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DAYTONA COLLEGE

Campus Security Annual Report

In accordance with the Jeanne Clery

Disclosure of Campus Security Policy and

Campus Crime Statistics Act

Violence Against Women Reauthorization

Act of 2013



**Daytona College
425 S. Nova Road
Ormond Beach, Florida 32174**

CRIME AWARENESS, CRIME SECURITY PROGRAM

Daytona College has prepared the following information for distribution to its students and employees, effective October 1, 2014. This information will be updated on an annual basis and made available to current students and employees.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, named in memory of a student who was slain in her dorm room in 1986, is an amendment to the Higher Education Opportunity Act (Public Law 110-315).

Commonly referred to as the Clery Act, this amendment requires colleges that participate in Title IX student financial assistance program to do the following:

- **Collect, classify and count crime reports and crime statistics. This includes statistics for certain categories of crimes (referred to as “Clery Act Crimes”), which occur on campus, at off campus facilities controlled by the college and public property contiguous to campus. The Clery of crime categories include Murder/Non Negligent Manslaughter, Negligent Manslaughter, Sex Offenses (Forcible and Non Forcible), Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, and arrests and disciplinary referrals for Weapons, Alcohol, and Drug Law Violations. Daytona College does not maintain a campus police or security department but does log any incidents on campus when or if they occur.**
- **Issue campus alerts. To provide the campus community with information necessary to make informed decisions about their health and safety, colleges must:**
 - **Issue a timely warning for any Clery Act crime that represents an ongoing threat to the safety of students or employees**
 - **Issue an emergency notification 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 the campus.**
- **Publish an annual security report containing safety and security related policy statements and crime statistics and distribute it to all current students and employees.**

Daytona College submits crime statistics to the DOE via a Web-based data collection survey maintained by the Department of Education to disclose crime statistics by type, location and year. <https://surveys.ope.ed.gov/security>.

Specific information regarding the following includes:

- (1) A statement of current campus policies regarding procedures and facilities for students and others to report criminal actions or other emergencies occurring on campus and policies concerning the institution’s response to those reports, including policies for making timely reports to members of the campus community regarding the occurrence of crimes described in paragraph (a) (6) of this statute.

Daytona College, 425 S. Nova Rd., Ormond Beach, Florida has the following policy with regard to the reporting of criminal actions and/or emergencies that may take place on school property:

In the event of any type of criminal activity or emergency, the senior administrative staff person (Campus Director, School Administrator, Compliance/Regulatory Affairs Director) must be immediately notified. In their absence, the Director of Education, senior faculty member or administrative staff member must be notified. In the absence of any employee of the school, the

relevant governmental agency must be notified. In the event that a situation arises, either on or off campus, that, in the judgment of administration, constitutes an on-going or continuing threat, a campus wide "security update" will be issued and distributed to students and faculty in the form of a memo through the E-mail system.

In the event of criminal activity and/or emergency, all relevant governmental agencies must be alerted at once by the senior administrative staff or faculty member and a decision made as to the safety of the campus facility and the assurance of the well being of students and staff. The campus should be cleared until relevant governmental agencies are on the scene. These decisions are made upon reasonable, logical, and common sense observations by the school staff.

Students and employees are encouraged to make note of any activity of a criminal nature and bring it to the attention of the school staff.

Students and school employees will be notified of any occurrence of a criminal nature, as noted in paragraph (a) (6) of the statute through normal communication channels, including but not limited to bulletin boards, memos, classroom announcements, etc.

The Compliance/Regulatory Affairs Director is responsible for compiling the annual report and ensuring the overall accuracy. The campus community can report crimes anonymously by submitting details to the Campus Director (or the Compliance/Regulatory Affairs Director at j.

Report all emergencies involving a crime in process, a medical emergency, and/or fire to 911 in a timely manner. To report non-emergency incidents occurring on campus, contact the main office at 386.267.0565. Any time there is a reason to believe that a security problem has occurred or is in progress, students or college's staff should call to report the incident to administration immediately. Reporting crimes or other public safety incidents in a timely manner help protect others. The education or compliance department will assist students with notification of proper authorities as needed.

Confidential Reporting: Daytona College encourages anyone who is the victim or witness to any crime to report the incident. All police records are public records under state law. Reports made to the police department cannot hold reports of crime in confidence; however, state law protects the identity of the victims of sex crimes.

- (2) A statement of current policies concerning security of and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.

