

DAYTONA COLLEGE
ANNUAL SECURITY REPORT
2019-2020

**Published
September 2019**

DAYTONA COLLEGE
Campus Security Annual Report
In accordance with the Jeanne Clery
Disclosure of Campus Security Policy and
Campus Crime Statistics Act
Annual Fire Safety Report
Campus Safety Policies
Violence Against Women Reauthorization
Act of 2013



Introduction

Daytona College believes that all students deserve a safe and secure facility in which to study. The College strives to provide such an environment for its students, faculty, and staff and takes active steps to secure and safeguard its facilities. However, students, faculty and staff must be aware of the established safety and security measures. Equipped with this information, students, staff, and faculty can become active partners in providing the safest and securest possible environment in which to study, teach, and work. This Report is created each year by the Compliance Department after surveying the campus for reports of Clery-covered crimes, and making a good faith effort to obtain crime statistics from the Ormond Beach law enforcement agencies. The Compliance Department is responsible for ensuring this Report is properly distributed to all current students and employees as well as all prospective students and prospective employees. This Report provides guidelines and advice that can contribute to this aim and encourage trust and effective communication in our educational community.

Daytona College's **2019-2020 Annual Security Report** is published in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), the Campus Security Enhancement Act and Violence Against Women Act (VAWA). This Report includes statistics for the previous three years concerning reported crimes that occurred on campus and on public property within, or immediately adjacent to and accessible from college property. The Report also includes institutional policies on campus security policies concerning alcohol and drug use, crime prevention, the reporting of crimes and other matters. Federal Public Law 102-26 (Jeanne Clery Act) and its extension in Public Law 110-315 of the Higher Education Opportunity Act of 2008 requires that colleges and schools disclose security policies and procedures and campus crime statistics to prospective and enrolled students. Therefore, each year, notification is sent to all prospective and enrolled students, faculty, and staff. This Report establishes policies and procedures for the campus of Daytona College. Additional information about the Jeanne Clery Act can be found at the following website: <http://clerycenter.org/jeanne-clery-act>.

Daytona College has prepared the following information for distribution to its students and employees, effective **September 2 2019**. This information will be updated on an annual basis and made available to current students and employees. This document has been provided to each student and employee individually. Additionally, the document is located on the Daytona College Website under Consumer Information: www.daytonacollege.edu.

Security of and Access to Campus Facilities

The Campus and facilities located at 425 S. Nova Road Ormond Beach, Florida are restricted to students, faculty, staff, guests, and invitees of the college, except when part or all of the campus, buildings, or facilities, are open to the general public for an approved and designated time and purpose. The campus is open during the day and evening hours to allow students, employee and guest access. The facilities are unlocked by 8:00 a.m. Monday through Saturday. On Sunday access is limited to authorized individuals, i.e., students, faculty members, college staff, maintenance workers, etc. Security considerations used in the maintenance of campus facilities: Proper lighting and building security are major factors in reducing crime on campus. Safety and security issues are considered and implemented in the design and placement of all campus lighting, shrubbery, trees and the like. Safety and security issues are considered when planning and designing major renovations to campus facilities or construction of new facilities on campus.

How This Publication is Distributed:

Daytona College distributes this report to students, staff, and faculty in one of the following ways:

1. United States Postal Service
2. Campus Email
3. Printed Distribution
4. Electronically via download at the Daytona College Website (www.daytonacollege.edu)
5. A combination of these methods

Upon request, the College will provide a paper copy of this or any disclosures at no charge.

Laws Governing This Report

Enacted in 1990, The Student Right to Know and Campus Security Act (pub. L. 101-542) was designed to “assist students in making decisions which affect their personal safety...” and “to make sure institutions of higher education provide students, prospective students, and faculty the information they need to avoid becoming the victims of campus crime.” The Higher Education Act of 1998 and the subsequent amendment of the implementing regulations (34 C.F.R. 668.46) significantly expanded institutions’ obligations under the Act and renamed it the “Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act” (hereafter the “Clery Act”).

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 IV 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 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>. The statistics have been compiled with cooperation from local law enforcement agencies for the campus. Definitions for the reporting offenses are provided within this report. The College publishes an annual security report distributed to all current students and employees no later than October 1st of each year. The report is also available on the Campus Website at www.daytoncollege.edu.

As you read the report, comments, questions or concerns may be addressed to: Daytona College Attention: Pamela Kraska, Compliance/Regulatory Affairs Director 425 S. Nova Road Ormond Beach, FL 32174 or pkraska@daytoncollege.edu.

History Timeline for the Clery Act

Year	Title	Provisions
1990 (11/08/90)	Student Right-To-Know and Campus Security Act; Crime Awareness and Campus Security Act of 1990, Title II of Public Law: 101-542 (S. 580)	Required institutions of higher education participating in federal student aid programs to disclose 3 years worth of campus crime statistics and security policies.
1991 (04/09/91)	Higher Education Technical Amendments of 1991; Section 10, Public Law: 102-26 (H.R. 1285)	Changed initial collection of statistics from September 1, 1991 to August 1, 1991 and changed crime statistics reporting period from school year to calendar year.
1992 (07/23/92)	Higher Education Amendments of 1992; Section 486 (c) of Public Law: 102-325 (S. 1150)	Broadened sexual assault reporting and added required sexual assault policy statements. Specified effective dates of initial collection and dissemination requirements.
1998 (10/07/1998)	Higher Education Amendments of 1998; Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Section 486 (e) of Public Law: 105-244 (H.R. 6)	Expanded crime categories that must be reported, added geographical breakdown, expanded definition of campus, expanded reporting of hate-crimes, added public crime log, and named law after Jeanne Clery.
2000 (10/28/2000)	Victims of Trafficking and Violence Protection Act of 2000; Campus Sex Crimes Prevention Act; Section 1601 of Public Law: 106-386 (H.R. 3244)	Added notice of where public sex offender registration information about offenders on campus may be obtained.
2008 (08/14/2008)	Higher Education Opportunity Act; Public Law 110-315	Required statement of emergency response and evacuation procedures in annual security report and emergency notifications on campus, expanded hate crime statistics reported and statement of policy on law enforcement authority of campus personnel, established safeguards for “whistleblowers.”

Program Participation Agreement

Daytona College will, upon written request, disclose to the alleged victim of any crime of violence or a nonforcible sex offense, the report on the results of any disciplinary proceeding conducted by the School against a student who is the alleged perpetrator of such crime or offense with respect to such crime or offense. If the alleged victim is deceased as a result of the crime or offense, Daytona College will provide the results of the disciplinary hearing to the victim’s next of kin, if so requested.

Campus Security Procedures, Authority and Enforcement Policy

Daytona College does not employ or contract with any law enforcement or security personnel.

Daytona College values the safety and well-being of our students, faculty, and visitors and will provide a consistent approach to work effectively and efficiently to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size, or complexity.

The Campus Director is the primary Campus Security Authority (CSA) for the Daytona College Campus. The campus director provides information in the areas of parking, fire prevention, safety, and enforcement of all applicable regulations. State and local police personnel can provide security for the campus and they do have the authority to make arrests. Institution officials work closely with the federal, state, and local police agencies to ensure a safe environment for each student and employee. The campus director or designee with security responsibilities are always available on campus or easily accessed through the main reception desk. The reception desk also maintains emergency contact numbers for police, fire and medical emergencies and the campus has interior cameras. The facility located next door to the campus houses the admissions office and is assessed by employees of Daytona College only. Similar including adequate lighting in parking areas and walkways are present. Local police agencies typically maintain regular patrol routes near Daytona College. Information about security services can be obtained through the campus director. Students and employees are encouraged to learn more about these services particularly if attending class before or after normal business hours.

