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| Florida Gateway College  Olustee Campus Annual Security Report 2019/2020 | This report contains information regarding campus security and personal safety including topics such as: crime prevention, fire safety, College Public Safety enforcement authority, crime reporting policies, disciplinary procedures and other matters of importance related to security and safety on campus. It also contains information about crime statistics for the three previous calendar years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Florida Gateway College ; and on public property within, or immediately adjacent to and accessible from the campus. |

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Greetings students, faculty, staff, alumni, friends and visitors,

As President of Florida Gateway College, there is nothing I take more seriously than the safety of our campus community.  FGC is committed to providing its students, faculty, staff and visitors a safe and welcoming learning environment. Over the years, FGC has developed an outstanding reputation and record for campus safety, and we are dedicated to advancing that reputation in the years to come.  We are privileged to have an Office of Public Safety that is comprised of dedicated, diligent and trained officers who go above and beyond daily to protect and serve everyone on campus.  However, we each play a role in keeping our campus safe. Please read this safety guide thoroughly, as it provides a wealth of information about many safety programs and activities. I ask that you always remain vigilant, and if you see anything out of the ordinary, please do not hesitate to call the Office of Public Safety at 386-623-2398. There are always officers on campus who are willing and ready to respond.

Thank you for making the Florida Gateway College environment not only beautiful, but always safe.

Sincerely,

Lawrence Barrett, Ed.D.

President

**Purpose of the Safety Guide**

To comply with federal statutes and to provide important information to the Florida Gateway College community, the college publishes information regarding campus security and personal safety topics such as crime prevention, fire safety, College security officer authority, crime reporting polices, disciplinary procedures, and other matters of importance related to security and safety on campus.

Florida Gateway College also publishes crime statistics collected each of the previous three calendar years concerning incidents that occur on campus, in certain off campus buildings or property owned or controlled by Florida Gateway College, and on public property within or immediately adjacent to and accessible from campus. Data for this report comes from the Florida Gateway College Office of Public Safety, the Columbia County Sheriff’s office, Lake City Police Department and non-police officials. Crimes reported to any of these sources are recorded in the calendar year the crime was reported.

An annual request for statistical information is sent to all administrators, executive directors, directors, department heads, campus security authorities and local police. This guide is updated every year with new crime statistics, along with any relevant safety changes.

The final statistics are reported to the College community in the Annual Security Safety Guide published by the Florida Gateway College Office of Public Safety. This guide also is posted on the Florida Gateway College website at <https://www.fgc.edu/community/safety/annual-security-report/> Members of the community may request a printed copy of the brochure by contacting the Office of Public Safety, room 204, Building 7 or by calling 386- 754- 4428.

**Introduction to Florida Gateway College Office of Public Safety**

The Florida Gateway College Office of Public Safety is a professional force of security officers. Its primary function is to protect the people and property of Florida Gateway College. While the security office itself is open only during regular business hours, security officers are on duty 24 hours a day, seven days a week, and can be reached by calling 386-623-2398 or 1010 on any campus phone. To report a life threatening emergency, please dial 911.

The Florida Gateway College Office of Public Safety is not a commissioned law enforcement agency, nor do personnel within the Office have arrest authority. Rather, the Office is designed to keep the likelihood of criminal activity to a minimum and to keep the campus community aware of any safety and security issues. Public Safety officers have the authority to enforce all college policies and regulations and to ask persons for identification to determine whether individuals have lawful business at Florida Gateway College. Public Safety officers also have the authority to issue parking tickets that are billed to financial accounts of students, faculty and staff. Criminal incidents are referred to the local sheriff who has jurisdiction on campus. The Office of Public Safety maintains a highly professional working relationship with the Baker County Sheriff Office as well as other local, state and federal agencies. Florida Gateway College’s Office of Public Safety does not have any Memoranda of Understandings with any agency.

Public Safety staff is trained in the areas of safety, security and law enforcement. Public Safety staff members have as their goal a crime-free and comfortable setting on campus, and are available to assist the Florida Gateway community in a variety of safety and security-related areas, including CPR and first aid, safety escorts, crime prevention information, vehicle registration and parking permits, incident reporting, lost and found, battery jumper service, assistance with contacting a vehicle unlocking service and other areas of general assistance to the campus community.

**Reporting Crimes**

The Florida Gateway College Office of Public Safety, like all campus safety departments, depends greatly on the cooperation and support from the college community. We ask you for this support during your attendance at Florida Gateway College. All crime victims and witnesses are strongly encouraged to report crimes and or criminal behavior in a prompt and accurate manner.

In the event a victim chooses not to report a crime or is unable to report a crime, the College may choose to report the crime to law enforcement. Crimes occurring on campus should be reported to the Office of Public Safety by calling 386-623-2398. For life threatening emergencies call 911 and ask to be transferred to Baker County 911. Crimes occurring off campus should be reported to the Baker County Sheriff Office 911 (emergency) or 904-259-2231 (non-emergency). Crimes occurring in other communities should be reported to the local police agency.

In response to a call Public Safety will take the required action, dispatching an officer, or asking the victim to report to the office to file an incident report. All Florida Gateway College incident reports are forwarded to the appropriate college department for review and possible action, such as the Vice President of Enrollment Management for judicial action.

Prompt reporting will assure timely warning notices on campus and disclosure of crime statistics. Please feel free to call or stop by the Office anytime you are in need of assistance, emergency or otherwise, or if you have any questions or suggestions.

**Crime Log**

Florida Gateway College Office of Public Safety maintains a daily crime log to record criminal incidents and alleged criminal incidents reported to the Office of Public Safety. This log may be accessed online on the Public Safety’s Website or a paper copy may be requested by stopping by the Office of Public Safety, located inside the Student Center,( building 7), room 204, or by calling 386-754-4428

The College does not publish the name of crime victims nor house identifiable information regarding victims in the Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request to the registrar’s office by calling 386-754-4205 or by visiting their office in building 15.

**Campus Security Authorities**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act require all institutions to collect crime reports from a variety of individuals and organizations that the Act considers to be “campus security authorities.” A campus security authority is a specific term that encompasses individuals and organizations with an institution, including:

* A campus police or security department.
* An individual or group with responsibility for campus safety.
* An individual or unit that institutional materials indicate to whom students and employees should report criminal offenses.
* An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, 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.

Florida Gateway College considers the following individuals to be campus security authorities:

* All Public Safety Officers
* Faculty or Staff Advisors to Student Organizations
* Vice President of Enrollment Management
* Title IX Coordinator

Campus pastoral counselors and campus professional counselors, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, they are encouraged - if and when they deem it appropriate - to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

In cases of sex discrimination, including sexual assault, dating violence, domestic violence and stalking, CSAs are expected to notify a reporting alleged victim of the Colleges Title IX policy and inform the Title IX coordinator.

