student has provided emergency contact information, is above the age of 18, or is an emancipated minor, Support Services will inform the Eastern Florida State College Department of Security within 24 hours to notify them of a missing student.

Students may submit revised emergency contact information at any time through Support Services.

809 FIRE SAFETY

Fire safety is a top priority in Eastern Florida State College housing. It is vital that all members of the housing community understand and follow all rules and regulations set forth by Eastern Florida State College. Fires can present a serious risk in residential housing. They often start as a result of carelessness involving cooking, matches, and any smoking products. Many fires can be avoided through caution and common sense. Housing residents can protect themselves and their neighbors by accepting their responsibility to keep residences safe from fire. This can be accomplished through minimal planning and awareness. Information regarding fire drills and fires reported in residential housing can be found in the Eastern Florida State College Annual Security Report. The following information applies to Eastern Florida State College On-Campus Housing.

809.1 Fires and Emergency Evacuation

In the Event of a Fire: If a fire or suspicious smoke is observed, activate the nearest pull station to sound the building alarm, call 911, and proceed to the nearest exit to the building's closest evacuation location. Campus Security and local Fire Rescue will respond to the sounding alarm and will direct residents accordingly. Always follow the directions of EFSC Security Staff and the Police or Fire Department.

Evacuation Procedures: When an alarm sounds, all residents and their guests must immediately evacuate the building using the nearest exit, closing doors behind you, and proceed to the building's rally point. Use stairwells where available instead of elevators. Do not rush out into the hallway. If the door to evacuate is closed, first, feel the door by gently applying the back of your hand. If it is hot, use another way out. If the door is cool, you may leave through that door and locate the nearest exit. It is mandatory that all residents and guests evacuate the building, whether it is a drill, an active fire, or other threat-related incident. Failure to evacuate a building when an alarm has sounded or when directed by EFSC Security and/or staff, the Police, and/or Fire Department is strictly prohibited and may result in a Student Code of Conduct Violation and/or termination of the resident's housing agreement. Stand out of the way of EFSC staff and other personnel as they work to manage the incident.

Window Procedures: Windows are to remain closed and locked at all times except in cases of an emergency.

If You Are Unable to Evacuate: Smoke rises, so the cleanest air is near the floor. If the planned escape route becomes smoky, crawl out of the building on your hands and knees. If escaping the room is not possible, stuff wet towels, sheets, and/or clothes around the door and vents to keep smoke out. Call 911 and provide them with your location. If there is no smoke entering the room, slightly open a window, if possible. Stay low, yell for help, and wave a bright cloth, towel, or sheet out a window to signal your location.

Rally Points: Each building has a designated rally point. EFSC Staff will inform residents of this location during their first residence hall meeting. Each rally point will be at least 400-500 feet from the building. If you think someone is missing or trapped inside the building, report this to the staff and emergency personnel on site.

Re-entry to Buildings: Do not re-enter the building until you are instructed to do so. This order will be given by the Chief of Collegewide Security, or his designee, and communicated by the EFSC Security Department. Non-compliance may result in a Student Code of Conduct Violation and/or termination of the resident's housing agreement.

Reporting: All fire incidents must be reported to an RA and the EFSC Security Department. If a member of the EFSC community finds evidence of a fire that has been extinguished and they are unsure whether the EFSC Security Department has already responded, the individual should immediately notify the EFSC

Security Department to investigate and document the incident.

Accidental Fire Alarms: Any campus resident who activates the building fire alarm accidentally or without a true emergency is responsible for any related costs resulting from the Fire Department or College response. This includes, but is not limited to, cooking errors, smoking, vandalism, pranks, and policy violations. Any additional costs and applicable policy violation charges will also be assessed to the responsible resident(s). Neither students nor staff may interrupt Fire Department units once they have been dispatched to the campus community. If a fire alarm is activated, the EFSC Security Department should be contacted to assist residents with protecting themselves and other members of the campus community.

809.2 FIRE DRILLS, TRAINING, AND INSPECTIONS

Fire Drills: EFSC Emergency Management conducts at least one fire drill every major term. Residents will receive advance notification of the fire drill date; however, actual drill times will vary to facilitate simulated emergency response.

Fire, Health, and Safety Inspections: For the safety of all community housing residents, room inspections are completed throughout the year to conduct specific fire, health, and safety checks. Any violations found during these checks must be corrected in a specified time period (as directed by College Officials). Failure to correct violations may result in disciplinary action including, but not limited to, housing and Student Code of Conduct Violations, in addition to a review of the resident's housing agreement. Some violations are subject to immediate contract review.