Access to school facilities is limited to those hours of operation listed in the official school catalog or employee handbook. Students are not permitted on school property without school faculty or staff present to unlock the facility, provide instruction or supervision, and to secure the facility at the end of the day. At no time will the school campus be without at least one staff member or employee on site while the campus is open to students.

The last school employee to leave the facility is charged with the responsibility to safeguard the facility, including locking all exterior and interior doors, turn off all lights, equipment, and heating/air conditioning units, set the alarm, and any other tasks necessary to secure the facility.

The following guidelines and procedures are set forth to help insure a safer campus:

- Report lost or stolen ID cards to the Education Department
- If you do not recognize a person, or suspect suspicious behavior, contact an administrator immediately.

Daytona College does not provide or maintain housing units for students.

- (3) A statement of current policies concerning campus law enforcement, including:

- (i) The enforcement authority of security personnel, including their working relationship with state and local police agencies and whether those security personnel have the authority to arrest individuals.

All school administrative personnel are empowered by the school to act in the school's behalf as security personnel. All employees are to work with any and all law enforcement/police agencies with jurisdiction in the area where the school is located. NO employee of Daytona College is empowered to arrest, search or otherwise detain individuals against their will. Daytona College personnel are not police officers and are not empowered as such. During the course of an incident, the responding personnel will obtain the information necessary to make a complete report for our files. If you wish to file a police report, the staff personnel will contact the Ormond Beach Police Department.

Daytona College enjoys excellent cooperative relations with the Ormond Beach Police Department. This agency will promptly respond to our campus for emergencies, to complete police reports and to conduct criminal investigations. No written memorandum of understanding exists between Daytona College and the Ormond Beach Police Department.

- (ii) Policies that encourage accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies and when the victim of such crime elects or is unable to make such a report.

As that Daytona College does not have any police authority of its own, it is the responsibility of all faculty and staff members to report any possible crime or emergency to the school administration. Anyone who offers information regarding potential criminal activities and/or emergency situations is assured that in no way will they're stepping forward affect their ability to continue their education or their employment. The administration is required to notify the Ormond Beach Police Department regarding any unlawful activity in a timely manner.

Daytona College strongly encourages anyone who is a victim of or witness to a crime to promptly report the incident to the Campus Administration. Students, employees and guests should immediately report crimes in progress, accidents, and other emergencies to the front desk of the college.

In the event that the victim of a crime elects to not report the crime, he/she may meet with the Daytona College Student/Employee Advocate who will continue to monitor the situation. If the victim is unable to report a crime due to a physical or mental impairment then a college instructor, staff member or administrator will take appropriate action.

- (iii) Policies related to making timely reports to the campus community on crimes considered to be a threat to other students and employees that are reported to campus administration or local law police agencies. 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.

Daytona College will distribute to all students and employees within a reasonable time period reports on crimes considered to be a threat to other students and employees. The names of victims are confidential and will not be provided in the timely warning.

- (4) A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.

Students are made aware of their responsibilities and channels of communication regarding security procedures and practices as part of their introductory orientation as they begin classes. Employees are informed of security procedures and practices during staff meetings and through memos from the administrative staff as necessary. All students who attend the campus located in Ormond Beach, Florida and all employees of the College are provided with a copy of this report on or before October 1st of each year.

(5) A description of programs designed to inform students and employees about the prevention of crimes.

Special programs designed to inform students and employees regarding crime prevention are available from local law enforcement agencies, upon request. Daytona College also provides programs regarding crime prevention to their students as part of the student orientation and upon request.

Campus Safety which includes crime safety and security information such as how to report a crime, crime prevention information, safety tips, etc. will be presented at the student and employee orientation. Daytona College encourages students and employees to be mindful of their own safety and the safety of others. All safety information will be disseminated to students and employees through email, posting on the learning management system and informational displays on the school bulletin boards.

(6)(i) Statistics concerning the occurrence on campus and non-campus for the three previous calendar years of the following criminal offenses reported to local police agencies and to any official of the institution who has significant responsibility for student and campus activities:

Statistics concerning the criminal offenses of murder, forcible rape, and aggravated assault as listed in paragraph (a) (6) (i) of the statute that manifest evidence of prejudice based upon race, religion, sexual orientation, or ethnicity, as prescribed by the Hate Crimes Statistics Act.

The following statistics reflect occurrences on-campus, non-campus and public property.