Federal law defines four categories of Campus Security Authorities or CSAs: college or College police; non-police security staff responsible for monitoring college or College property; individuals/offices designated by the college or College as those to whom crime should be reported; and officials with significant responsibility for student and campus activities. If a college staff member has ‘significant responsibility’ for students and campus activities outside of the classroom, and students potentially could report a crime / incident to that staff member, then they are a CSA. CSAs are defined by function, not title. For Daytona College, CSAs include:

- Campus Director
- Director of Education
- Lead Instructor or Program Director
- Any member of Senior Management

Administrative, clerical, and service staff who do not have “significant responsibility” for students and campus activities are not considered a CSA. The CSA is obligated to report crimes reported to them which occur on campus and the specific geographical areas as define in the Clery Act to the Campus Director of Daytona College. CSAs are not responsible for determining authoritatively whether a crime occurred and they have no arresting authority. What a crime is believed to have occurred, the individual must complete a Crime Incident Report. This form is filed with the Campus Director and is used for any investigation that may be conducted.

When a student, faculty, or staff member tells a CSA about a Clery Act qualifying crime or any incident that may be a crime, the student involved is entitled to file a report with the school without filing a Police report.

Specific information regarding the following includes:

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 verbal announcement, text or email.

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 386-267-0565.

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. Report any crime to a college administrator.

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.

A statement of current policies concerning campus law enforcement, including:

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.

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 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.

TIMELY WARNINGS AND IMMEDIATE NOTIFICATIONS

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.

In the event a situation arises, either on or off campus, that, in the judgement of the Campus Director constitutes an ongoing or continuing threat, a campus wide timely warning will be issued. The College will alert the campus community with timely warnings to inform and aid in the prevention of similar crimes. Timely warnings can be issued for threats to property as well as threats to persons. It is irrelevant whether the victims or perpetrators are members of the campus community. All crimes that fall under the Clery Act and the Violence Against Women Reauthorization Act of 2013 (VAWA) as amended will be reported to campus security authorities or local law enforcement agencies and are considered by the College to represent a serious or continuing threat to students and employees.

A timely warning will be issued as soon as pertinent information is available. The issuing of a timely warning will be decided on a case-by-case basis in light of all the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts. Timely warnings will be issued by danger to the campus community and the possible risk of compromising law enforcement efforts. Timely warnings will be issued by the Campus Director or the senior management team. The following are methods the College may alert the campus community of a timely warning:

- **Instructor announcement in class**
- **Letters to all students and employees**
- **E-Mail, Text Message, and/ or Social Media**

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.

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 upon enrollment / hire and on or before October 1st of each year.

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

Daytona College provides information on personal safety and crime prevention. The student services staff has a director of services that are available, within the community, to assist those who have suffered from a criminal act. These services are usually free and are provided by the community. Students, faculty and staff are provided with instructions on how to report all criminal acts. This publication is provided to all at the time of employment, enrollment or as requested.

The student services staff have available resources addressing domestic violence, dating violence and stalking.

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. 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.

CAMPUS EMERGENCIES

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. These individuals are authorized to initiate the notification process.

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 via telephone calls, texts or any means appropriate for the situation. Order of notification will include owners, administrators, instructors (who then will notify students).

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.

Emergency Evacuation

In the event of an emergency, evacuation may become necessary. The following are basic guidelines if an evacuation order is given:

- Leave the facility immediately using the nearest exit route and proceed to outdoor assembly areas.
- Instructors and management will secure their areas of responsibility.
- Assist disabled students and employees if necessary.
- Take your personal belongings with you both only if they are easily accessible. Do not go back to a classroom or office to secure personal items.

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. This exercise is for fire safety education and training for students and employees. The emergency response for the calendar year 2017 was tested on September 21, 2017 for campus facilities. The fire and safety director is William Bradley.

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.

Severe Weather

Weather/Hazard Alerts are monitored by administration. When an authorized management representative has determined shelter is warranted or the local weather siren sounds, the Emergency Alert System will be activated. Students and all Daytona College personnel are to seek shelter in their designated safe area.

1. Stay away from windows.
2. Go to an interior room.
3. Get on your knees and put your head on the floor facing an interior wall. Fold your arms over the back of your head.

When the severe weather warnings have been canceled or have expired, an “All Clear” message will be broadcast. If able, all students and staff should return to normal operations. In the event of significant damage, students and staff are to await instructions from management and public safety representatives.

If you are caught outside of in your car when severe weather approaches, do not attempt to “outrun” a tornado. First, try to find shelter in a solid building. If no shelter is available, lie on the ground in a low area. Do not lie in a drainage ditch or stream bed as flash floods frequently accompany tornados.

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

Remember DUCK

D = Duck down to the lowest level to an interior part of the building. Interior hallways are good. Get as many walls between your group and the outside of the building as possible. After you have done this, be prepared to account for everyone!

U = Under something sturdy.

C = Cover your head. Many people are injured by falling debris. Use whatever is available, blankets, pads, or dup your hands over your head.

K = Keep in shelter until you are advised that the storm has passed.

KNOW THE DIFFERENCE

Tornado Watch: Be Prepared! Tornadoes are possible in and near the watch area. Review and discuss your emergency plans and check supplies and your safe room. Be ready to act quickly if a warning is issued or you suspect a tornado is approaching. Acting early helps to save lives! Watches are issued by the [Storm Prediction Center](#) for counties where tornadoes may occur. The watch area is typically large, covering numerous counties or even states.

Tornado Warning: Take Action! A tornado has been sighted or indicated by weather radar. There is imminent

danger to life and property. Move to an interior room on the lowest floor of a sturdy building. Avoid windows. If in a mobile home, a vehicle, or outdoors, move to the closest substantial shelter and protect yourself from flying debris. Warnings are issued by your [local forecast office](#). Warnings typically encompass a much smaller area (around the size of a city or small county) that may be impacted by a tornado identified by a forecaster on [Radar](#) or by a [trained spotter](#)/law enforcement who is watching the storm.

Severe Thunderstorm Watch: Be Prepared! Severe thunderstorms are possible in and near the watch area. Stay informed and be ready to act if a severe thunderstorm warning is issued. Watches are issued by the [Storm Prediction Center](#) for counties where severe thunderstorms may occur. The watch area is typically large, covering numerous counties or even states.

Severe Thunderstorm Warning: Take Action! Severe weather has been reported by spotters or indicated by radar. Warnings indicate imminent danger to life and property. Take shelter in a substantial building. Get out of mobile homes that can blow over in high winds. Warnings are issued by your [local forecast office](#). Warnings typically encompass a much smaller area (around the size of a city or county) that may be impacted by an on-going severe thunderstorm.

Hurricane Warning: An announcement that sustained winds of 64 knots (74 mph or 119 km/hr) or higher are *expected* somewhere within the specified area in association with a [tropical](#), [subtropical](#), or [post-tropical](#) cyclone. Because hurricane preparedness activities become difficult once winds reach [tropical storm](#) force, the warning is issued 36 hours in advance of the anticipated onset of tropical-storm-force winds. The warning can remain in effect when dangerously high water or a combination of dangerously high water and waves continue, even though winds may be less than [hurricane](#) force.

Hurricane Watch: An announcement that sustained winds of 64 knots (74 mph or 119 km/hr) or higher are *possible* within the specified area in association with a [tropical](#), [subtropical](#), or [post-tropical](#) cyclone. Because hurricane preparedness activities become difficult once winds reach [tropical storm](#) force, the hurricane watch is issued 48 hours in advance of the anticipated onset of tropical storm force winds.

Tropical Storm Warning: An announcement that sustained winds of 34 to 63 knots (39 to 73 mph or 63 to 118 km/hr) are *expected* somewhere within the specified area within 36 hours in association with a [tropical](#), [subtropical](#), or [post-tropical](#) cyclone.

Tropical Storm Watch: An announcement that sustained winds of 34 to 63 knots (39 to 73 mph or 63 to 118 km/hr) are *possible* within the specified area within 48 hours in association with a [tropical](#), [subtropical](#), or [post-tropical](#) cyclone.

