



UNIVERSITY OF
CENTRAL FLORIDA

ANNUAL SECURITY GUIDE

2018-2019 | UCF POLICE DEPARTMENT

Florida Solar Energy Center



Florida Solar Energy Center
1679 Clearlake Road
Cocoa, FL 32922
321-638-1000
(Located on the Eastern Florida State College Campus)

THE UNIVERSITY of CENTRAL FLORIDA

The safety of our campus — and everyone who lives, works, learns and visits here — is our highest priority. A university can't fulfill its mission if people don't feel safe. That's why we have one of the best trained and equipped university police forces in the country and a dedicated group of faculty, staff and administrators focused on making our campus safer through crime prevention and collaboration.

Your help also is essential — we all share the responsibility to keep UCF safe. Please read and follow the suggestions in this guide. By working together, we can make sure our campus is one where everyone feels welcome and able to be their best selves.

Go Knights, and Charge On!



Dale Whittaker, President

The UCF Police Department is an accredited, full-service police department that provides law enforcement services to the UCF community. Our mission is to reduce crime and the fear of crime by providing a safe environment for everyone at UCF.

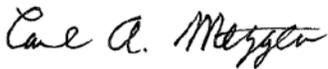
This means hiring officers and staff who fit our university; providing them with the finest training, equipment and leadership; and partnering with the campus community to achieve our safety and security goals.

With more than 67,500 students, 12,000 employees, and thousands of campus visitors, UCFPD has a big job in keeping the campus safe. We rely on our more than 75 sworn officers; an exceptional support staff; and campus, community and law enforcement partners to support the secure, inclusive and welcoming campus environment we all enjoy.

Transparency and communication are important to me, and the Annual Security and Fire Safety Guide is UCF's way of keeping the community informed about crime and safety resources. UCFPD provides regular programming to increase the campus community's knowledge of safety and crime prevention, and we take proactive steps to address crimes that are not uncommon on a college campus.

My goal for the police department is to become the most progressive, innovative and professional campus police department in the country. I encourage you to use this guide to advocate for your own personal safety and to assist us in keeping UCF safe.

Charge On!



Chief Metzger

CAMPUS SECURITY & FIRE SAFETY STATISTICS

The Campus Security Act requires colleges and universities to:

- Publish an annual report by October 1 that contains three years of campus crime and fire statistics, certain campus security policies and fire prevention statements.
- Disclose crime statistics for campus, public areas immediately adjacent to or running through the campus, non-campus facilities and remote classrooms.
- Issue campus alerts to provide the campus community with information necessary to make informed decisions about their own health and safety.
- Publish on-campus housing fire statistics from the three most recent calendar years, and fire drills from the previous year.
- Compile, prepare and distribute this report by working with local law enforcement and other university officials who have significant responsibility for student and campus activities.

Members of the UCF community are encouraged to use this report as a guide for safe practices on and off campus. The Annual Security and Fire Safety Guide is published by the UCF Police Department and is available online at <http://police.ucf.edu/SafetyGuide/FSEC>. The Police Department policy requires campus crime data, relative to the Clery Act, be compiled and electronically submitted annually to the Department of Education. Crime statistics are gathered for properties owned or controlled by UCF that are used for institutional and educational purposes, as well as public property within or immediately adjacent to and accessible from the campus. This data is compiled through reports made to the UCF Police Department and other law enforcement agencies. For a printed copy of this report, please visit the UCF Police Department located at 3610 Libra Drive, Orlando, FL 32816, or one may be requested by contacting clery@ucf.edu.

UCF POLICE DEPARTMENT MISSION, VALUES, VISION & GOALS

MISSION

The University of Central Florida Police Department provides high-quality, professional crime prevention, protection, and law enforcement services to maintain and promote human safety and the security of property for the UCF campus and its associated locations. The Department facilitates the achievement of the academic, research, and public service mission of the university through its safety and security programs, the protection of individual rights, and reducing the fear of crime.