Criminal Offense	2013 Total by Race, Religion, Sexual Orientation, Gender, Disability, and Ethnicity/National Origin	2012 Total by Race, Religion, Sexual Orientation, Gender, Disability, and Ethnicity/National Origin	2011 Total by Race, Religion, Sexual Orientation, Gender, Disability, and Ethnicity/National Origin
Murder			
Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Sex offenses – Forcible	0	0	0
Sex offenses – Non-forcible	0	0	0
Incest	0	0	0
Statutory rape	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	1*
Motor vehicle theft	0	0	0
Arson	0	0	0
Simple assault	0	0	0
Larceny-theft	0	0	0
Intimidation	0	0	0
Destruction/damage/vandalism of property	0	0	0
Weapons Law Arrests			
Weapons Law Arrests	0	0	0
Liquor Law Arrests			
Liquor Law Arrests	0	0	0
Drug Law Arrests			
Drug Law Arrests	0	0	0
Weapons law Referrals			
Weapons law Referrals	0	0	0
Liquor Law Referrals			
Liquor Law Referrals	0	0	0
Drug Law Referrals			
Drug Law Referrals	0	0	0

Hate Crimes	0	0	0
Domestic Violence	0	0**	0**
Dating Violence	0	0**	0**
Stalking	0	0**	0**

***For the year 2011 under burglary, the number of occurrences of 1 represents a crime committed in a building within the same complex as a non-campus building located in Winter Park, Florida. The College no longer occupies this facility.**

**** For the years 2011 and 2012 a good faith effort was made by Daytona College to determine if any incidents occurred in these areas. None were reported to Campus Administration and no incidents were reported to the local authorities as resulting on campus.**

Campus means any building or property owned or controlled by an institution of higher education within the same reasonable contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes.

Non-campus Building means any building or property owned or controlled by a student organization recognized by the institution and any building or property owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonable contiguous geographic area of the institution.

Public Property means all public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.

- (7) A statement of policy concerning the monitoring and recording through local police agencies of criminal activity in which students engaged at off-campus locations of student organizations recognized by the institution, including student organizations with off-campus housing facilities.

This does not apply to Daytona College.

- (8)(i) Statistics concerning the number of arrests for the following Hate crimes occurring **on campus, non-campus, and public property** during the past three calendar years.

No occurrences during the last three years. Please see table in (6)(i)

- (ii) Statistics concerning those crimes listed in paragraph (a) (8) (i) of the statute that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity, as prescribed by the Hate Crimes Statistics Act.

No occurrences during the last three years. Please see table in (6)(i)

- (ii) Statistics concerning the number of crimes reported in which the victim is intentionally selected because of the actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity, or disability of the victim that were reported to the campus authorities or local police agencies, which data shall be collected and reported according to category of prejudice

No occurrences during the last three years. Please see table in (6)(i)

- (iii) Statistics of crimes of domestic violence, dating violence, and stalking incidents that were reported to campus authorities or local police agencies.

No occurrences during the last three years. Please see table in (6)(i) All statistics shall not identify victims of crimes or persons accused of crimes.

- (iv) Each institution of higher education participating in any program under this title and title IV of the Economic Opportunity Act of 1964 shall develop and distribute as part of the report a statement of policy.

Daytona College prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking.

- a. Institution programs to prevent domestic violence, dating violence, sexual assault, and stalking;

Prevention efforts at Daytona College include a lighted parking lot and grounds, video recordings of student and employee access areas of the campus, safety notices on public displays, and awareness literature provided to new students and employees.

Daytona College provides new students and employees with literature relating to domestic violence, dating violence, sexual assault, and stalking. An advocate is available to work with any employee and student who request someone. The Education department invites outside authorities and speakers for presentations to students and employees.

- b. Procedures that Daytona College will follow once an incident of domestic violence, dating violence, sexual assault, or stalking has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding arising from such a report.

Daytona College will report all incidents or perceived incidents of domestic violence, dating violence, sexual assault, or stalking to the local authorities. All evidence will be maintained as it was until the local authorities direct the college to remove it.

- c. Education programs to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and staking.

Daytona College holds a primary prevention and awareness program for all incoming students and new employees that includes the review of the College's report; the policy statement that the institution prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking; definitions contained within this report; safe and positive options for bystander intervention that may be cared out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual; and information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks.

1.

- d. On-going prevention and awareness campaigns for students and faculty, including information as described above.

Daytona College provides ongoing prevention and awareness campaigns for students, faculty and employees through postings on bulletin boards and distribution of informative pamphlets. The Education Department invites outside speakers into the college for informative discussions / presentations.

- e. Possible sanctions or protective measures that Daytona College may impose following the final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking.