Counselors include a/an:

* Pastoral Counselor.

• Employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

• Professional Counselor.

• Employee of an institution whose official responsibilities includes providing psychological counseling to members of the institution’s community and is functioning within the scope of his or her license or certification.

**Confidentiality**

Florida Gateway College does not permit the College to promise confidentiality to those who report crimes to anyone except counselors associated with Bay Care Behavioral Health. Some off-campus reports also may be legally confidential, such as reports to clergy or health care professionals. Whether confidentiality will be maintained will be made on a case by case basis in conformity with Title IX and mandatory reporter laws. Those who receive reports that are confidential by law are encouraged to submit aggregate information that does not contain personally identifiable information for purposes of Clery Reporting.

Personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Further, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

**Monitoring and Reporting Criminal Activity at Off-Campus Locations Officially Recognized by the Institution**

The Florida Gateway College Office of Public Safety maintains a close, cooperative relationship with all local, state and federal law enforcement agencies. The College does not recognize off campus student organizations and therefore has no policy for monitoring the activity of such organizations.

**Safety of and Access to Campus Facilities**

The access to facilities is limited to those who have authorization through their status as students, faculty, staff or visitors in connection with special events or invitation. Campus buildings are open and closed according to class and event schedules. After a building is closed, only those with prior authorization from a faculty or staff member will be allowed access. Students who provide unauthorized access to others are in violation of Campus policy and are subject to disciplinary procedures. All faculty, staff and students are required to carry their Florida Gateway College ID on campus. A Public Safety officer or other College official may request an ID before granting access to certain areas of campus.

Academic and administrative facilities are secured by the Office of Public Safety or maintenance personnel at the close of the day’s activities and are opened in the same manner.

Educational Programs, Security Awareness Programs and Crime Prevention Programs

Crime awareness prevention programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year. Public Safety personnel facilitate programs for student, parent, faculty, and new employee orientations, student organizations and community organizations. In addition to these programs, provide a variety of educational strategies and tips on how to protect oneself from sexual assault, theft and other crimes. Some of the programs that are offered are:

* Drug and Alcohol Awareness Programs. These include programs that focus on drunk driving and general drug and alcohol information.
* Stop Sexual Violence Prevention workshops. Programs are presented throughout the year that cover the Florida Gateway College policy, bystander intervention and response, and each other’s responsibilities to report and set up a safe community living environment.
* Relationship Violence workshops. Florida Gateway College partners with Bay Care Life Management to visit and discuss healthy versus unhealthy relationships, forms of abuse and ways abuse occurs (This includes physical, emotional, mental abuse through various means including technology).

**Escort Program**

Any student, staff member or visitor may request a security escort at any time. This service is encouraged for those walking on campus after dark. By calling you can request an escort anywhere on campus. An officer will meet you and walk or drive you to your destination. The Escort Program is to be utilized for safety purposes or for those who have a temporary or permanent disability.

**Crime Prevention Information**

**Protect Your Property**

* Use a discus-style padlock (not the master lock type) on all storage units. Check the unit periodically to make sure nothing has been disturbed.
* Don’t lend your keys. Keys can be duplicated.
* Don’t mark your key chain with your name, address or license number. Lost keys can lead to theft.
* Engrave or mark all valuable personal property with your name and driver's license number.
* Keep an inventory of all items.
* Move valuable items out of easy sight of windows and doors.
* Lock your vehicle at all times.
* Copy all important papers and cards that you carry in your purse or wallet, including your driver’s license. Keep the copies in a safe place, as the information will be invaluable if they are stolen or lost.
* Copy your vehicle identification and tag number. If your vehicle is stolen, it cannot be entered into the nationwide law enforcement network without this information

**In Your Car**

* Check the back seat before entering.
* Keep your vehicle doors locked at all times, even when driving in daylight, so no one can jump in at a red light.
* Keep enough gas in your tank for emergencies and don’t offer rides to anyone you do not know, even if he or she claims to be a student.
* Honk your horn if someone suspicious approaches your vehicle. Criminals don’t like attention.
* Lift the hood, put on the flashers and wait inside for help with the doors locked if your car breaks down. Ask people who stop to call the police or AAA for you. Don’t accept a ride with anyone you do not know.

**At Home**

* Keep doors locked at all times, even if you are only away for a few moments. Do not prop open doors in the residence halls.
* Be assertive and demand that any unwanted person in your residence leave, or leave yourself. Anyone who refuses to leave is a trespasser. If you live in a residence hall, call the Office of Public Safety.
* Make sure hallways, entrances, garages and grounds are well-lit. Leave porch lights on all night. When you expect to return after dark, leave an interior light on with shades drawn. If you live on campus, report any malfunctioning lights.
* Know who is at your door before you open it. Campus staff should carry identification, and no solicitors are allowed on campus. If you live off campus, install a peephole in your front door.
* Make calls for strangers who want to use your phone. Don’t open your door or let them in.
* List initials and last name only on your mailbox or door, and in the telephone book.
* Get to know your neighbors. If you live off campus, join a neighborhood watch system and share information about suspicious circumstances.

**Away from Home**

* Walk or jog with a friend. Avoid jogging after dark. If you must, stay in well-lit areas. Walk midway between curbs and buildings, and away from alleys and bushes.
* Don’t stop for stranded motorists. You are of greater help to them by calling the police.
* Keep valuables in the trunk of your vehicle, not on the seats.
* Park your car in well-lit areas.
* Remove all keys from your vehicle. Thieves look for keys. Walk with your keys in your hand.
* Tell someone where you are going and when you will return.
* Don’t fight back if your purse or wallet is snatched. Turn it over to the thief rather than risk personal injury, and call the police immediately.
* Be careful about when and where you patronize Automatic Teller Machines (ATMs). Accessing ATM cash in remote locations, particularly at night, could expose you to risk of robbery and personal injury.
* Avoid working or studying alone in a public-access building at night.

**Drug Free Campus**

DRUG/ALCOHOL ABUSE 6Hx12:10-9

Florida Gateway College’s detailed policy regarding alcohol and other drugs is Policy 6Hx12:10-09. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on the campus is prohibited.

The possession or consumption of alcoholic beverages or illegal drugs on college property, or at events sponsored or supervised by the college, or on college sponsored trips is prohibited. Beer and wine may be approved for events on campus. A request form is available in the president’s office.