Training: EFSC Security Staff, Support Services Staff, and RAs receive annual training from EFSC Emergency Management on fire safety. Topics include fire extinguisher use, evacuation procedures, and general fire prevention topics. EFSC Emergency Management relays the information to the residents through the RAs.

809.3 FIRE SAFETY EQUIPMENT

Fire Alarm Systems: EFSC residential facilities are equipped with fire alarm systems to provide emergency notification to occupants throughout the facility. In addition to automatic detection in hazardous areas, manual pull stations are provided for occupant use.

Fire Extinguishers: EFSC encourages residents to familiarize themselves with the location(s) of the fire extinguisher nearest to their living area and throughout the facilities. All residents should know how to use a fire extinguisher. If a resident does not know how to use a fire extinguisher and would like to learn, they should contact an RA. In addition to the extinguisher provided, EFSC recommends that all residents have their own multipurpose or multi-class extinguisher in the event of an emergency.

Smoke Detectors: All rooms are equipped with smoke detectors. Some of these detectors are connected to the main alarm system and to the EFSC Security Department. If the units are tampered with in any way, EFSC Security will respond to the alarm. Do not tamper with or cover any fire safety device, as it puts everyone in the residential housing community in danger. If a detector or alarm beeps or sounds for an unknown reason, notify EFSC Security and an RA immediately.

Sprinklers: All EFSC residential facilities are equipped with sprinklers. Sprinklers are present to protect residents as well as their belongings, and are not to be tampered with or used to hang items on.

Tampering with Fire Safety Equipment: Tampering with any part of the fire protection system or equipment, including false alarms from pull stations; obstructing or tampering with doors, smoke detectors, stove top extinguishers, sprinkler heads, evacuation signs, pipes, hydrants, or exit signs, and illegal use of a fire extinguisher are violations of State Law (first degree misdemeanor under FS 806.101) and are punishable by a fine of up to $1,000.00 and/or 1 year jail time (FS 775.082 and FS 775.083). In addition, the resident will also be responsible for Fire Department fines, related clean-up and repair costs, and will be subject to disciplinary action including, but not limited to, removal from housing. The resident may also face immediate housing agreement termination.

809.4 FIRE PREVENTION – COOKING AND APPLIANCES

Residence Hall Shared Kitchens: EFSC residential facilities are equipped with shared full kitchens that include a full-size refrigerator, freezer, and oven range. Small cooking appliances are permitted in the kitchen area. Deep fryers are prohibited. Residential facility kitchens are also not to be used for things such as class projects, science experiments, and washing hair. Additionally, residents who use residential facility kitchens are required to clean up after themselves before leaving. For safety and security reasons, the following items and those similar are prohibited outside of the kitchen (e.g. bedroom, bathroom, common living area):

- two-sided, open-faced, or indoor electric grills (e.g. "George Foreman Grill," panini press, waffle maker)
- deep fryers and air fryers
- toaster ovens
- toasters
- electric skillets
- hot plates
- appliances with exposed heating coils
- pressure cookers, crock pots, "Insta-Pots"

Permitted Appliances Outside of Kitchens: Residents are permitted to have a microwave oven (must be 1,000 watts or less), popcorn poppers, hot pots, and coffee pots with an automatic shut-off feature. Refrigerators (with or without freezers) which do not exceed 5 cubic feet total capacity are allowed. Residents with larger appliances will be asked to remove them and will be subject to a fine per occurrence. Check with an RA if you have questions regarding permitted **appliances.**

Safe Operation: All appliances used in any EFSC residential

facilities must be listed, in good working condition, and plugged into a power strip with a built-in circuit breaker. Any appliance deemed unsafe upon inspection by College Officials will be removed upon request.

Refuse Disposal: All garbage resulting from the preparation of food in all facilities must be placed in a garbage bag and taken directly to the area dumpsters to avoid odors, attracting bugs, or contributing to unsanitary conditions. Refuse may not accumulate in excessive quantities and shall not be left in common areas.