Daytona College does not maintain a police authority on campus. All incidents of rape, acquaintance rape, domestic violence, dating violence, sexual assault, or stalking are reported to local authorities. Protective measures may include the change of a schedule or other measures if possible. Sanctions Daytona College may impose as a result of a crime will include disciplinary action, up to and including immediate discharge.

- f. Procedures victims should follow if a sex offense, domestic violence, sexual assault, or stalking has occurred, including written procedures.

1. **Report the crime immediately to a Daytona College faculty, staff or administrative employee;**
2. **If the victim is unable to report the crime than anyone observing during or after should immediately report the crime;**
3. **All evidence must be preserved as it may be necessary to the proof of criminal domestic violence, dating violence, sexual assault, stalking, or in obtaining a protection order. Do not remove or touch any evidence.**
4. **The College advocate or administrator in the advocate's absence will present options to the victim to include:**
 1. **Notify proper law enforcement authorities**
 2. **Obtain assistance by campus authorities in notifying law enforcement authorities;**
 3. **Decline to notify such authorities; and**
 4. **Referral to local agencies who can provide counseling on the rights of victims, protection orders, restraining orders or similar lawful orders issued by a criminal, civil, or tribal court.**
5. **Daytona College will honor all orders issued by a criminal, civil, or tribal court to protect the victim by immediately contacting the local authorities.**

- g. Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault, or stalking.

Violation of our policy will result in disciplinary action, up to and including immediate discharge. Daytona College does not have a police authority on campus. All crimes are reported to the local police agency for prompt, fair and impartial investigations and resolutions.

- h. The accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any relate meeting or proceeding by an advisor of their choice and both the accuser and the accused shall be informed in writing of the outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking; the institution's procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding; of any change to the results that occurs prior to the time that such results become final; and when such results become final.

Daytona College does not have a policy authority on campus. For violations of our policy regarding domestic violence, dating violence, sexual assault, or stalking, the campus administration will report directly to the local police agency who will conduct an investigation.

- i. Information about how the institution will protect the confidentiality of victims, including how publicly available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law.

Daytona College will protect the confidentiality of victims in all public notices and reports to the extent permissible by law. Names of victims will be recorded and filed within the accounting/personnel office at Daytona College. These records are available on a limited access to authorized personnel only.

- j. Written notification of students and employees about existing counseling health, mental health, victim advocacy, legal assistance, and other services available for victims both on-campus and in the community.

Daytona College maintains listing of community resources that include existing counseling, health, mental health, victim advocacy, legal assistance, and other community services for victims both on-campus and in the community. Resources are available in the campus learning resource room or through the campus advocate. Written notification of the location of these resources is provided to students and employees no less than annually. Daytona College strongly encourages survivors of sexual assault and gender-based violence and misconduct to consider the following resources:

- Ormond Beach Police Department – 386.676.3500
- Volusia County Sheriff's Department – 386.248.1777
- Children's Advocacy Center of Volusia and Flagler Counties (for adults, adolescents, and children) <http://childrensadvocacy.org/>
- Rape Crisis Hotline for Adults, Adolescents and Children – 1.800.940.7273
- Steward-Marchman ACT Behavioral Healthcare – <http://www.smabehavioral.org/> 24 Hour Hotline – 800.539.4228
- Victims' Advocate Office / State Attorney – 386.239.7710
- Domestic Abuse Council of Volusia County <http://www.domesticabusecouncil.com/index.htm> 24 Hour Crisis Line 800.500.1119

State and National Resources

- FloridaHealth.gov Sexual Abuse or Violence Prevention <http://www.floridahealth.gov/prevention-safety-and-wellness/sexual-abuse-or-violence-prevention-safety-and-wellness/sexual-abuse-or-violence-prevention/index.html>
- Florida Department of Children and Families – <http://myflfamilies.com/> <http://www.myflfamilies.com/service-programs/domestic-violence>
- Florida Abuse Hotline – 800.962.2873 TTY 800.453.5145
- Florida Coalition Against Domestic Violence – <http://www.fcadv.org/>
- NotAlone- A national program launched to protect students from sexual assault. NotAlone.gov offers references to several local, state, and national resources. <https://www.notalone.gov/>
- National Sexual Assault Hotline – 800.656.4673 <https://rainn.org/get-help/national-sexual-assault-hotline> (live chat available online)
- National Domestic Violence Hotline – 800.799.7233 <http://www.thehotline.org/> (live chat available online)

The Violence Against Women Act and its regulations require the inclusion of certain Florida State definitions in a campus's Annual Security Report and also require that those definitions be provided in campaigns, orientations, programs and trainings for employees

and students. Definitions required include: consent; dating violence; domestic violence; sexual assault; and stalking.