Violation of Drug-Free Campus policy or possession with the intent to manufacture, sell, or deliver any controlled substance identified in the Florida Statutes, shall result in any student being expelled, and any faculty member, administrator, or other employee shall be

discharged. Any member of the College community who violates the drug and alcohol policy will be subject to prosecution and punishment by the civil authorities, and to disciplinary procedures of the College.

**Educational Efforts to Prevent the Abuse of Alcohol and Other Drugs**

In keeping with the primary mission of education, Florida Gateway College conducts a strong educational program aimed at preventing the abuse of alcohol and other drugs. Educational efforts are directed toward all members of the academic community, and include information about the incompatibility of the abuse or sale of alcohol and other drugs with goals of Florida Gateway College, the health hazards associated with the abuse of alcohol and other drugs, the incompatibility of alcohol and other drug abuse with the maximum achievement of educational, career, and other personal goals, and the potential legal consequences of involvement with alcohol and other drugs. Florida Gateway College conducts a biennial review of its program to determine effectiveness and to implement changes if they are needed, and to ensure that the sanctions below are consistently enforced.

**Counseling and Rehabilitation Services to Prevent Alcohol and Other Drug Abuse**

Students, faculty, and staff who seek assistance for an alcohol or drug-related problem shall be provided with information about counseling and rehabilitation services available through community resources. Students will typically be referred to Bay Care Behavioral Health Student Assistance Plan (SAP).  (Individuals who have failed to voluntarily avail themselves of services and/or who have failed to maintain satisfactory progress during the course of treatment and recovery will be subject to full disciplinary procedures according to College disciplinary policy.) Those who voluntarily avail themselves of such services shall be assured that applicable professional standards of confidentiality will be observed.

The intent of these procedures is to accomplish the following:

1. Prevent the abuse of alcohol and other drugs through a strong educational effort;
2. Encourage and facilitate the use of counseling services and rehabilitation programs by those members of the academic community who require their assistance in stopping the abuse of alcohol and other drugs.
3. Discipline appropriately those members of the academic community who engage in substance abuse and related behaviors.

**Disciplinary Actions Pertaining to Drug/Alcohol Violations**

Students, faculty members, administrators, and other employees are responsible as citizens for knowing about and complying with the provisions of Florida law that make it a crime to possess, sell, deliver, or manufacture those drugs designated collectively as “controlled substances.” The following minimum penalties shall be imposed for the particular offenses described.

**College Regulations Governing Illegal Drugs:**

1. Trafficking in Illegal Drugs
2. For the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or delivery, of any controlled substance identified in Schedules I and II of Chapter 893.03 of the Florida Statutes, (including, but not limited to, heroin, cannabis, mescaline, lysergic acid diethylamide(LSD), opium, cocaine, amphetamine, MDMA (Ecstasy), methaqualone), any student shall be expelled and any faculty member, administrator, or other employee shall be discharged.
3. For a first offense involving the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver, of any controlled substance identified in Schedules III through V of Chapter 893.03of the Florida Statutes (including, but not limited to steroids, diazepam, Phenobarbital), the minimum penalty shall be suspension from enrollment or employment. For a second offense, any student shall be expelled and any faculty member, administrator, or non-probationary employee shall be discharged.
4. Illegal Possession of Drugs
5. For a first offense involving the illegal possession of any controlled substance identified in Schedules I or II of Chapter 893.03 of the Florida Statutes, the minimum penalty shall be suspension.
6. For a first offense involving the illegal possession of any controlled substance identified in Schedules III through V of Chapter 893.03 of the Florida Statutes, the minimum penalty shall be probation for a period to be determined on a case-by-case basis. A person on probation must agree to participate in a drug education and counseling program, consent to regular drug testing, and accept such other conditions and restrictions as the appropriate College official deems appropriate.
7. Refusal or failure to abide by the terms of probation or second or other subsequent offenses involving the illegal possession of controlled substances, progressively more severe penalties shall be imposed, including expulsion of students and discharge of faculty members, administrators, or employees. These penalties will be in accordance with College disciplinary procedures and/or the collective bargaining agreement.
8. Possession, Sale, or Consumption of Alcoholic Beverages
9. Possession, sale, or consumption of alcoholic beverages on campus, or at off-campus College sponsored activities is prohibited unless specifically authorized. Alcoholic beverages include, but are not limited to beer, wine, distilled spirits, wine coolers, and liqueurs.
10. State laws are outlined as follows:
11. Drinking Age

* The legal drinking age in Florida is 21. Selling, giving or serving alcoholic beverages to persons under 21 is unlawful.
* In Florida, this law extends to possession of alcoholic beverages by anyone under 21.
* It is unlawful for any person to misrepresent or to misstate his or her age. This includes the manufacture or use of false identification. Use of altered identification for the purpose of procuring alcoholic beverages is a felony.

1. Open Container Law

* It is unlawful for any person to consume or possess open containers of alcoholic beverages while in municipal parks, playgrounds, sidewalks, or streets.

1. D.U.I. (Driving while under the influence of alcohol or other drugs.) A mandatory suspension of license for 90 days for the first conviction.

* Fines of up to $500 for the first offense.
* A minimum of 50 hours of community service.

-Imprisonment of not more than six (6) months.

1. In addition to the legal requirements and penalties above, students found to be in violation of this College policy will be subject to penalties under the Student Code of Conduct. Faculty and staff in violation of this College policy will be subject to disciplinary actions as outlined in College disciplinary procedures and/or the collective bargaining agreement. Mandatory participation in rehabilitation and educational programs will be regulated by State and Federal statutes.

**Conditions for Immediate Suspension**

When a student, faculty member, administrator, or other employee has been charged by the College with a violation of policies concerning alcohol and other drugs, he or she may be suspended from enrollment or employment before initiation or completion of regular disciplinary proceedings, if assuming the truth of the charges, the responsible authority concludes that the person’s continued presence within the College community would constitute a clear and immediate danger to the health or welfare of other members of the College community.

An immediate suspension and subsequent hearings will be in accordance with College disciplinary procedures.

**Civil Conviction for Drug and Alcohol Offenses**

If employees of Florida Gateway College in performance of College duties within the scope of their employment are convicted of an offense related to drugs, they will be subject to the same penalties as the offense would warrant if the offense were committed on College property or at a College sponsored event. The term “conviction” means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes. The individual involved is required to notify the College of the conviction or arrest within five (5) working days following said conviction or arrest.

**Federal Student Financial Aid Penalties for Drug Law Violations**

Students convicted under any federal or state law for the possession or sale of illegal drugs for an offense that occurred while receiving federal student aid, are ineligible for aid for a period of time based on the type and number of convictions.