FIRE EMERGENCIES

During orientation, students are given an introduction to safety and emergency procedures for the campus. At the start of each course, instructors redress the safety and emergency procedures and specifically identify to their students the escape routes for their classroom and/or lab area and their designated assembly area.

Before a Fire

- **Plan and practice an escape route**
- **Post emergency numbers near telephones**
- **Know where the fire extinguishers are located in the building.**
- **Do not store combustible materials in closed areas or near a heat source.**
- **Never run extension cords under carpets. Avoid overloading electrical sockets and plugging extension cords together.**

- Keep all electrical appliances away from anything that can catch fire.
- Pay attention to housekeeping issues. Do not clutter exits and storage areas with waste paper, empty boxes, and other fire hazards.

During a Fire

- If there is a smell of smoke or if a fire is seen, remain calm - do not panic.
- Activate the alarm system by pulling the handle at the alarm station located throughout the facility.
- Call 911.
- Without placing yourself at risk, rescue any person(s) in trouble and evacuate to designated assembly area.
- get out as quickly and safely as possible
- Close doors in each room after escaping to delay the spread of fire
- When evacuating, stay low to the ground. If possible, cover mouth with a cloth to avoid inhaling smoke and gases
- Once outside, go to a designated assembly area
- Tell your supervisor or any administrator that you are out of the building and report injured or trapped persons and any signs of building damage you observed.

If unable to leave the building

If you are unable to leave the building, you should create an area of refuge:

- Seal the room. Use wet cloth to stuff around cracks in doors and seal up vent to protect against smoke. Do not break windows. Flames and smoke can come back in from the outside. If you need air, open the window a crack.
- Stay low under smoke, the freshest air is near the floor. Keep a wet cloth over your nose and mouth, breath through your nose only.
- Single for help. Use the telephone or hang something in the window.

After a fire:

- Give first aid where appropriate. Seriously injured or burned victims should be transported to professional medical help immediately.
- Stay out of damaged buildings. Return to building when local fire authorities say it is safe.
- Look for structural damage.
- Discard food that has been exposed to heat, smoke or soot.
- Do not discard damaged good until after an inventory has been taken.

What to do in case of a fire alarm

If you discover fire or smoke condition, remember “RACE”

R = Rescue anyone in immediate danger, if possible

A = Alarm Pull the nearest fire alarm and call 911

C = Contain. Close doors and windows where possible

E = extinguish* or Evacuate. Follow EXIT signs

*** Do not attempt to fight a large or spreading fire with a fire extinguisher. Make sure you have activated the fire alarm before you use an extinguisher**

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 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.

If you hear a fire alarm:

- STOP WORK AND EVALUTATE THE BUILDING
- Follow the EXIT signs. Do not assume it is a false alarm or a fire drill!
- Evacuate and proceed until you are outside of the building.
- Walk at a normal pace. Follow the instructions of the emergency response personnel.
- Wait outside until "All Clear" is announced by Security personnel. Do not re-enter until an "All Clear" is announced.

Fire Log Statistics:

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. In April 2016, the storage facility located on campus property had a fire. All students, staff and instructors followed the evacuation procedure. The fire department was dispatched and the fire was extinguished. No fires were reported for any other time period.

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.

Violence and threats of Violence

Threats of violence may be actual or perceived; verbal or non-verbal; direct or indirect. It should be assumed that all threats are made with the intent to carry them out. Students, faculty and staff should recognize and report early warning signs of violence, which may include:

- Threats of violence
- Overheard conversations regarding violence
- Disruptive behavior
- Domestic/family issues occurring on campus
- Vandalism occurring on campus

Homeland Security Active Shooter Response Guidelines and video link

Daytona College has adopted the recommendations of the Department of Homeland Security for responding to an active shooter crisis situation.

RUN-HIDE-FIGHT

A video entitled “Run, Hide, Fight: Surviving on Active Shooter Event.” Produced and funded by the Houston Mayor’s Office of Public Safety and Homeland Security Department. Daytona College employees and students are provided with the link to the video.

<https://www.youtube.com/watch?v=5VcSwejU2D0>

Use your own discretion during an active shooter event as to whether you decide to run, hide, or fight but the guidelines provided in the video are considered by the Department of Homeland Security to be the “best practices” for surviving an active shooter event.

Remember when law enforcement arrives, remain calm and follow instructions. Keep your hands visible at all times and avoid pointing or yelling. Know that help for the injured is on its way.

Reporting Security Incidents including Criminal Activity

In the event a criminal act or other emergency occurs, students, employees and guests are encouraged to report all incidents to a Campus Security official and to local law enforcement. The College will assist students with notifications to the proper law enforcement agency, if desired. If the student or employee is a victim of a crime, the College will assist the victim with changes in academic arrangements, if desired and if available. The Campus Security officials are responsible to complete a Crime Incident Report form for any criminal incident at Daytona College.

Bomb Threat or Bomb Emergency

A bomb threat exists when a suspected bomb or explosive device has been reported but not located.

- Try to solicit information from the caller making the threat.
- Individual receiving the threat should immediately contact local law enforcement and the Campus Director.
- The Campus Director or designated administrator will order an evacuation, if necessary.
- DO not touch any suspicious item – report it immediately to proper authorities.

A bomb emergency exists if the bomb has been located or if an explosion has occurred. For a bomb emergency:

- Do not panic – immediately call 911
- Follow all evacuation procedures as described herein
- All individuals should withdraw from the campus a minimum of 300 feet

Suspicious Packages

The FBI and U.S. Postal service authorities have issued tips for handling and reporting suspicious mail. Characteristics of a suspicious package include:

- No return address
- Possibly mailed from a foreign country
- Excessive postage
- Misspellings in the address
- Addressed to a title rather than an individual
- Badly typed or written
- Uneven in shape
- Ridge or bulky packaging
- Strange odor
- Oily stains, discoloration, or crystallization on the packaging
- Excessive tape or string

- Arrives unexpectedly from someone unfamiliar to you
- Protruding wires
- The city or state in the postmark does not match the return address

If you receive a suspicious package or envelope or see an unattended package that appears suspicious, here is what you should do:

- Do not move it
- Do not open, smell, or taste it
- Don't shake or bump the item
- Isolate the package. Stay away and keep others away from the suspicious package
- Call Daytona College senior management who will determine if authorities should be contacted
- Wash your hands vigorously for five minutes with soap and water if you handled the package at all.

Chemical/Hazardous Materials

Employees and instructors should be aware of the dangers involved in handling chemical, solvents and other hazardous materials and should follow the guidelines below when dealing with hazardous materials:

- Follow industry safe-practices and label instructions
- Notify the local fire department in the event of a hazardous material spill or leak
- Do not mix chemicals without authorization
- Use approved respirators or work in well-ventilated areas when dealing with toxic fumes

Blood-Borne Pathogens

Certain infectious diseases are transmitted through contact with blood and other secretions from a person with the illness. When a person is injured, those who render aid should avoid direct contact with blood. If you do contact human blood, please remember the following:

- Personal Protection Equipment is provided in medical labs on campus
- Wash hands and face with disinfectant soap immediately after contact
- Infected surfaces would be washed with bleach or an approved germicidal.

The following guidelines offer protection from potential transmission of blood-borne pathogens:

- Sharps (needles and other pricking devices) must be placed in approved containers
- Contaminated materials must be discarded in specially designed trash bags or containers
- Never pick up broken glass by hand
- Cover cuts and open sores with bandages to avoid transmission of pathogens to others or to prevent leaving potentially harmful substances on surfaces.