Domestic Violence is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies under the Violence Against Women Act, 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 Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship is determined based on statements given by the person reporting the violence and consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Note that for Clery purposes, an incident fitting the description of domestic violence or dating violence is considered a crime regardless of whether the incident qualifies as a crime in the local jurisdiction. Daytona College prohibits any domestic violence on our campus or at any college sponsored event.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other visual, verbal or physical conduct of a sexual nature when it is implicitly or explicitly suggested that submission to or rejection of the conduct will be a factor in academic or employment decisions or evaluations or permissions to participate in a college activity or the conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance by creating an intimidating or hostile academic or work environment.

Stalking means engaging in a course of conduct directed at 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. Any person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of stalking, a misdemeanor of the first degree, punishable as provided in s. [775.082](#) or s. [775.083](#). "Cyberstalk" means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose. "Credible threat" means a threat made with the intent to cause the person who is the target of the threat to reasonably fear for his or her safety. The threat must be against the life of, or a threat to cause bodily injury to, a person. Any person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person, and makes a credible threat with the intent to place that person in reasonable fear of death or bodily injury of the person, or the person's child, sibling, spouse, parent, or dependent, commits the offense of aggravated stalking, a felony of the third degree.

Consent is based on choice. Consent is an intelligent, voluntary, informed decision by someone capable of making such a decision. In order for there to be consent in a sexual situation, there must be an affirmative statement or action by each participant. Consent does exist if coercion, threats, intimidation, or physical force are used. If someone is mentally or physically incapacitated or impaired such that they are temporarily or permanently incapable of appraising the sexual situation or controlling their own conduct, there can be no consent in the situation. This includes such impairment or incapacitation resulting from the consumption of alcohol or other drugs. Whether a

person has used a position of authority or influence to take advantage of another person will be a consideration in determining whether consent exists in a sexual situation.

A person is legally incapable of giving consent if he or she is:

- Under 18 years of age or
- Incapacitated or impaired as described above by alcohol or other drugs or
- Developmentally disabled or
- Temporarily or permanently mentally or physically unable to do so.

Sexual Assault includes any sexual act directed against another person, forcibly and/or against that person's will, or not forcibly or against the person's will where the victim is incapable of giving consent, including forcible rape, forcible sodomy, sexual assault with an object and forcible fondling. Sexual assault includes unlawful, non-forcible sex offenses, including incest (non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law) and statutory rape (non-forcible sexual intercourse with a person who is under the statutory age of consent.

- (9) A statement of policy regarding the possession, use and sale of alcoholic beverages and enforcement of state underage drinking laws.

Daytona College does not condone, nor will it accept as policy, the possession, use, and/or sale of alcoholic beverages by students or staff on school grounds, during any and all class activities, especially those officially sanctioned by the school administration. Students or staff found in violation of this policy will be disciplined as directed by Daytona College's Drug and Alcohol Abuse Program, which is distributed to all students during enrollment and/or orientation and to all staff as part of the staff orientation prior to beginning work. Daytona College will fully cooperate with any and all governmental agencies and law enforcement organization to effectively control the unauthorized use of alcohol.

State of Florida DUI Law

The following includes highlights of Florida's DUI law. All provisions of the law can be found online at: www.flhsmv.gov/ddl/duilaws.html. Under Florida law, DUI is one offense, proved by impairment of normal faculties or unlawful blood alcohol or breath alcohol level of .08 or above. The penalties upon conviction are the same, regardless of the manner in which the offense is proven.

State of Florida Fines

- 1. First conviction: Not less than \$500, or more than \$1,000. With Blood/Breath Alcohol (BAL) Level of .15 or higher or minor in the vehicle: Not less than \$1,000 or more than \$2,000.**
- 2. Second Conviction: Not less than \$1,000 or more than \$2,000. With BAL of .15 or higher or minor in the vehicle: Not less than \$2,000 or more than \$4,000.**
- 3. Third Conviction More than 10 years from second: Not less than \$2,000, or more than \$5,000. With BAL of .15 or higher or minor in the vehicle: Not less than \$4,000.**

Each member of the Daytona College community should be involved in the implementation of and compliance with this policy. Unless otherwise stated by law, each individual retains responsibility for his or her actions at all times regardless of his or her mental state, even if altered by alcoholic beverages or other drugs.

- (10) A statement of policy regarding the possession, use and sale of illegal drugs and enforcement of Federal and State drug laws.