**Emergency Notifications and Timely Warnings**

**Emergency Notification**

The Office of Public Safety assumes the role of issuing emergency notifications to the campus community. As defined, an emergency notification is the process of immediately notifying the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.

Florida Gateway College will, taking into account the safety of the community, determine the content of the notification and initiate the notification system or systems, unless issuing a notification will, in the professional judgment of responsible authorities, compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate an emergency.

Emergency notifications may be initiated by the Office of Public Safety or the Executive Director of Information Technology.

The process of issuing an emergency notification begins by confirming there is a significant emergency or dangerous situation. Public Safety personnel verify information about a potential significant emergency or dangerous situation by collecting and assimilating information from firsthand accounts, from uniformed officers in the field, and through the use of surveillance technologies, and or alarm systems. Alarm systems are monitored 24 hours a day, seven days a week. In some locations, cameras can be reviewed in the event of an emergency.

In some circumstances, other Florida Gateway College departments or local, state or federal agencies may notify the Office of Public Safety of a possible emergency and may provide information or guidance to be used in verifying whether a significant emergency or dangerous situation exists. For example, the Department of Public Health will determine whether there is an outbreak of serious illness. Florida Gateway College may contact or be contacted by external law enforcement agencies, emergency management agencies, public health agencies, or other agencies with expertise in the type of situation affecting the campus. These departments or agencies may provide assistance and guidance in confirming the presence of an emergency or dangerous situation. Florida Gateway College departments that become aware of an emergency or dangerous situation that may affect the campus will contact the Office of Public Safety to report the incident.

Upon learning that an emergency or dangerous situation may exist, Public Safety personnel will contact leadership within the Office of Public Safety to share specific information about the situation.

The Office of Public Safety is responsible for determining the content of an emergency notification. The content of a notification is determined based on the circumstances and the manner in which the situation is impacting campus. The content of the notification message is designed to provide instruction to the College community that promotes the safety and well-being of those impacted. At times, messages may simply contain information about an area of campus to avoid. At other times, messages may have specific protective action recommendations or information about the nature of the incident itself. A message may be directed to the entire campus community or to specific areas or segments of the campus, depending on the nature of the incident.

Upon determination of the notification’s content, systems utilized to transmit emergency notifications are selected and activated to deliver the desired content relating to the emergency to the end user within the College community. These systems are described in the next section.

Delivery of an emergency notification may occur within minutes of the initial confirmation of a significant emergency or dangerous situation, depending upon the time of day, the methods chosen to disseminate information, and the successful activation and performance of technologies used to issue notifications.

**EMERGENCY NOTIFICATION SYSTEMS**

To report a Life Threatening Emergency, call (9) 911 from campus phone or 911 from other phones first and then notify the Office of Public Safety at 386 754-4490. Once the Office of Public Safety is aware of an emergency situation, and response agencies such as police, fire or a health department have initiated a response, if appropriate, Public Safety can begin the process of notifying our campus community.

In the event of an emergency, the Office of Public Safety will determine the appropriate emergency notification systems to be used to deliver the emergency notification message to the campus community. Information pertaining to incidents and emergencies on campus will be disseminated to the larger public via media organizations through the Public Information Office.

Emergency notifications may be sent to the entire campus community when a situation has the potential to affect a large portion of the campus, or they may be sent to specific buildings or areas of the campus in circumstances where the impact of the situation may be limited. The Office of Public Safety will evaluate the information known about the situation and will determine the appropriate areas of campus to be notified. As the situation progresses, the Office of Public Safety will continue to assess the circumstances and may notify additional segments of the campus community if it is warranted.

Based on the circumstances involved in the emergency or dangerous situation, the Office of Public Safety will develop a notification designed to aid in protecting individuals from harm, in preventing an incident from escalating into a larger or more complex emergency, and in preserving and maintaining law enforcement and other public safety operations.

**Rave Emergency Alert**

Rave is an emergency notification system that allows messages to be sent via text, email or voice phone calls. Based on a variety of factors, Florida Gateway College’s Office of Public Safety officials will determine which method, or combination of methods, should be utilized to communicate with the College community during an emergency. Each event and emergency is unique. The message for each event and emergency will also need to be unique. Public Safety leadership will determine the final message prior to activation. Florida Gateway College encourages the campus community to pay close attention to both Public Safety Notices and Rave text messaging alerts to remain informed of crime activity and emergencies on campus.

If there is a situation on campus that threatens the health and safety of our students, faculty and staff, Public Safety officials will warn our campus community by using one or more of the following methods:

**Text Messaging**

Text Messaging is a simple, reliable way to quickly send and broadcast messages to as many students, faculty and staff as possible. A text message alert will be sent to a registered user’s cell phone in the event of an emergency. Faculty, staff and students are automatically registered with this system. Users may opt out of receiving text messaging by unsubscribing at the end of message or by updating their personal information on the Florida Gateway Intranet site.

**Telephone Voice Mail**

Rave Emergency Alert has the ability to send voice messages to registered telephones on Campus.

**Campus Emails**

Rave Emergency Alert will send emails to all email users on the Florida Gateway email system.

**Campus Intercom System**

Florida Gateway College has an intercom system capability on every phone speaker on campus to include classrooms.

Other methods of communication may include:

* Florida Gateway College website
* Campus E-mail
* Building Alarm
* Facebook
* Twitter
* Instagram
* Youtube
* Bull horns from Public Safety vehicles
* Local News and radio outlets
* Building Coordinators

\*Please note that Timely Warnings, also called “Public Safety Notices,” are distinct from RAVE Emergency Alerts. Timely Warnings/Public Safety Notices provide information about crimes that have already occurred, but still pose a continuing threat. The Rave Emergency Notification System will only be activated if the campus community is under an immediate threat from a significant emergency or a dangerous event.

**Evacuations**

The Baker County Emergency Management Agency, County and City Police and Fire, and many other emergency response partners are prepared for a large-scale evacuation of the city and/or surrounding area. Any evacuation of a majority of the campus would, most certainly, also include portions of Lake City and Macclenny, neighboring communities and/or Columbia and Baker County. If an evacuation were required, Florida Gateway College’s Office of Public Safety, in consultation with other local, state, and/or federal agencies, would determine the most appropriate method and route for evacuating the area. It is likely that traffic routes may be altered, some areas of campus may be inaccessible, and travel off-campus may require the use of public transportation or other arrangements.

It is important to remember that evacuations are issued only if the safety and well-being of the College community is at serious risk. Florida Gateway College asks that you work together and assist each other during evacuations, and that you follow all instructions and guidance from College officials and first responders.