CRIME PREVENTION and CAMUS SAFETY AND SECURITY AWARENESS PROGRAMS

A key element of campus crime prevention is student, faculty, and staff member awareness and participation to actively help ensure the campus remains safe for all. Throughout their tenure with Daytona College, students are informed about safety and security procedures and practices while on campus. During orientation students are told where they can find information on crimes on campus and in those neighborhoods surrounding the campus. Other resources include various safety tips students can employ to prevent becoming a victim of crime. They are encouraged to look out for themselves and one another. Student and employees have access to information on crime prevention and victim resources through the Campus Director, the Director of Education, the Compliance / Regulatory Affairs Director, and the Campus Title IX Coordinator. Students and employees are provided a copy of this document and have access to other materials located on campus. Materials provide information about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services, as well as options and available assistance for changing academic. Living,

transportation, and working situations, if requested and reasonably available, regardless of whether a report is filed with local law enforcement.

Daytona College does not offer any formal crime prevention lectures, workshops or seminars but does invite speakers on campus for all students and staff.

As described more fully in the college's Campus Sexual Misconduct Policies, Daytona College is committed to offering educational programs to promote awareness and prevention of crime that constitute prohibited sexual misconduct, Students and staff should also employ the following general safety tips:

Personal Safety

- Always be aware of your surroundings
- Try to stay in well-lit areas
- Walk confidently at a steady pace on the side of the street facing traffic
- Walk close to the curb. Avoid doorways, bushes and alleys
- Wear clothes and shoes that give you the freedom to move
- Don't walk alone at night and always avoid areas where there are few people.
- Be careful when people stop and ask you for directions; always reply from a distance.
- If you are in trouble, attract help in any way that you can. Scream, yell for help.
- Remain calm. Don't panic. Think rationally and evaluate your resources and options.
- If ever attacked, go to a safe place and call the police. The sooner you make the report, the greater the chances the attacker will be caught.

Home Safety

- Check the identification of any sales or service people before letting them in.
- Don't let any stranger in your home when you are alone.
- Never give the impression that you are alone if strangers telephone or come to the door.
- If you come home and find a door open or signs of a forced entry, don't go in. Call the police from the nearest phone.
- Keep written records of all furniture, jewelry, and electronic products. If possible, keep these records in a fireproof safe box.
- Secure sliding glass door locks.
- Don't hide spare keys in mailboxes, planters, or under doormats.
- Avoid announcing vacations or your schedule on social media.

Vehicle Safety

- Close all windows, lock all doors and take the keys with you.
- Never hide a second set of keys anywhere on your car.
- Never leave your car's engine running even if you will only be gone for a minute.
- Park in well-lit areas.
- Activate any antitheft devices you have.
- Push or recline your passenger seat forward; if you return to your car and the passenger seat has been returned to its normal position, chances are someone has entered your vehicle.
- When approaching your vehicle, have your keys in your hand.
- Before you invest in any alarms, check with several established companies and decide what level of security fits your needs.

In support of awareness and crime prevention, Daytona College encourages its students and employees to take responsibility for their own security and the security of others.

Identify Theft

If your wallet or purse is stolen on campus, notify a Daytona College Campus Administrator.

Resources for Identify Theft:

- **Cancel your Credit Cards**
 - MasterCard 800-307-7309
 - Visa 800-336-8472
 - American Express 800-528-4800
 - Discover 800-347-2683
- **Other Contacts**
 - Federal Trade Commission 877-ID-THEFT and/or 877-FTC-HELP (to report ID theft)
 - Social Security Administration (to replace your card) 800-772-1213
- **Three National Credit Reporting Organizations**
 - Experian Information Solutions, Inc. 800-311-4769
 - TransUnion 800-680-7289
 - Equifax Credit Information Services, Inc. 800-525-6285
 - You may require a FREE credit report once a year but contacting www.annualcreditreport.com or by calling 877-322-8228

CAMPUS SEXUAL MISCONDUCT POLICIES

Introduction

Daytona College is committed to providing a working and educational environment for all students, faculty and staff that is free from sex discrimination, including sexual misconduct. Every member of the Daytona College community should be aware that the College is strongly opposed to sexual misconduct, and that such behavior is prohibited by state and federal laws.

As part of Daytona College's commitment to providing a working and learning environment free from sexual misconduct, this policy shall be disseminated widely to the College community through publications (this document), the school website, new employee orientation, student orientation, and other appropriate channels of communication. Daytona College provides training to key staff members to enable the school to handle any allegations of sexual misconduct promptly and effectively. Daytona College will respond quickly to all reports of sexual harassment, and will take appropriate action to prevent, to correct, and if necessary, to discipline behavior that violates this policy.

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.

TITLE IX COORDINATOR

The Daytona College Title IX Coordinator is responsible for monitoring and overseeing Daytona College's compliance with Title IX and the prevention of sexual harassment, sexual misconduct and discrimination. The Title IX Coordinator and alternate is:

- Knowledgeable and trained in Daytona College's policies and procedures and relevant state and federal laws;
- Available to advise any individual, including a complainant, respondent, or a third party, about Daytona College and community resources and reporting options;
- Available to provide assistance to any Daytona College employee regarding how to respond appropriately to a report of Title IX related prohibited conduct and related retaliation;
- Participate in ensuring the effective implementation of this Policy, including monitoring compliance with all procedural requirements, record keeping, and timeframes; and
- Responsible for overseeing training, prevention, and education efforts, and annual reviews of climate and culture.

Inquires or concerns about Title IX may be referred to the Daytona College Title IX coordinator:

Tonya Wright

425 S. Nova Road
Ormond Beach, Florida 32174
Phone: 386.267.0565
Email: twright@daytonacollege.edu

Alternate: Pamela Kraska pkraska@daytonacollege.edu

The school Title IX Coordinator will work with all students affected by sexual misconduct to ensure their safety and support their wellbeing. This assistance may include providing accommodations to support or protect a student after an incident of sexual misconduct and while an investigation or disciplinary proceeding is pending. Such accommodations, may include the ability to alter class schedules, withdraw from/retake a class without penalty, and access academic support (e.g. tutoring). Daytona College may be able to provide additional interim measures to victims while an investigation is pending, such as no contact orders and changing the alleged perpetrator's class schedule.

Support Services Available and Rights and Options

Counseling, advocacy and support services are available for victims of sexual misconduct, whether or not a victim choose to make an official report or participate in the school's disciplinary or criminal process. Daytona College does not provide counseling or health care services. Personal counseling offered by Daytona College is limited to initial crisis assessment and referral.

Student and employees that report to the school that they have been a victim of dating violence, domestic violence, sexual assault, or stalking, Daytona College will provide them a written explanation of their rights and options.

Sexual misconduct crisis and counseling options are available locally and nationally through a number of agencies, including:

SEX OFFENDER INFORMATION

Florida Statute 943.0435

Legislative Findings, Purpose, and Intent

The Legislature finds that sexual offenders, especially those who have committed their offenses against minors, often pose a high risk of engaging in sexual offenses, even after being released from incarceration or commitment and that protection of the public from sexual offenders is a paramount government interest. Sexual offenders have a reduced expectation of privacy because of the public's interest in public safety and in the effective operation of government. Releasing information concerning sexual offenders to law enforcement agencies and to persons who request such information, and the release of such information to the public by a law enforcement agency or public agency, will further the governmental interests of public safety. Please Note: The designation of a person as a sexual offender is not a sentence or a punishment, but is simply the status of the offender which is the result of a conviction for having committed certain crimes.

The federal Campus Sex Crimes Prevention Act requires colleges and universities to issue a statement advising the campus community where state law enforcement agency information concerning registered sex offenders/predators may be obtained. The act also requires registered sex offenders/predators to provide to appropriate state officials notice of each institution of higher education in that state at which the offender/predator is employed, carries on a vocation, or is a student.

In accordance with Florida State Statute 775.21 ("The Florida Sexual Predators Act") and Florida State Statute 943.0435, convicted sex offenders in Florida must register with the Florida Department of Law Enforcement (FDLE) within 48 hours of establishing permanent or temporary residence. The FDLE makes information concerning the presence of registered sexual offenders/predators available to local law enforcement officials and the public. It is then the responsibility of the county sheriff or the municipal police chief to make required notification to all community members of the presence of predators (only) in a manner deemed appropriate by the sheriff or police chief.