Daytona College does not condone, nor will it accept as policy, the possession, use and/or sale of illegal drugs by students or staff on school grounds, during any and all class activities, especially

those officially sanctioned by the school administration. Students or staff found in violation of this policy will be disciplined as directed by Daytona College's orientation and to all staff as part of the staff orientation prior to beginning work. Daytona College will fully cooperate with any and all governmental agencies and law enforcement organization to effectively control the use of illegal drugs.

- (11) A description of any drug or alcohol-abuse education programs, as required under section 1213 of the HEA. For the purpose of meeting this requirement, an institution may cross-reference the materials the institution uses to comply with section 1213 of the HEA.

Daytona College Drug and Alcohol Abuse Policy are detailed as a separate statement, and are covered as part of the regular student orientation, prior to or on the first day of classes. In addition, all employees are also required to review this policy and to agree to work within its restrictions regarding drug and alcohol use.

Students with alcohol or drug related problems may be referred to or seek assistance from the Director of Education within the Education department. The College maintains a resource book that will aid in the referral of a student to an appropriate agency for assistance or for those students that require counseling. The Compliance/Regulatory Affairs Director conducts a biennial review of Daytona College compliance with the Drug Free Schools and Campus Act. The College does not employ counselors on staff.

- (12) A statement of policy regarding the institution's campus sexual assault programs to prevent sex offenses, and procedures to follow when a sex offense occurs. The statement includes the following:
- (i) A description of educational programs to promote the awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses.
 - (ii) Procedures students should follow if a sex offense occurs, including procedures concerning who should be contacted, the importance of preserving evidence for the proof of a criminal offense, and to whom the alleged offense should be reported.
 - (iii) Information on a student's option to notify proper law enforcement authorities, including on-campus and local police, and a statement that institutional personnel will assist the student in notifying these authorities, if the student requests the assistance of these personnel.
 - (iv) Notifications to students of existing on- and off-campus campus counseling, mental health, or other student services for victims of sex offenses.
 - (v) Notification to students that the institution will change a victim's academic and living situation after an alleged sex offense and of the options for those changes, if those changes are requested by the victim and are reasonably available.
 - (vi) Procedures for campus disciplinary action in cases of an alleged sex offense, including a clear statement that:
 - (A) The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding
 - (B) Both the accuser and the accused shall be informed of the outcome of any institutional proceeding brought alleging a sex offense. This does not constitute a violation of the Family Educational Rights and Privacy Act. For purpose of this requirement, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.
 - (C) Disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused.
 - (vii) Sanctions the institution may impose following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses

Daytona College seeks to provide to all of its students, faculty, and staff a work place and academic setting which is identified as a community free of risk, so far as possible, from sexual violence or attack.

In the event of an incident regarding a potential sex related crime on the school campus or non-campus, the involved individuals must contact the School Administrator with responsibility for this program for information and direction with regard to the above listed concerns (items 12 (i-vii)). Daytona College does not condone nor will permit such activity to take place within the confines of the school campus. Our regular disciplinary policies remain our primary source of information and procedures that we will follow. All staff members are required to participate in sexual harassment training when scheduled.

Students and staff should contact the campus director or campus administrator immediately to report a sex offense. The student has the option to notify proper law enforcement authorities including local police. The institutional personnel will assist the student in notifying these authorities if the student requests the assistance of local authorities. Students may be referred to off campus counseling, mental health, or other student services for victims of sex crimes. A complete listing of resources can be located in the campus library or from any campus administrator. The student has the option to request that the school change the victim's academic situation after an alleged sex offense if they are reasonably available.

Beginning with the annual security report distributed by October 1, 2005, a statement advising the campus community where law enforcement agency information provided by a State under section 170101(j) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071 (j)), concerning registered sex offenders may be obtained, such as the law enforcement office of the institution, a local law enforcement agency with jurisdiction for the campus, or a computer network address.

Students and employees of Daytona College should refer to the Florida Department of Law Enforcement Sexual Predator/Offenders Registry web site for information regarding possible sexual predators or offenders at this institution. <http://offender.fdle.state.fl.us>, or call 1-888-FL-PREDATOR / 1-888-357-7332 or utilize the <http://offender.fdle.state.fl.us/offender/Search.jsp>. The national sex registry is located at <http://www.sexualoffenders.com/>. Updated site information 10/1/14.