Building-specific evacuation procedures vary by building. We encourage all individuals on campus to familiarize themselves with evacuation procedures in the buildings they occupy. Specific evacuation information can be obtained from posted procedures, or by requesting a copy of the Building Emergency Action Plan from the Office of Public Safety.

**Shelter-In-Place Procedures**

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors because leaving the area may expose you to that danger. In these or other circumstances, you may be asked to “shelter-in-place” rather than evacuate a building or area. To “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments this location, can be made even safer and more comfortable until it is safe to go outdoors.

Basic “Shelter-in-Place” Guidance: If an incident occurs and the building you are in is not damaged, stay inside and seek an interior room until you are told it is safe to exit. If your building is damaged, take your personal belongings (purse, wallet, ID card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, quickly seek shelter inside the nearest College building. If Public Safety personnel are on the scene, follow their instructions.

How You Will Know to “Shelter-in-Place”: A “Shelter-in-Place” notification may come from several sources, including the Florida Gateway College Office of Public Safety, Student Services, other College employees, or other authorities utilizing the College’s emergency communications tools.

How to “Shelter-in-Place”: No matter where you are, the basic steps of “Shelter-in-Place” will generally remain the same. Should the need ever arise; follow the below steps, unless instructed otherwise by local emergency personnel:

* If you are inside, stay where you are. Collect any emergency “Shelter-in-Place” supplies and a telephone to be used in case of emergency.
* If you are outdoors, quickly proceed into the closest building or follow instructions from emergency personnel on the scene, which could include:
* Locate a room to shelter inside. These rooms should be an interior room, above ground level, and without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary.
* Shut and lock all windows (tighter seal) and close exterior doors.
* Turn off ventilation devices, such as fans.
* Close vents to ventilation systems as you are able (College staff will turn off ventilation as quickly as possible).
* Turn on a radio or TV and listen for further instructions.
* Make yourself comfortable.

**Testing and Exercises**

Exercises designed to test Florida Gateway College’s emergency procedures and preparedness are conducted annually and may be conducted in the form of a drill, tabletop, functional, or full-scale exercise. These exercises often include College personnel, surrounding jurisdiction first responders and government agencies as well as members of the College community.

Florida Gateway College’s Office of Public Safety documents a description of each exercise as well as the date and time of the exercise and information about whether the test was announced or unannounced. Florida Gateway College’s Office of Public Safety works closely with the Columbia County Emergency Management Agency and the State of Florida Emergency Management to design and conduct exercise activities in accordance with federal and state exercise guidelines. All campus-wide exercises meet or exceed the minimum requirements set forth by the Homeland Security Exercise and Evaluation Program (HSEEP). HSEEP is the standard for which all drills and exercises should meet, and sets forth minimum requirements which include the assessment and evaluation of emergency plans, response capabilities, and evacuation procedures. HSEEP also requires follow-up to ensure proper corrective action where necessary.

In addition to tabletop, functional and full-scale exercises to test emergency response on campus among first responders, individual departments conduct internal departmental tabletop, functional and full-scale exercises across campus.

Testing of the Emergency Notification System occurs at least twice a year, but may occur more frequently at the discretion of the Office of Public Safety. These tests may be announced or unannounced.

Florida Gateway College publishes its emergency notification and a response and evacuation procedure annually in this report, and also publicizes the emergency response and evacuation procedures in conjunction with at least one test of those procedures per calendar year. In addition, students receive at least one e-mail each year providing details on where they can find additional information on emergency and evacuation procedures. This information is repeated multiple times throughout the year to various audiences by members of the Public Safety community.

**Timely Warnings**

The Campus **Public Safety Notice** is provided to give students, faculty and staff timely notification of crimes that may present a threat to the campus community to heighten safety awareness. In general, criminal suspects are unknown to the victims. However, in the instance of a violent crime occurring between two individuals who know each other, Public Safety will look at each instance to determine if the suspect poses a continued threat to the campus community, and will issue a warning where necessary. Such reports shall be provided to students and employees in a manner that is timely, that withholds the names of victims as confidential and that will aid in the prevention of similar occurrences. The Notice also seeks information that may lead to arrest and conviction of the offender when violent crimes against persons or major crimes against property have been reported.

Florida Gateway College’s Office of Public Safety is responsible for a Public Safety Notice when a crime is reported to or brought to the attention of the Office of Public Safety, and that crime represents a threat to the safety of members of the campus community. Information for alerts also comes from other law enforcement agencies or other offices. Every attempt will be made to distribute the Notice within 12 hours from the time the incident is reported; however, the release is subject to the availability of accurate facts concerning the incident. Notices are distributed via Email and to on-campus offices and libraries.

**Sexual Violence and Support**

Education to increase awareness of the problem of sexual misconduct, to discourage such activities, and to encourage reporting occurs on campus. Students receive such training through student orientation, through student development classes, and through annual activities sponsored through Student Services and the Office of Public Safety. Employees receive training at the beginning of the school year through the Employee Orientation.

The Office of Public Safety offers sexual assault education and information programs to College students and employees upon request. Literature on date rape education, risk reduction, and College response is available through the Office of Public Safety, Human Resources and the Vice President of Enrollment Management.

**How to be an Active Bystander**

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911.This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

**Risk Reduction**

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one’s risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org)

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas.** It is more difficult to get help if no one is around.
3. **Walk with purpose.** Even if you don’t know where you are going, act like you do.
4. **Trust your instincts.** If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cab money.
7. **Don't allow yourself to be isolated** with someone you don’t trust or someone you don’t know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends.** Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust.** If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
    1. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
    2. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
    3. **Have a code word with your friends or family** so that if you don’t feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
    4. **Lie.** If you don’t want to hurt the person’s feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

**Student Discipline FGC 6Hx12:9-08**

See College Policy and Procedure 6-23 for the College's detailed policy regarding harassment, including the definition of harassment. For the College's detailed policy relating to sexual misconduct, see Policy and Procedure 6-45.

**I. DISCIPLINARY PROCESS**

All students are guaranteed the following rights:

* + 1. The right to specific written notification of the charges. (It is the responsibility of the student to have a current mailing address on file with the Registrar.)
    2. The right to a copy of all redacted written statements regarding the charges.
    3. The right to a prompt appeals meeting.
    4. The right to an advocate of choice. The advocate may serve only in an advisory capacity to the student, and may not participate in the proceedings directly.
    5. The right to present witnesses or information.

* + 1. The right to refuse to give self-incriminating statements.
    2. The right to a full and complete record of the appeals meeting.
    3. The right to an appeal of a disciplinary action of “suspension or expulsion”.