Cooking Tips to Avoid Smoke Alarms:

- Always turn on the vent above the stove when cooking
- Use caution when cooking and never leave food that is cooking unattended
- Remember the stoves in the residential facilities may heat differently than other stoves, so residents should check their food frequently
- Have a tight-fitting lid available to cover the pan until it cools if there is a potential problem or grease fire
- In the event of a grease fire, place a lid on the pan/pot to extinguish the fire. Never put water on a grease fire
- Do not use the oven for storage and check to make sure the oven is empty prior to preheating for use

If your smoke detector sounds from cooking in ONLY your shared kitchen, and there is no fire:

- Call an RA or EFSC Security
- Give them your name, location, and inform them that a smoke detector is sounding
- Turn on the vent or fan and open windows, if possible, to clear any smoke
- EFSC Security or Facilities Services will respond to the scene

Failure to Comply: Residents will be fined for any violations of these policies and subject to disciplinary actions including, but not limited to, removal from housing.

809.5 FIRE PREVENTION – GENERAL SAFETY

Candles, Open Flames, and Incense: Due to the potential fire hazard, the use or possession of candles, incense, items that have an open flame, or other related items is strictly prohibited in all EFSC residential facilities. This includes unlit, unburned, and unused products.

Circuit Breakers: If an electrical outlet is overloaded, it will trip the circuit. This is a safety feature to prevent electrical fires. If a circuit is tripped, electrical appliances should be unplugged and relocated to different outlets. The resident must then notify an RA. Do not attempt to reset the breaker on your own.

Curtains and Draperies: Curtains and draperies are prohibited in all EFSC residential facilities. Curtains being used in hallways, closets, or as partitions in rooms are also prohibited. If a bedroom does not have doors on the closet, the resident may put up a curtain using a tension rod; however, the rod must be 20 inches from the ceiling, in order to allow the sprinkler full coverage in the event of a fire. Failing to follow these policies may result in a sanction or citation.

Decorations: Excessive decorations in rooms and common areas are prohibited. Loose items and coverings may not be placed over doorways. If you have any questions about permitted decorations contact an RA. Live-cut holiday type trees and excessive amounts of cut vegetation are prohibited inside all EFSC residential facilities.

Electrical Cord Guidelines: Extension cords are prohibited in EFSC residential facilities. Only 120v, listed electrical power outlet strips (surge protectors) with a built-in manual reset 15-amp circuit breaker are allowed. The maximum allowable length of a cord is six feet, with a maximum of six outlets at the end of the cord. Only one outlet strip may be used per wall outlet, and power strips may not be plugged into one another (daisy-chaining). In addition, non-circuited multi- socket cords, multi-plug adapters, any items with a frayed or damaged cord, and air fresheners or fans with an outlet are strictly prohibited as they can cause a fire. Be very cautious and ask an RA any questions you may have. These policies are in accordance with the Florida State Fire Marshal and state policy.

Prohibited Items and Hazardous Materials: Explosives, flammable or any hazardous substances, or any item or thing of a dangerous nature are strictly prohibited within EFSC residential facilities. This includes, but is not limited to, space heaters, fireworks, bug bombs, gases, gasoline, solvents, charcoal lighter fluid, propane, non-life-support compressed gas cylinders, dive tanks, and welding tanks (full or empty). Also see Appliances, Candles and Incense, Decorations, Electrical Cord Guidelines, Smoking, and Weapons in this guide for other prohibited items. EFSC Emergency Management has the final authority in determining an item's classification as hazardous. All items deemed hazardous will be removed upon request.

Smoking/Vaping: Smoking/Vaping is not permitted in any residential facility, room, hallway, lounge, kitchen, laundry room, community center, common space, classroom, or enclosed stairway of any building owned or managed by EFSC.

Weapons: In accordance with Florida Statutes 790.001(3) (b) and 790.06, you may carry self- defense chemical spray (Pepper Spray) while on campus and in residential facilities provided it is carried solely for the purpose of self-defense, is compact in size, and contains no more than 2 ounces of chemical. You do not need a concealed weapons license to carry self-defense chemical spray. Students, employees, and faculty members with a valid Florida concealed weapons license may also carry a stun gun or nonlethal electric weapon or device designed solely for self-defense provided it does not fire a dart or projectile. In addition, an individual 18 years of age or older may possess a concealed firearm or other weapon for self-defense (or other lawful purposes) within their private vehicle, without a license, provided the weapon is securely encased and not available for immediate use.