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>. Information is also available in the United States Department of Justice national sex offender registry – <http://www.nsopw.gov/Core/Portal.aspx>. Updated site information on 07/01/2019. The address for the Florida Department of Law Enforcement (FDLE) Sexual Offender and Predator Unit is P.O. Box 1489 Tallahassee, FL 32302. Email address is sexpred@fdle.state.fl.us <http://offender.fdle.state.fl.us/offender/homepage.do;jsessionid=YntbMNThZ2GSLnQrJSRT7IQNBIMPh1vnC1GYcLLYbWkF4vS2cvc9!-521741232>

National Resources;

National Sexual Assault Hot line
800-656-(hope) 4673

For assistance throughout the United States:

Alabama Coalition Against Rape
Montgomery, AL
334.264.0123

Alaska Network on Domestic Violence & Sexual Assault (ANDVSA)
Juneau, AK

907.586.3650

Arizona Sexual Assault Network (AzSAN)

Phoenix, AZ

Arkansas Coalition Against Sexual Assault

Fayetteville, AR

501.246.3276

CALCASA Rape Prevention Resource Center

Sacramento, CA

916.446.2520

Colorado Coalition Against Sexual Assault

Denver, CO

303.839.9999

Connecticut Sexual Assault Crisis Services (CONNSACS)

East Hartford, CT

860.282.9881

Contact Lifeline

Wilmington, DE

302.761.9800

DC Rape Crisis Center

Washington, DC

202.232.0789

Florida Council Against Sexual Violence

Tallahassee, FL

850.297.2000

Georgia Network to End Sexual Assault (GNESA)

Atlanta, GA

404.815.5261

Guam Healing Arts Crisis Center

Tamuning, GU

671.647.5351

Hawaii State Coalition for the Prevention of Sexual Assault

Honolulu, HI

808.733.9038

Idaho Coalition Against Sexual & Domestic Violence (ICASDV)

Boise, ID

208.384.0419

Illinois Coalition Against Sexual Assault (ICASA)

Springfield, IL

217.753.4117

Iowa Coalition Against Sexual Assault (ICASA)

Des Moines, IA

515.244.7424

Kansas Coalition Against Sexual & Domestic Violence

Topeka, KS

785.232.9784

Kentucky Association of Sexual Assault Programs

Frankfort, KY

502.226.2704

Louisiana Foundation Against Sexual Assault (LAFASA)

Hammond, LA

225.372.8995

Maine Coalition Against Sexual Assault

Augusta, ME

207.626.0034

Maryland Coalition Against Sexual Assault

Silver Spring, MD

301.328.7023

Jane Doe Inc./MCASADV

Boston, MA

617.248.0922

Men Can Stop Rape

Washington, DC

202.265.6530

Michigan Coalition Against Domestic & Sexual Violence

Okemos, MI

517.347.7000

Minnesota Coalition Against Sexual Assault

St. Paul, MN

651.209.9993

Mississippi Coalition Against Sexual Assault

Jackson, MS

601.948.0555

Missouri Coalition Against Domestic and Sexual Violence

Jefferson City, MO

573.634.4161

Montana Coalition Against Domestic Violence and Sexual Assault

Helena, MT

406.443.7794

Nebraska Coalition to End Sexual and Domestic Violence

Lincoln, NE

402.476.6256

Nevada Coalition Against Sexual Violence

Las Vegas, NV

New Hampshire Coalition Against Domestic & Sexual Violence

Concord, NH

603.224.8893

New Jersey Coalition Against Sexual Assault

Trenton, NJ

609.631.4450

New Mexico Coalition of Sexual Assault Programs

Albuquerque, NM

505.883.8020

New York State Coalition Against Sexual Assault

Albany, NY

518.482.4222

New York City Alliance Against Sexual Assault

New York, NY

212.229.0345

North Carolina Coalition Against Sexual Assault

Raleigh NC

888.737.CASA (2272)

North Dakota Council on Abused Women's Services/CASAND

Bismarck, ND

701.255.6240

Ohio Alliance to End Sexual Violence

Cleveland, OH

888.886.8388

Oklahoma Coalition Against Domestic Violence and Sexual Assault

Oklahoma City, OK
405.524.0700

Oregon Coalition Against Domestic and Sexual Violence

Portland, OR
503.230.1951

Pennsylvania Coalition Against Rape (PCAR)

Enola, PA
717.728.9740

Day One

100 Medway Street
Providence, RI 02906

401.421.4100
401.454.5565 (fax)

E-mail: info@DayOneRI.org

South Carolina Coalition Against Domestic Violence & Sexual Assault

Columbia, SC
803.256.2900

South Dakota Coalition Against Domestic Violence & Sexual Assault

Pierre, SD
605.945.0869

Tennessee Coalition Against Domestic and Sexual Violence

Nashville, TN
615.386.9406

Texas Association Against Sexual Assault

Austin, TX
512.474.7190

Utah Coalition Against Sexual Assault

Salt Lake City, UT
801.746.0404

Vermont Network Against Domestic Violence and Sexual Assault

Montpelier, VT
802.223.1302

Virginia Sexual and Domestic Violence Action Alliance

Charlottesville, VA
434.979.9002

Richmond, VA
804.377.0335 (v/tty)

Washington Coalition of Sexual Assault Programs

Olympia, WA
360.754.7583

West Virginia Foundation for Rape Information and Services

Fairmont, WV
304.366.9500

Wisconsin Coalition Against Sexual Assault

Madison, WI
608.257.1516

Wyoming Coalition Against Domestic Violence and Sexual Assault

Laramie, WY
307.755.5481

Definitions

The definitions for murder, robbery, aggravated assault, burglary, motor vehicle theft, weapon law violations, drug abuse violations, and liquor law violations are excerpted from the Uniform Crime Reporting Handbook. The definitions of forcible and non-forcible sex offenses are excerpted from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Handbook

Sex Offenses

Forcible – 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.

1. **Forcible Rape** – The carnal knowledge of a 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 because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
2. **Forcible Sodomy** – Oral or anal sexual intercourse with another person, forcibly and/or against that person’s will; or not forcibly against the person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
3. **Sexual Assault With An Object** – The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person’s will; or not forcibly or against this person’s will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
4. **Forcible Fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, 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 because of his/her youth or because of his/her temporary or permanent mental incapacity.
5. **None-Forcible** – Unlawful, non-forcible sexual intercourse.
6. **Incest** - Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
7. **Statutory Rape** – Non-forcible sexual intercourse with a person who is under the statutory age of consent.
8. **Dating Violence** – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
9. **Domestic Violence** – a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies (under VAWA) or any other person against an adult or youth victim who is protected from the person’s acts under the domestic or family violence laws of the jurisdiction.

ROBBERY

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

AGGRAVATED ASSAULT

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault

when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.

BURGLARY

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

MOTOR VEHICLE THEFT

The theft or attempted theft of a motor vehicle. (Classified as motor vehicle theft in all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.

ARSON

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

HATE CRIMES – A crime reported to local police agencies or to a campus security authority that shows evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim. In their recording, schools must identify the actual or perceived category of the victim that motivated the crime. The categories are: race, gender, gender identity, religion, sexual orientation, ethnicity, national origin, and disability.

STALKING – 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.

LIQUOR LAW VIOLATIONS

The violation of laws or ordinances prohibiting; the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition.

DRUG ABUSE VIOLATIONS

Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadones); and dangerous nonnarcotic drugs (barbiturates, benzedrine).

WEAPON LAW VIOLATIONS

The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

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.

All crimes and other actions which violate the Daytona College Code of Conduct are subject to the imposition of sanctions administered by municipal, State, or Federal courts. Daytona College does not authorize, supervise, or recognize any off-campus residences or other student organization buildings. The statistics in this report refer exclusively to acts committed on the Daytona College campus, in non-campus buildings or property, and public property.