**II. DISCIPLINARY ACTIONS**

One or more of the following penalties may be assessed against an individual or group for violation of the Student Code of Conduct.

1. **Official Warning or Reprimand:** A written statement from the Vice President for Student Services expressing disapproval of conduct. A record of warning or reprimand shall be maintained in the disciplinary file for the student.

2. **Restitution:** The student or group is required to pay for damages to College property, provided that such payment shall be limited to the actual cost of repair or replacement of such property.

3. **Fines:** The student or group may be required to pay reasonable fines assessed by the Campus Appeals Board or the Vice President of Enrollment Management.

4. **Facility Usage and Participation:** Temporary or permanent loss of privilege of use of College facility and/or participation in campus activities and programs.

5. **Apology:** A written statement of regret written by the individual or group and approved by the Vice President of Enrollment Management.

6. **Disciplinary Probation:** Formal written warning that the student's conduct is in violation of the Student Code of Conduct. The continued enrollment of the student is contingent on the maintenance of satisfactory conduct during the period of probation.

7. **Community Service:** Participation in or completion of a variety of programs or activities on campus or in the community based on the nature of the offense.

8. **Suspension:** Temporary separation of the student from the College for a specified period of time. Suspended students are excluded from all classes, privileges, facilities and activities.

9. **Expulsion:** Permanent separation of the student from the College, preventing readmission to the institution.

III. **Violations of Student Code of Conduct:**

1. All alleged violations of the Student Code of Conduct should be referred to the Vice President of Enrollment Management or designee. Charges may be filed by faculty, staff, students, or guests of the College, and should be made in writing. A preponderance of evidence standard will be utilized in Disciplinary proceedings.
2. The Vice President of Enrollment Management is authorized to immediately suspend a student from the College if the vice president feels that the student's presence represents a threat to the safety, health or general well-being of the student body or the College. The suspended student must be informed in writing of this action. (It is the student's responsibility to have a current mailing address on file with the Registrar's Office).
3. The Vice President of Enrollment Management or designee may hear the complaint of alleged violation of the Student Code of Conduct and render a decision.
4. If the Vice President of Enrollment Management or designee hears the complaint and renders a decision:
   1. The decision will be made available, simultaneously to the parties involved within three working days,
   2. Any student who wishes to appeal a decision of “suspension or expulsion” must notify the Chair of the Campus Appeals Board in writing within fifteen working days of the decision.
   3. The Campus Appeals Board will function as the first level of appeal for decisions of “suspension” or “expulsion”. The Campus Appeals Board shall consist of a chair, and at least five members chosen from faculty, staff, and students (See Committee Structure Handbook).
   4. The student will receive at least three days' written notification of the meeting date.
   5. The Campus Appeals Board may accept, modify, or reject a decision of the Vice President of Enrollment Management, or designee.
   6. The decision of the Campus Appeals Board will be made available, simultaneously to the parties involved within three working days after the appeal meeting, and
   7. Any student who wishes to appeal the decision of the Campus Appeals Board must do so within three working days of the decision. The appeal must be made in writing to the President.
5. If the Campus Appeals Board reviews the complaint:
6. the student will receive written notification of the charges and meeting date no less than three days before the meeting date,
7. In the event the student fails to appear and participate in the Campus Appeals Board meeting, without prior written notification to the Chair of the Campus Appeals Board, the meeting will take place as scheduled. The Campus Appeals Board will review the case and reach a recommendation based upon available information.

If the Chair of the Campus Appeals Board receives prior notification and justification that the student is unable to attend the Campus Appeals Board meeting, the meeting will be rescheduled. Failure on the part of the student to attend the rescheduled meeting will result in the Campus Appeals Board reviewing the case and reaching a decision based upon available information,

1. the decision of the Campus Appeals Board will be made available to the parties involved within three working days after the meeting, and
2. Any student who wishes to appeal the decision of the Campus Appeals Board, must do so within three working days of the decision. The appeal must be made in writing to the President.
3. Appeals of “suspension or expulsion” may be made by any principal involved, and must be based on one or more of the following criteria:
4. Prejudicial error as to a question of policy or procedure.
5. Abuse of discretion by a committee member or administrator in that the sanction of “suspension” or “expulsion” imposed is inappropriate for the offense.
6. New information is available that could impact the decision.

E. The President is the final authority.

**Campus Sexual Assault Victim Bill of Rights**

Victims of a sexual assault have the right:

* To reasonable changes to academic schedule;
* To referrals to counseling, and assistance in notifying law enforcement;
* The same opportunity as accused to have witnesses present at disciplinary hearing;
* To be notified of the outcome of hearing, sanctions, and terms of sanctions in place;
* To speak (or not speak) to anyone regarding the outcome;

**Sexual Discrimination and Misconduct**

Florida Gateway College does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, Florida Gateway College issues this statement of policy to inform the community of our plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a University official. In this context, Florida Gateway College prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the community.

For a complete copy of the policy Misconduct, Including Sexual Misconduct, Assault, Battery, and Sexual Battery (number: 6Hx12:6) visit <https://www.fgc.edu/resources/policies-and-procedures/>

The College’s Title IX Coordinator is Sharon Best, Executive Director of Human Resources, and she should be contacted by calling 386-754-4313, in person by visiting their campus office at the Human Resources Department, (Building 1) or emailing her at sharon.best@fgc.edu

**Guidance on Reporting**

 **To Report Confidentially:** If a person desires that the details of the incident be kept strictly confidential, they should speak with mental health counselors, health providers, clergy or other off-campus resources who may maintain confidentiality. Be advised that the College generally must act on any non-confidential information it receives.

 **Non-confidential Reporting Options:** If a person desires to make a formal report they are encouraged to speak to an official of Florida Gateway College (Title IX Coordinator, Vice President of Student Life or Public Safety). The College considers these to be “responsible employees.” Notice to any of them is official notice to the institution.

The College has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The College will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to Public Safety or local law enforcement. Special Accommodation requests may be made by contacting the Office of Public Safety at 386-754-4428, The Executive Director of Human Resources at 386-754-4313, or the Vice President of Enrollment Management at 386-754-4324.

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at Lake City Medical Center, located on NW Commerce Drive, 386-719-9000. In Florida, evidence may be collected even if you chose not to make a report to law enforcement . It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved, that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to College hearing boards/investigators or police.

Although the university strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim’s choice whether or not to make such a report and victims have the right to decline involvement with the police. The Office of Public Safety will assist any victim with notifying local police if they so desire. The Columbia County Sheriff’s Office may also be reached directly by calling 386-752-9212, in person at 4917 US 90, Lake City.