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 - Means an act or statement that is knowing, freely given, and mutually understood to communicate a willingness to engage in an activity.

a. It is the responsibility of each person involved in any sexual act to ensure that they have the consent of the other(s).
b. The existence of a dating or sexual relationship between the people involved, or the existence of a past sexual encounter, is not by itself an indication of consent for any current or future sexual encounter.
c. Consent cannot be obtained by force, threat, coercion, or by causing a reasonable fear of imminent injury.
d. For sexual activity to be consensual, consent must be ongoing throughout the sexual encounter. A person can withdraw consent at any time. Consent to one sexual act does not automatically constitute consent to another sexual act.
e. A person withdraws consent by clearly communicating withdrawal through words or actions.
f. Consent to engage in sexual activity with one person does not automatically constitute consent to engage in sexual activity with another person.
g. Lack of protest or resistance, alone, is not consent.
h. A person who is incapacitated cannot give consent.

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 794.011.

The above definition will be used in determining whether a respondent is responsible for violating the College's Sexual Misconduct policy and procedure.

Dating Violence - Dating Violence is violence committed on the basis of sex 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.

The above definition will be used in determining whether a respondent is responsible for violating the College's Sexual Misconduct policy and procedure.

In Florida, the term "dating violence" is statutorily defined as violence between persons 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:

a. A dating relationship must have existed within the past 6 months;
b. The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and
c. 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.

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 - Domestic Violence is defined as felony or misdemeanor crimes of violence committed on the basis of sex 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.

The above definition will be used in determining whether a respondent is responsible for violating 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.

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 other person, including instances where the other person is incapable of giving consent.

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.

Hazing - Hazing, for purposes of reporting Clery Act crime statistics, means any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that—

(I) is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and

(II) causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including—

(a) whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;

(b) causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;

(c) causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;

(d) causing, coercing, or otherwise inducing another person to perform sexual acts;

(e) any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;

(f) any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and

(g) any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

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 other person.

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 – An offense that meets the definition of Rape, Fondling, Incest, or Statutory Rape, as those terms are defined herein.

The above definition will be used in determining whether a respondent is responsible for violating the College's Sexual Misconduct policy and procedure.

In Florida, the term "Sexual Assault" is legally referred to as "Sexual Battery" and law enforcement and the court system will utilize the following definition in determining whether to pursue criminal charges: 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 without consent; however, sexual battery does not include an act done for a bona fide medical purpose. See Florida Statute 794.011.

Sexual Harassment - Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:

a. An employee (staff or faculty) of the College conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct;

b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity; or

c. Sexual Assault, Dating Violence, Domestic Violence, or Stalking, as those terms are defined herein.

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 on the basis of sex 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. For purposes of this definition:

Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

The above definition will be used in determining whether a respondent is responsible for violating the College's Sexual Misconduct policy and procedure.

In Florida, the term "Stalking" 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 - https://www.brevardsheriff.com

Cocoa Police Department - www.cocoapolice.com

Melbourne Police Department - www.melbourneflorida.org/police/

Palm Bay Police Department - https://www.palmbayflorida.org/government/city-departments-f-to-z/police

Titusville Police Department - www.titusville.com

Florida Department of Law Enforcement - www.fdle.state.fl.us

U. S. Department of Homeland Security – www.dhs.gov

Federal Bureau of Investigation – www.fbi.gov

Sexual Assault & Domestic Violence Resources

Florida Council Against Sexual Violence - www.fcasv.org

Florida Department of Children and Families - https://www.myflfamilies.com/service-programs/domestic-violence/

SAVS/Women's Center in Brevard - https://www.womenscenter.net/what-we-do#Sexualassaultvictimservices-whatwedopage

Women's Center in Brevard - https://www.womenscenter.net/

Serene Harbor - www.sereneharbor.org

Circles of Care – www.circlesofcare.org

Other Important Websites

Eastern Florida State College – www.easternflorida.edu

EFSCares/Gee Resolutions - https://www.easternflorida.edu/counseling-efscares/index.php

Brevard Public Schools - https://www.brevardschools.org/

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



Eastern Florida State College is dedicated to providing a nondiscriminatory environment which promotes equal access, equal educational opportunity, and equal employment opportunity to all persons regardless of age, race, national origin, color, ethnicity, genetic information, religion, sex, gender, sexual orientation, pregnancy, disability, marital status, veteran status, ancestry, or political affiliation in its programs, activities, or employment.

Eastern Florida State College is accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) to award baccalaureate and associate degrees. Eastern Florida State College also may offer credentials such as certificates and diplomas at approved degree levels.Questions about the accreditation of Eastern Florida State College may be directed in writing to the Southern Association of Colleges and Schools Commission on Colleges at 1866 Southern Lane, Decatur, GA 30033-4097, by calling 404-679-4500, or by using information available on the SACSCOC's website (www.sacscoc.org/).