Sexual Assault and Misconduct

Daytona College values the health and safety of every person in the community. The College does not tolerate any sexual assault or misconduct. The term "sexual assault" as used by the College and in this document, includes sexual battery, rape, date or acquaintance rape, inappropriate touching, or other nonconsensual sexual activity. Sexual Assault as defined by Florida Law is "oral, anal, or vaginal penetration by another with any other object performed without consent" (Florida State Statute 734.011)

Any known violation of state, federal, or civil law regarding sexual assault and misconduct occurring on Campus property or at any College-related function will be reported to the appropriate law enforcement agency. Violations of College policy are subject to disciplinary action up to dismissal from work or school.

Daytona College is obligated by the Clery Act to honor requests by students who are victims of sexual assault to change their academic schedule if those changes are reasonably available.

Violence in the College and Workplace

Violence by a student or employee against another will not be tolerated. If you receive or overhear any threatening communications from someone at the college, report it to your instructor or supervisor at once. Do not engage in either physical or verbal confrontation with a potentially violent individual. If you encounter an individual who is threatening immediate harm to someone on the premises, contact an emergency agency (911) immediately.

All reports will be kept confidential to the extent possible, investigated and documented. Students and employees are expected to report and participate in an investigation of any suspected or actual causes of violence and will not be subjected to disciplinary consequences for such reports or cooperation.

Violations of this policy, including the failure to report or fully cooperate in the investigation, may result in disciplinary action, up to and including immediate dismissal. (Page 2, 07/13 Employee Handbook)

Title IX Investigation

Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs or activities which receive Federal financial assistance. Title IX states that: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

A Title IX investigation is an administrative procedure, not a disciplinary process. The purpose of a Title IX investigation is to determine: whether conduct prohibited by Title IX occurred; whether there is an ongoing risk of further prohibited conduct and if so, to act to prevent its recurrence; whether accommodations for the affected party are needed to remedy the effects of the prohibited conduct; whether safety precautions should be put in place to make the Daytona College community safe; whether the conduct necessitates review for disciplinary procedures; and whether changes to policies, practices or training should be implemented.

Beginning with the annual security report distributed by October 1, 2010, the following must be included: Emergency Response, and Fire Log Statistics:

All institutions must include a statement of policy regarding campus law enforcement in their Annual Security Report.

- (a) A description of the law enforcement authority of the campus security personnel.

Daytona College campus authority is with the Campus Director.

- (b) A description of the working relationship of campus security personnel with State and local law enforcement agencies, including whether the institution has agreements with such agencies, such as written memoranda of understanding (MOU), for the investigation of alleged criminal offenses.

Daytona College does not have any agreements with any agencies. Daytona College follows appropriate procedures in contacting law and safety enforcement agencies in the event of a dangerous situation or if a crime has been committed.

- (c) A statement of policies which encourage accurate and prompt reporting of all crimes to the campus police and the appropriate law enforcement agencies.

Daytona College requires that accurate and prompt reporting of all crimes to the appropriate campus and non-campus official and the appropriate law and safety enforcement agencies.

All institutions must include a statement of policy regarding emergency response and evacuation procedures in their Annual Security Report. This statement must contain the following elements:

- (a) Procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.
- (b) A statement that the institution will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.
- (c) A description of the process the institution will use to confirm that there is a significant emergency, determine who to notify, determine the content of the notification, and initiate the notification system.
- (d) A list of the titles of the persons or organizations responsible for carrying out this process.
- (e) Procedures for disseminating emergency information to the larger community.
- (f) The institution's procedures to test the emergency response and evacuation procedures on at least an annual basis, including publicizing its procedures in conjunction with at least one test

per calendar year, and documenting a description of the exercise as well as the date and time of the exercise and whether it was announced or unannounced.

General Statements of Policy regarding Emergency Response and Evacuation Procedures

In the event of an emergency or dangerous situation involving an immediate threat to the health or safety of students, employees or clients immediately notify the campus director.

The institution will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Titles of the persons responsible for carrying out the process:

Campus – School Director or School Administrator or School Director’s designee

The campus official will immediately notify the safety organization (911) and once all persons are accounted for in the building begin to disseminate emergency information to the campus and non-campus community.

The school official will confirm that there is a significant emergency by a visual inspection or smell, immediately follow the evaluation and notification procedures of removing everyone from the building, contacting 911 and then once everyone is safe, begin to initiate the notification system of the campus and non-campus community.

Daytona College campus location will test the emergency response and evacuation procedures on at least an annual basis, including publicizing its procedures in conjunction with at least one test per calendar year, and documenting a description of the exercise as well as the date and time of the exercise and whether it was announced or unannounced. The emergency response for the calendar year 2013 was tested on September 10, 2013 for campus facilities.