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Sharon Best by calling, writing or coming into the office to report in person and the Office of Public Safety (if the victim so desires.) The University will provide information regarding resources, on campus off campus or both, to include medical, health, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Public Safety or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the College, the below are the procedures that the College will follow:

* Depending on when reported (immediate vs delayed report), institution will assist complainant with access to medical care
* Institution will assess immediate safety needs of complainant
* Institution will assist complainant with contacting local police if complainant requests
* Institution will provide complainant with referrals to off campus mental health providers
* Institution will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, “No Contact” directive between both parties
* Institution will provide a “No trespass” directive to accused party if deemed appropriate
* Institution will provide instructions on how to apply for Protective Order
* Institution will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution
* Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is
* Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation

**U.S. Department of Education:** Nothing in this guidance is intended to prohibit you from filing a complaint with the Department of Education’s Office of Civil Rights:

**Office for Civil Rights**

US Department of Education Atlanta Office

61 Forsyth Street SW Suite 19T10

Atlanta Ga 3030-8927

Phone: 404-974-9406

* ***For College Employees and/or Third Parties****:* The investigation will typically be conducted by the Human Resources Department.
* ***For Students:*** The investigation will typically be conducted by the Vice President of Enrollment Management.

Each investigator will have received Title IX and investigative training. The investigation shall be concluded as quickly as possible, typically within seven calendar days, or within a reasonable timeframe appropriate for the investigation. The investigation will be conducted in a manner that is adequate, reliable, and impartial. Witnesses and any other parties involved are expected to cooperate during the investigation process.

The investigation may include any of the following:

* Interviews of the parties involved, including witnesses, and the gathering of other relevant information.
* The investigator recommending interim protections or remedies for the parties involved or witnesses. (Examples may include: separating the parties, placing limitations on contact between the parties, suspension, or making alternative workplace or student housing arrangements.)
* Compliance with law enforcement request(s) for cooperation, which may require the College to temporarily suspend the fact-finding process.

A resolution shall be determined at the conclusion of the investigation. Complainants and anyone accused of violating this policy will be given notice of the outcome, simultaneously, in writing.

Parties to the complaint may appeal the findings of the investigation. All appeals will be conducted in an impartial manner by one of the persons in the following positions who did not conduct the initial investigation:

*For College Employees and or Third Parties:* All grounds for appeal shall be based on the emergence of new evidence that was previously unavailable, despite the exercise of due diligence.

*For Students:* They can appeal in accordance with standards of appeal established by the institution.

Sexual Misconduct Offenses Include, But Not Limited To:

1. Sexual Harassment

2. Non-Consensual Sexual Contact (or attempts to commit same)

3. Non-Consensual Sexual Intercourse (or attempts to commit same)

4. Exploitation

Definitions:

1. Sexual Harassment: Sexual Harassment is defined as unwanted sexual advances, requests for sexual favors, or other visual, verbal or physical conduct of a sexual nature.
2. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same or different gender as the harasser.

* Submission to such conduct is made a term or condition of employment or the educational relationship;
* Submission to or rejection of such conduct is used as a basis for employment or education decisions affecting the individual;
* Such conduct has the effect of unreasonably interfering with a student’s or employee’s work performance or creating an intimidating, hostile, or offensive working, educational, or living environment.
* Failure to provide equal opportunity in education programs and co-curricular programs including athletics.

Examples include:

* An attempt to coerce an unwilling person into a sexual relationship;
* To repeatedly subject a person to unwelcome sexual attention;
* To punish a refusal to comply with a sexual based request;
* To condition a benefit on submitting to sexual advances;
* Displaying of sexual suggestive objects or pictures, cartoons, or posters;
* Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes;
* Verbal abuse of a sexual nature, graphic verbal commentaries about an individual’s body, sexually degrading works used to describe an individual, or suggestive or obscene letter, notes or invitation;
* Sexual violence;
* Intimate partner violence;
* Stalking;
* Gender-based bullying.

1. Non-Consensual Sexual Contact: Non-consensual sexual contact is any intentional sexual touching, however slight, with any object, by a person upon another person that is without consent and/or by force.

Examples include:

* Intentional contact with the breasts, buttock, groin, or genitals,
* Or touching another with any of these body parts,
* Or making another touch you or themselves with or on any of these body parts,
* Any other intentional bodily contact of a sexual nature.

1. Non-Consensual Sexual Intercourse: Non-consensual sexual intercourse is any sexual intercourse however slight, with any object, by a person upon another person, which is without consent and/or by force. For example, vaginal penetration, anal or oral, no matter how slight the penetration or contact, is non-consensual.
2. Sexual Exploitation: Sexual exploitation occurs when a student/employee takes non-consensual or abusive sexual advantage of another for personal gain or benefit.

Examples include:

* Invasion of sexual privacy;
* Prostituting another;
* Non-consensual video or audio-taping of sexual activity;
* Voyeurism (such as letting your friends hide in the closet to watch you having consensual sex);
* Knowingly transmitting an STI or HIV to another;
* Exposing one’s genitals in non-consensual circumstances;
* Inducing another to expose their genitals;
* Sexually-based stalking and/or bullying.

**Additional Applicable Definitions:**

**Consent:**

F.S 794.011: “Consent” means 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.

Consent is clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, should not be interpreted as consent. Consent cam be given by works or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

* It is the responsibility of the initiator of sexual contact to make sure they understand fully what the person with whom they are involved wants and does not want sexually
* Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
* Previous relationships or consent does not imply consent to future sexual acts.
* Effective consent cannot be given by minors, mentally disabled individuals or person’s incapacitated as a result of drugs, alcohol, sleep, or taking of rape drugs.
* Consent can be revoked or modified after initially given.

**Force:** Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or consent (“Have sex with me or I’ll hit you. Okay, don’t hit me, I’ll do what you want.”).

Coercion: Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

There is no requirement that a party resists the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance.

Administering any rape drug to another employee and or student is prohibited. Use of alcohol or other drugs will never function as defense for any behavior that violated this policy.

The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, 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 the jurisdiction.

**Dating Partner**

The term “dating partner” refers to a person who is or has been in a social relationship of a romantic or intimate nature with the abuser, and where the existence of such a relationship shall be determined based on a consideration of—

1. the length of the relationship;
2. the type of relationship; and
3. the frequency of interaction between the persons involved in the relationship.

**Dating Violence**

The term “dating violence” means violence committed by a person—

1. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
2. where the existence of such a relationship shall be determined based on a consideration of the following factors:
3. The length of the relationship.
4. The type of relationship.
5. The frequency of interaction between the persons involved in the relationship.

**Stalking**

The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

1. fear for his or her safety or the safety of others; or
2. suffer substantial emotional distress.