(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.

Criminal Offense	On-Campus			Non-Campus			Public Property		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
Murder	0	0	0	0	0	0	0	0	0
Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Negligent manslaughter	0	0	0	0	0	0	0	0	0
Sex offenses – Forcible	0	0	0	0	0	0	0	0	0
Sex offenses – Non-forcible	0	0	0	0	0	0	0	0	0
Domestic Violence *	0	0	0	0	0	0	0	0	0
Dating Violence *	0	0	0	0	0	0	0	0	0
Stalking *	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0	0	0
Larceny-theft	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	0	0	0	0	0	0	0	0
Weapons Law Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0
Weapons law Referrals	0	0	0	0	0	0	0	0	0
Liquor Law Referrals	0	0	0	0	0	0	0	0	0
Drug Law Referrals	0	0	0	0	0	0	0	0	0
Hate Crimes **	0	0	0	0	0	0	0	0	0

***Reporting for Domestic Violence, Dating Violence, Stalking began in 2013. For 2012 a good faith effort was made by Daytona College to determine if any incidents occurred in these areas.**

**** Effective in 2015 all hate crimes will be reported by gender, ethnicity and national origin.**

Daytona College has not determined that any crimes were unfounded.

Clery geography – for the purposes of collecting statistics on the crimes within this report includes buildings and property that are part of the institution’s campus, the institution’s non-campus buildings and property and public property within or immediately adjacent to and accessible from the campus.

Campus means any building or property owned or controlled by a school within the same reasonably contiguous geographic area and used by the school in direct support of, or in a manner related to its 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 shall develop and distribute as part of the report a statement of policy.

Policy Statement:

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

Daytona College not only complies with the letter of Title IX’s requirements but also endorses the law’s intent and spirit. The College is committed to compliance in all areas addressed by Title IX, including access to higher education, career education, math and science, standardized testing, athletics, education for pregnant and parenting students, learning environment, and technology, as well as sexual harassment.

The purpose of this policy is to ensure that the College’s policies are applied and interpreted in ways consistent with Title IX and other applicable law.

It is the policy of the College to provide educational, preventative and training programs regarding sexual or gender-based harassment; to encourage reporting of incidents; to prevent incidents of sexual and gender-based harassment from denying or limiting an individual’s ability to participate in or benefit from the College’s programs; to make available timely services for those who have been affected by discrimination; and to provide prompt and equitable methods of investigation and resolution to stop discrimination, remedy any harm, and prevent its recurrence. Violations of this Policy may result in the imposition of sanctions up to, and including, termination, dismissal, or expulsion, as determined by the appropriate officials at the College.

- 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 students and employees.

Daytona College provides 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 an annual 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. In this training, a description of safe and positive options for bystander intervention, information on risk reduction, and information on the institution's policies and procedures after a sex offense occurs will be discussed. Daytona College will hold ongoing prevention and awareness campaigns for students and employees throughout the year by providing information on sexual assault, victim advocate programs, and provide an employee of the College to speak with regarding any questions or concerns.

Definitions

Awareness programs at Daytona College provide training and printed information regarding resources available to students and employees on crime prevention and awareness.

Bystander Intervention: Bystanders are often the largest group of people involved in incidents of sexual assault and gender-based violence and misconduct; they outnumber both the perpetrators and the victims. A bystander might have knowledge that an incident of sexual violence will occur or is occurring, or a bystander may witness sexual assault or misconduct firsthand. A bystander could have knowledge about an assault that has already occurred.

Ongoing prevention and awareness campaigns include notices on boards within the college and information available in the learning resource room and through the College staff and faculty.

The **primary prevention program** for Daytona College is the annual training provided to all students and staff regarding crime prevention and violence against women.

Risk reduction is the decrease in the probability of an adverse outcome and lowering of factors to prevent a crime. Daytona College practices risk reduction through the use of policies and procedures, cameras located throughout the college and lightening.

- 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.

The investigatory process involves interviewing the parties involved and any witnesses while gathering documentary or other evidence. In cases involving alleged criminal conduct, the complainant may file a criminal complaint with the local police department. As soon as possible, the complainant will be offered appropriate assistance.

Based on the outcome of the investigation, the assigned Title IX coordinator or their designee will determine if there is sufficient cause to proceed with the complaint. If so, the Title IX coordinator or the designee will arrange for an informal resolution conference with the accused. Complainants do not attend informal resolution meetings but are apprised of the meeting's outcome. If the accused does not accept responsibility for the allegations and/or the proposed sanction, the Title IX Officer or their designee will determine if the evidence warrants a formal hearing before the Grievance Committee. The exact nature of the responsive action depends on the circumstances, but may include discipline up to and including suspension or dismissal from the College for a student, staff or faculty who is found to have violated College policies.

The College will take appropriate action i.e., an investigation, adjudication and disciplinary and remedial/corrective steps in response to a complaint made pursuant to the complaint policies/procedures listed above. The College will make every effort to handle complaints and investigations with sensitivity to both the rights of the person who complains, and the rights of the accused.

The College handles complaints discreetly and attempts to maintain privacy throughout the investigatory process, to the extent practicable and appropriate under the circumstances. However, in order to conduct an investigation, it is generally necessary to discuss the allegations with the accused and other potential witnesses. Additionally, the College may have legal obligations to disclose information to law enforcement or in the context of legal proceedings.

Complaints may be made anonymously. While the College endeavors to investigate all complaints, including anonymous complaints, the nature of anonymous complaints makes investigation, determination, and remediation more difficult and, at times, impossible. Further, while the College attempts to protect the identity of complainants who do not wish to be identified, this may not always be possible.

In appropriate cases as determined by the College, conflict resolution may be possible. This is permitted only where both the complainant and accused voluntarily agree to participate, and either party may terminate informal resolution attempts and commence formal Grievance procedures at any time prior to reaching a mutually acceptable resolution. Depending on the circumstances, a mediated resolution may not necessarily involve face-to-face discussions between the complainant and the accused. Certain cases are not appropriate for conflict resolution, such as complaints of particularly egregious sexual harassment or cases involving sexual assault or violence.

Occasionally, an individual makes a complaint and later wishes to revoke or discontinue the investigation or adjudication process. Similarly, it may occur that someone other than the victim reports an incident, and the victim declines to participate in the investigation or adjudication process. In other instances, complaints may be received anonymously and/or the victim may not wish to be personally identified. The College endeavors to respect the wishes of a victim to either not be identified and/or not participate in the process. In these situations, the College attempts to investigate and address complaints in accordance with the victim's wishes.

In determining whether sex discrimination, sexual harassment or sexual misconduct occurred, the College does not apply the criminal standard of "beyond a reasonable doubt," nor do formal court rules of evidence apply.

Instead, the College uses a “preponderance of the evidence” standard, and the College may consider any evidence it deems relevant. A “preponderance of the evidence” means the evidence which is of greater weight, or is more convincing than opposing evidence such that it is “more likely than not” that an act occurred.

If the applicable investigatory or adjudicatory process allows for parties to offer witnesses and evidence, the complainant and the accused will have an equal opportunity to do so. The complainant and the accused will be informed in writing of the outcome of the complaint, to the extent permitted by law. An accused who is a student may appeal the outcome to an impartial decision maker. An employee who is deemed guilty shall have whatever rights are granted by law. The particular method and grounds for appeal are explained in the student policies.

The College endeavors to resolve complaints promptly. Ordinarily, the investigative stage will take no longer than 60 calendar days from the time the complaint is received. In exceptional circumstances (including but not limited to especially complex cases, or when the College is not in session), it may be necessary to extend these timelines. If that occurs, the parties will be informed of the expected timeline for completion.

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.