The emergency notification requirement does not replace the timely warning requirement. This institution is not required to issue a timely warning based on the same circumstances, but will provide adequate follow-up information to the community as needed.

Hurricane Evacuation Procedures

There is the possibility that students, employees or clients may be asked to evacuate the area because of a hurricane threat. In this event, additional information, updates and, if necessary, the order to evacuate will be disseminated by the administration of the school. If evacuation is necessary, all students, employees and/or clients will be required to depart the campus building.

Ormond Beach official emergency public information stations: WNDB 1150 AM, WVYB 103.3 FM, WHOG 95.7 FM, US93 93.1 FM, and WCEU TV 15. Ormond Beach and Volusia County also distribute public information to other major radio media outlets as well.

<http://www.volusia.org/services/public-protection/emergency-management//> Volusia County / Daytona Beach Emergency Management

<http://www.ormondbeach.org/index.aspx?NID=253> Register for emergency alerts.

During a declared disaster, some sheltering may be open to the public. Hours of shelter operation are determined by the severity of the disaster, the length of time the shelter is needed and the availability of supplies and managers to support the building.

Depending upon the type of disaster there may be other response and recovery resources available to the public. In order to determine what and where items are needed, we encourage anyone seeking shelter, sandbags, tarps or other assistance to call the Government Information Line 3-1-1.

Preparation for Hurricane

1. Unplug all computers and other electrical appliances.
2. Clear outside areas of personal gear.
3. Clean the refrigerator of perishables, Unplug it and leave the doors open. All food should be removed.
4. Empty trash cans.
5. Lock all doors and windows.

Evacuation Procedures

The associated evacuation diagrams should be used to locate your primary and secondary exit in the event of a fire or other emergency situation. Daytona College - campus has 5 exits, Daytona College - non-campus has one exit. Remember that your closest exit may not be the way in which you entered the building.

1. After you see or hear the fire alarm in your area, proceed to the closest exit indicated by the highlighted areas on the evacuation map.
2. Exit the building and walk 500 feet from the building. This distance is necessary to protect you against potential structural collapse in the event of a fire.
3. Meet with other people from your team, work area or class so that the supervisor may take a head count.
4. If someone is missing, immediately report their name and last location to the authorities.
5. If you are mobility-limited ask a manager for assistance.
6. NO ONE is to re-enter the building until cleared by authorities

Items to be removed from the building upon evacuation (if safe to do so)

1. A designated administrative staff member will exit the building with the Emergency Response Go-Kit that contains emergency information for all students and staff members, faculty and staff rosters, and visitor sign-in sheets.
2. Each teacher's daily records
3. Students' and employees' medications

Post-Storm Procedures

- Listen for announcements. The media will be asked to announce both the cancellation and the resumption of classes. If not, then an administrator of the school will try to contact the students.
- Once back on campus you should be aware of potential hazards that may exist. Remain aware of your surroundings. Snakes and wild animals are likely to be present

In the Event of a Fire

React: Notify others in your area

Activate: Activate the nearest fire alarm, pull station or call 911

Contain: Close all doors upon exit

Evacuate: Evacuate immediately and assemble at a known location with your class or workgroup

In the Event of an Emergency

- Call 911 from any phone

Emergency conditions dictate the relocation of all building occupants to locations outside the building. For example, fires, gas leaks, hazard chemical spills and releases within the building, and bomb threats. Conduct evacuations in an orderly manner, with no running and no talking to minimize confusion and allow orders to be heard. The School Director or the Director's designee will be the primary point of contact for the Ormond Beach and Winter Park Emergency Responders.

Building Floor Plans are posted in each classroom and main office. These floor plans identify the following:

- Primary evacuation route for exiting the building from the posted classroom and/or office. A secondary evacuation route should be identified in case the primary route is blocked.
- All exits will accommodate a wheelchair.

Fire Log Statistics:

Update 09/30/2014

Daytona College campus and Daytona College – Non-campus have not had any unintentional fires, intentional fires or undetermined fires for the previous 12 months. A fire log is maintained and is available for inspection. No fires were reported for the years 2011, 2012, and 2013.

Tornado Evacuation Procedures

There is the possibility that students, employees or clients may be asked to move to another location within the school during a tornado threat. In this event, additional information, updates and, if necessary, the order to move will be disseminated by the administration of the school. If a move is necessary, all students, employees and/or clients will be required to move to areas within the campus and non-campus buildings that are not exposed to windows.

All students, staff, and clients are to proceed to bathrooms, the break room, and interior halls.