**Florida Law Definitions:**

**F.S 784.048 Stalking**: A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of stalking

**F.S.741.28 Domestic Violence**: means 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

**F.S.784.046 Dating Violence**: means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:

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

The term does not include violence in a casual acquaintanceship or violence between individuals

**Prohibition on Retaliation**

Retaliation against individuals who exercise rights or participate in investigations or proceedings under this policy is prohibited. However, frivolous or bad faith proceedings or abuse of process may also violate this policy.

**Federal and State Reporting Obligations**

Certain campus officials have a duty to report violations of this policy for federal statistical reporting purposes under Federal “Clery” law. Typically, these reportable incidents pose a substantial threat of bodily harm or danger to members of the campus community. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. The College will make every effort to ensure that a victim’s name and other identifying information is not disclosed.

**Criminal and Civil Options in Addition to College Procedures**

Students, Faculty and Staff who are complainants of sexual assault/ misconduct have the right to initiate a criminal investigation and prosecution of an assailant under criminal law as well as initiate the disciplinary process through the College System. In addition to legal and disciplinary action, the victim of sexual assault /misconduct may consider retaining a private attorney for the purpose of filing a civil action for the recovery of damages.

**Orders of Protection, No Contact Orders, Restraining Orders or Similar Lawful Orders**

Petitioner: A petitioner starts a civil or private (non-criminal) action by going to court and filing a request or petition. In this case, the petitioner is likely the victim of violence or stalking (but sometimes a perpetrator will initiate a petition and claim to be the victim). In some jurisdictions, such as in the State of California, the petitioner may also be the employer.

Respondent: A respondent "responds" to the petition, and in this case is the alleged perpetrator of violence or stalking. A respondent (called "defendant" in some jurisdictions, but that term is usually reserved for criminal actions) has a specific amount of time to answer the allegations of violence or stalking listed in the petition. The response can range from "I agree to stay away from this person" to "the violence never happened and I'm going to disagree with this petition and all allegations in it."

Injunction: An injunction is an order from a court directing one or more parties to refrain from committing certain acts, or directing them to do certain acts.

Protection order: A protection order is a form of injunction in which a civil or criminal court instructs a party to do or to stop doing something or else face civil or criminal penalties. In the present context, a victim of violence (known as the petitioner) requests that the court tell the alleged perpetrator (known as the respondent or defendant) to stop harassing, stalking, contacting, abusing, etc., the petitioner.

Ex parte: This means that only one party is present before the court. In seeking a protection order, initially only the petitioner is present, but the court may still order a temporary order, provided the respondent is given notice and the opportunity to appear in court and tell his or her side of the story.

Civil versus criminal proceeding: In a civil case, the petitioner generally determines whether the action will continue, and at any time can drop the action by filing a motion to withdraw. The state, tribe, or in some cases, the U.S. Attorney's Office, initiate criminal cases after someone has been arrested by the police and charged with a crime. The prosecutor determines whether or not to prosecute the defendant. Thus, in contrast to a civil action, the state, tribe, or the U.S. Attorney's Office are in charge of criminal cases, and victims of crimes are witnesses rather than parties to a case.

Contempt: A party or person before the court (e.g., as a witness) can be held in contempt for failure to follow the court's order or injunction. There are two kinds of contempt of court: civil and criminal. Civil contempt generally refers to a party's failure to perform an action that a court has ordered, such as pay child support, or to refrain from doing something the court has forbidden, like contacting another person. The damaged party (e.g., petitioner) can ask the court to punish the party who is causing the damage. For civil contempt, the court's goal is to make the petitioner whole, as if the harm had not been done. A contempt case ends when the offending party complies with the court's order.

Any person who obtains an order of protection from Florida or any reciprocal state should provide a copy to Public Safety, building 7 room 204 and the Office of the Title IX Coordinator Building 1, Human Resources Department. A complainant may then meet with Campus Public Safety to develop a Safety Action Plan, which is a plan for the institution and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but in not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc.) The college cannot apply for a legal order of protection, no contact order or restraining order for a victim. Columbia County Clerk of Courts accepts petitions in person at 173 NE Hernando Ave # 225, Lake City, FL 32055, (386) 758-1041.

**Your Options and Responsibilities**

* If you have obtained a protection order or injunction against another person, or are experiencing violence in your life:
* Talk with a domestic or sexual violence advocate/counselor. An advocate can help you sort things out and take measures to plan for your immediate and ongoing safety. You can obtain a list of referrals by talking with the Office of Public Safety, The Human Resources Department and the VP of Enrollment Management.
* Inform the Office of Public Safety about the order or the violence. Provide a copy of the protection order to the Office of Public Safety. Let them know what they can do to help you increase your safety.
* Consider obtaining a protection order if you have not done so and if you believe that it will improve your safety. Discuss this with the Domestic or Sexual Violence Advocate.
* Keep a copy of the protection order with you at all times. If you drive, keep a copy in your car as well.
* Discuss what changes to your schedule, work location, or other matters might help increase your safety.
* Ask us about leave and accommodations to address matters related to the violence.
* Save all voicemails, emails, texts, or other contacts from a respondent that might be relevant in obtaining or enforcing your protection order or in other legal proceedings.
* Evaluate your whole day for safety risks, starting with your commute to work and including your commute home.
* Continue to Safety plan and re-evaluate your safety and risks on a regular basis, in consultation with your professional domestic or sexual violence advocate.

**Campus Resources:**

The Bay Care Behavioral Health Student Assistance Program (SAP) 1-800-878-5470

**Community Resources:**

Another Way Inc. Domestic Violence and Rape Crisis Center, Lake City, 24 hour crisis line: 1-866-875-7983 , 24 hour shelter 386-719-2702

Victim Services & Rape Crisis Center,218 SE 24th Street Gainesville, FL 32641

Phone: 352-264-6760

Fax: 352-264-6774

Florida Domestic Violence Hotline at 1-800-500-1119.

Aid to Victims of Domestic Abuse Hotline: (800) 355-8547 <http://www.avdaonline.org>

Lake City Medical Center- 386-719-9000

Shands Lake Shore - 386-292-8000

Ed Fraser Memorial Hospital- 904-259-3151

Ambulance- 911

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

<http://www..smartrecovery.org-> Smart Recovery

http://www.rainn.org – Rape, Abuse and Incest National Network

http://www.ovw.usdoj.gov/sexassault.htm - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

**The Campus Sex Crimes Prevention Act**

The Federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

The Florida Department of Law Enforcement is the entity that compiles and provides this information for public access at the following web address:

http://offender.fdle.state.fl.us/offender/homepage.do