The College prohibits retaliation against any individual who in good faith makes a complaint of sex discrimination, sexual harassment, or sexual misconduct or participates as a witness in a proceeding under this or any other College policy. Retaliation is also unlawful pursuant to Title IX and other laws.

Violation of our policy will result in disciplinary action, up to and including immediate discharge

- h. 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.

- i. Written notification to 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. If the victim requests assistance and they are reasonably available, Daytona College will assist in making arrangements for the victim, regardless if reported to local law enforcement. 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
- Daytona Beach Police Department – 386.671.5100
- 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-assult-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; rape, 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 Daytona College defines sexual harassment as unwelcome behavior of a sexual nature that relates to the gender or sexual identity of an individual and that has the purpose or effect of creating an intimidating, offensive or hostile environment for study. This policy applies to all interactions between students and Daytona College faculty members and other faculty, staff, and administrative personnel, and other students.

Conduct alleged to be sexual harassment will be evaluated by considering the totality of the particular circumstances, including the nature, frequency, intensity, location, context, and duration of the questioned behavior. Repeated incidents or a pattern of harassing behavior may be cause for serious corrective action. However, a more serious incident, even if isolated, may be sufficient cause for action under this policy including referral to law enforcement when applicable.

Quid pro quo sexual harassment can occur whether a person resists and suffers the threatened harm, or the person submits and avoids the threatened harm. Both situations could constitute discrimination on the basis of sex. A hostile environment can be created by persistent or pervasive conduct or by a single severe episode. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment. Sexual violence, including rape, sexual assault, and domestic and dating violence, is a form of sexual harassment. In addition, the following conduct may violate this Policy:

1. Observing, photographing, videotaping, or making other visual or auditory records of sexual activity or nudity, where there is a reasonable expectation of privacy, without the knowledge and consent of all parties.
2. Sharing visual or auditory records of sexual activity or nudity without the knowledge and consent of all recorded parties and recipients.
3. Sexual advances, whether or not they involve physical touching.
4. Commenting about or inappropriately touching an individual's body.
5. Requests for sexual favors in exchange for actual or promised job benefits, such as favorable reviews, salary increases, promotions, increased benefits, or continued employment.
6. Lewd or sexually suggestive comments, jokes, innuendoes, or gestures.
7. Stalking

Other verbal, nonverbal, graphic, or physical conduct may create a hostile environment if the conduct is sufficiently persistent, pervasive, or severe so as to deny a person equal access to the College's programs or activities. Whether the conduct creates a hostile environment may depend on a variety of factors, including: the degree to which the conduct affected one or more person's education or employment; the type, frequency, and duration of the conduct; the relationship between the parties; the number of people involved; and the context in which the conduct occurred.

Unwelcome Conduct

Conduct is unwelcome if a person (1) did not request or invite it and (2) regarded the unrequested or uninvited conduct as undesirable or offensive. That a person welcomes some sexual contact does not necessarily mean that person welcomes other sexual contact. Similarly, that a person willingly participates in conduct on one occasion does not necessarily mean that the same conduct is welcome on a subsequent occasion.

Whether conduct is unwelcome is determined based on the totality of the circumstances, including various objective and subjective factors. The following types of information may be helpful in making that determination: statements by any witnesses to the alleged incident; information about the relative credibility of the parties and witnesses; the detail and consistency of each person's account; the absence of corroborating information where it should logically exist; information that the Respondent has been found to have harassed others; information that the Complainant has been found to have made false allegations against others; information about the Complainant's reaction or behavior after the alleged incident; and information about any actions the parties took immediately following the incident, including reporting the matter to others.

In addition, when a person is so impaired or incapacitated as to be incapable of requesting or inviting the conduct, conduct of a sexual nature is deemed unwelcome, provided that the Respondent knew or reasonably should have known of the person's impairment or incapacity. The person may be impaired or incapacitated as a result of drugs or alcohol or for some other reason, such as sleep or unconsciousness. A Respondent's impairment at the time of the incident as a result of drugs or alcohol does not, however, diminish the Respondent's responsibility for sexual or gender-based harassment under this Policy.

Gender-Based Harassment

Gender-based harassment is verbal, nonverbal, graphic, or physical aggression, intimidation, or hostile conduct based on sex, sex-stereotyping, sexual orientation or gender identity, but not involving conduct of a sexual nature, when such conduct is sufficiently severe, persistent, or pervasive that it interferes with or limits a person's ability to participate in or benefit from the College's education or work programs or activities. For example, persistent disparagement of a person based on a perceived lack of stereotypical masculinity or femininity or exclusion from an activity based on sexual orientation or gender identity also may violate this Policy.

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).

Rape is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Investigations of complaints

A complaint that a student, staff or faculty member has committed sexual harassment or engaged in nonconsensual sexual activity may be made to the Title IX Coordinator, or a staff or faculty member. The College will conduct an investigation, as appropriate under the circumstances.

The investigatory process involves interviewing the parties involved and any witnesses while gathering documentary or other evidence. In cases involving alleged criminal conduct, the complainant may file a criminal complaint with the local police department. A complainant need not pursue a criminal complaint in order to seek or to hold the accused responsible through the College's Student Code of Conduct. As soon as possible, the complainant and the accused will be offered appropriate assistance, and our Academic Affairs department will be contacted if course adjustments are required.

Based on the outcome of the investigation, the Title IX Coordinator or their designee will determine if there is sufficient cause to proceed with the complaint. If so, the Title IX Officer or their designee will arrange for an informal resolution conference with the accused. (Complainants do not attend informal resolution meetings but are apprised of the meeting's outcome.) If the accused does not accept responsibility for the allegations and/or the proposed sanction, the Title IX Officer or their designee will determine if the evidence warrants a formal hearing before the Grievance Committee.

The exact nature of the responsive action depends on the circumstances, but may include discipline up to and including suspension or dismissal from the College for a student, staff or faculty who is found to have violated College policies.

Implementing Provisions/Policies

The College will take appropriate action (i.e., an investigation, adjudication and disciplinary and remedial/corrective steps) in response to a complaint made pursuant to the complaint policies/procedures listed above. The College will make every effort to handle complaints and investigations with sensitivity to both the rights of the person who complains and the rights of the accused.

The College handles complaints discreetly and attempts to maintain privacy throughout the investigatory process, to the extent practicable and appropriate under the circumstances. However, in order to conduct an investigation, it is generally necessary to discuss the allegations with the accused and other potential witnesses. Additionally, the College may have legal obligations to disclose information to law enforcement or in the context of legal proceedings.

Complaints may be made anonymously. While the College endeavors to investigate all complaints, including anonymous complaints, the nature of anonymous complaints makes investigation, determination, and remediation more difficult and, at times, impossible. Further, while the College attempts to protect the identity of complainants who do not wish to be identified, this may not always be possible.

In appropriate cases as determined by the College, conflict resolution may be possible. This is permitted only where both the complainant and accused voluntarily agree to participate, and either party may terminate informal resolution attempts and commence formal Grievance procedures at any time prior to reaching a mutually acceptable resolution. Depending on the circumstances, a mediated resolution may not necessarily involve face-to-face discussions between the complainant and the accused. Certain cases are not appropriate for conflict resolution, such as complaints of particularly egregious sexual harassment or cases involving sexual assault or violence.

Occasionally, an individual makes a complaint and later wishes to revoke or discontinue the investigation or adjudication process. Similarly, it may occur that someone other than the victim reports an incident, and the victim declines to participate in the investigation or adjudication process. In other instances, complaints may be received anonymously and/or the victim may not wish to be personally identified. The College endeavors to respect the wishes of a victim to either not be identified and/or not participate in the process. In these situations, the College attempts to investigate and address complaints in accordance with the victim's wishes.

If a victim wishes to talk about an incident with the assurance that the discussion will be confidential and will not result in an investigation or follow up action, they may contact the Title IX Coordinator. Anyone wishing to have an incident investigated, mediated or adjudicated must make a complaint either orally or in writing in accordance with the procedures described above.

In determining whether sex discrimination, sexual harassment or sexual misconduct occurred, the College does not apply the criminal standard of "beyond a reasonable doubt," nor do formal court rules of evidence apply. Instead, the College uses a "preponderance of the evidence" standard, and the College may consider any evidence it deems relevant. A "preponderance of the evidence" means the evidence which is of greater weight or is more convincing than opposing evidence such that it is "more likely than not" that an act occurred.

If the applicable investigatory or adjudicatory process allows for parties to offer witnesses and evidence, the complainant and the accused will have an equal opportunity to do so. The complainant and the accused will be informed in writing of the outcome of the complaint, to the extent permitted by law. An accused who is a student may appeal the outcome to an impartial decision maker. An employee who is deemed guilty shall have whatever rights are granted by law. The particular method and grounds for appeal are explained in the student policies listed above.

The College endeavors to resolve complaints promptly. Ordinarily, the investigative stage will take no longer than 60 calendar days from the time the complaint is received. In exceptional circumstances (including but not limited to especially complex cases or when the College is not in session), it may be necessary to extend these timelines. If that occurs, the parties will be informed of the expected timeline for completion.

The College prohibits retaliation against any individual who in good faith makes a complaint of sex discrimination, sexual harassment, or sexual misconduct or participates as a witness in a proceeding under this or any other College policy. Retaliation is also unlawful pursuant to Title IX and other laws.

Reporting Child Abuse

If you see a child in immediate danger call 911. Penalties for those who suspect a child is being abused but fail to report it have been increased from a misdemeanor to a felony. Financial penalties also have increased. If you suspect or know of any child who is being harmed, report the abuse immediately.

Florida Law (Florida Statutes Chapters 39 and 415 requires any individual who suspects that a child has been abused by any person to make a report with the Florida Abuse Hotline. Any allegations a child was abused or neglected by a caregiver will be investigated by the Department of Children and Families while allegations of child abuse by someone other than a caregiver will be accepted at the Hotline and immediately electronically transferred to the appropriate local law enforcement agency where the child lives.

Definitions

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

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

Abuse for adults means any willful act or threatened act by a relative, caregiver, or household member which causes or is likely to cause significant impairment to a vulnerable adult's physical, mental, or emotional health. Abuse includes acts and omissions.

Neglect for adults means the failure or omission on the part of the caregiver or vulnerable adult to provide the care, supervision, and services necessary to maintain the physical and mental health of the vulnerable adult, including, but not limited to, food, clothing, medicine, shelter, supervision, and medical services, which a prudent person would consider essential

for the well-being of a vulnerable adult. The term neglect also means the failure of a caregiver or vulnerable adult to make a reasonable effort to protect a vulnerable adult from abuse, neglect, or exploitation by others.

Exploitation means a person who stands in a position of trust and confidence with a vulnerable adult and knowingly, by deception or intimidation, obtains or uses, or endeavors to obtain or use, a vulnerable adult's funds, assets, or property with the intent to temporarily or permanently deprive a vulnerable adult of the use, benefit, or possession of the funds, assets, or property for the benefit of someone other than the vulnerable adult; or knows or should know that the vulnerable adult lacks the capacity to consent and obtains or uses, or endeavors to obtain or use, the vulnerable adult's funds, assets, or property with the intent to temporarily or permanently deprive the vulnerable adult of the use, benefit, or possession of the funds, assets, or property for the benefit of someone other than the vulnerable adult.

Any person, including professionally mandatory reports, should contact the Florida Abuse Hotline when they know or have reasonable cause to suspect that a child or vulnerable adult has been abused, abandoned, neglected, or exploited. The Hotline has counselors available 24 hours a day, 7 days a week. The Hotline counselor will determine if the information provided meets legal requirements to accept a report for investigation.

Florida Abuse Hotline – 1-800-962-2873 TDD – 1-800-453-5145

Be prepared to provide specific descriptions of the incident(s) or the circumstances contributing to the risk of harm, including who was involved, what occurred, when and where it occurred, why it happened, the extent of any injuries sustained, what the victim(s) said happened, and any other pertinent information are very important.

- (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.

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.

Daytona College prohibits discrimination and harassment based on race, color, creed, religion, sex, gender, national origin, citizenship, ethnicity, marital status, age, disability, sexual orientation, gender identity and gender expression, genetic information, veteran status, or any other status protected by applicable law to the extent prohibited by law.

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. Daytona College is a non-residential college, and does not have a campus police force. Therefore, all crimes are reported to local authorities as described in this report regarding policies and procedures to report crimes. Daytona College does not utilize pastoral or professional counselors for this process. Copies of accident/incident report forms may be requested from the administrative office. Voluntary confidential reporting: Local law enforcement will allow a victim or witness to report crime on a voluntary and confidential basis.

Unwelcome Conduct

Conduct is unwelcome if a person (1) did not request or invite it and (2) regarded the unrequested or uninvited conduct as undesirable or offensive. That a person welcomes some sexual contact does not necessarily mean that person welcomes other sexual contact. Similarly, that a person willingly participates in conduct on one occasion does not necessarily mean that the same conduct is welcome on a subsequent occasion.

Whether conduct is unwelcome is determined based on the totality of the circumstances, including various objective and subjective factors. The following types of information may be helpful in making that determination: statements by any witnesses to the alleged incident; information about the relative credibility of the parties and witnesses; the detail and consistency of each person's account; the absence of corroborating information where it should logically exist; information that the Respondent has been found to have harassed others; information that the Complainant has been found to have made false allegations against others; information about the Complainant's reaction or behavior after the alleged incident; and information about any actions the parties took immediately following the incident, including reporting the matter to others.

In addition, when a person is so impaired or incapacitated as to be incapable of requesting or inviting the conduct, conduct of a sexual nature is deemed unwelcome, provided that the Respondent knew or reasonably should have known of the person's impairment or incapacity. The person may be impaired or incapacitated as a result of drugs or alcohol or for some other reason, such as sleep or unconsciousness. A Respondent's impairment at the time of the incident as a result of drugs or alcohol does not, however, diminish the Respondent's responsibility for sexual or gender-based harassment under this Policy.

Gender-Based Harassment

Gender-based harassment is verbal, nonverbal, graphic, or physical aggression, intimidation, or hostile conduct based on sex, sex-stereotyping, sexual orientation or gender identity, but not involving conduct of a sexual nature, when such conduct is sufficiently severe, persistent, or pervasive that it interferes with or limits a person's ability to participate in or benefit from the College's education or work programs or activities. For example, persistent disparagement of a person based on a perceived lack of stereotypical masculinity or femininity or exclusion from an activity based on sexual orientation or gender identity also may violate this Policy.

A STATEMENT OF CURRENT POLICIES CONCERNING THE SEXUAL ASSAULT PREVENTION PROGRAM AND THE PROCEDURES THAT ARE FOLLOWED

College Notice of Petitioners Rights under the Violence Against Women Act

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 program or activity receiving Federal financial assistance.

Daytona College not only complies with the letter of Title IX's requirements but also endorses the law's intent and spirit. The College is committed to compliance in all areas addressed by Title IX including access to higher education, career education, math and science, standardized testing, athletics, education for pregnant and parenting students, learning environment, and technology, as well as sexual harassment.

Sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and include dating violence, domestic violence, and stalking. As such should you report a form of sex-based discrimination, The College wants to inform you of our policy and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus as well as your rights, and The College's responsibilities.

As a petitioner of sexual assault, dating violence, domestic violence or stalking, you will receive a full copy of our institution's Title IX Policy. This policy has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking. These procedures include our right to inform you of your rights to file criminal charges as well as the availability of medical, counseling, and support services. We also offer additional remedies to prevent contact between a complainant and an accused party. The policy also addresses possible sanctions and interim and/or long-term protective measures that the College may impose.