This mission is accomplished through the direct provision of traditional law enforcement and emergency services, and the design and delivery of proactive educational, outreach and crime prevention programs for a broad and diverse campus community. The UCF Police Department maintains excellent working relationships with local law enforcement agencies, including but not limited to the Altamonte Springs Police Department, Seminole County Sheriff's Office, Florida Highway Patrol and the Florida Department of Law Enforcement. Criminal activity at off campus locations involving student organizations officially recognized by UCF are monitored and recorded through local law enforcement agencies.

Additionally, the UCF Police Department provides services, develops programs, and trains its sworn and civilian staff members with sensitivity to the unique concerns of the university community. UCF police officers enforce federal laws, Florida state laws, local ordinances and institutional policies. Under the provisions of FSS 1012.97 UCF Police are declared to be law enforcement officers of the state and conservators of the peace and have the right to arrest, in accordance with the laws of this state, any person for violation of state law or applicable county or city ordinances when such violations occur on or within 1,000 feet of any property or facilities that are under the guidance, supervision, regulation, or control of the state university, a direct-

support organization of such university, or any other organization controlled by the state university, or when such violations occur within a specified jurisdictional area as agreed upon in a mutual aid agreement entered into with another law enforcement agency.

VALUES

In carrying out its stated mission, all members of the department strive to embrace the following core values:

- Accept responsibility for our actions.
- Exhibit respect for the individual.
- Maintain open lines of communication within the community and the department.
- Ensure fairness to those we serve and with whom we work.
- Demonstrate a commitment to excellence.
- Solve problems in the community.
- Demonstrate sensitivity to differing points of view.

VISION

The UCF Police Department will grow with the needs of an expanding metropolitan university. The UCF Police Department will augment services for commuting students and students residing on campus. Through continued documentation, review, and planning, the Department will be cognizant of services that are required by the university. Those services will be provided by a well-trained, well-equipped, and professional law enforcement department.

GOALS

- Increase police coverage for the university community by expanding programs currently offered and adding new services as required.
- Increase communications by routinely publishing information on crime prevention and awareness, and by providing educational programs to increase the community's knowledge and safety as it relates to police services.
- Meet the challenges of maintaining and improving law enforcement services by aggressively seeking, employing, and retaining high-quality law enforcement professionals.
- Continually train all officers to be knowledgeable of current laws and procedures.
- Ensure that the Department's members represent the constituency it serves and do not discriminate.
- Maintain and upgrade communications, alarm and surveillance systems, patrol vehicles, and other police equipment needed to effectively provide comprehensive police service.



UCF is committed to providing a safe working and learning environment, for the protection of all members of the University community and to ensure compliance with federal legislation. UCF has developed a Comprehensive Emergency Management Plan (CEMP), which outlines key operational responsibilities in the event of an emergency on campus. Emergency response and evacuation procedures are identified in the CEMP, and are to be followed in the event of a campus emergency. The CEMP identifies key emergency support responsibilities as coordinated with the appropriate UCF Departments, as well as local, State, and Federal agencies. The CEMP is available at www.emergency.ucf.edu. Additionally, Eastern Florida State College has an Emergency Management Response Plan that also provides evacuation procedures should you receive an emergency alert from their system. The Eastern Florida State College Emergency Response Plan is available at <http://www.easternflorida.edu/discover-efsc/documents/emergency-management-response-plan5-9-12.pdf>.

WHAT IS A UCF ALERT?

UCF Alert is a multimedia communication system that provides timely and accurate information about emergency situations that could impact the University and is activated primarily for life safety situations.

The UCF Police Department, Eastern Florida State College Administration, The UCF Department of Security and Emergency Management, and UCF Communications determine which communication tools will be used during an emergency. If these departments receive information about an immediate threat to the campus, they will confirm that a threat exists, determine the appropriate segment or segments of the campus community to receive the information, if the threat is limited to a certain building or segment, as well as determine the content of the notification and initiate some or all of the notification systems as described below. These entities work together to provide timely and accurate information to the UCF community. All incidents will be evaluated on a case-by-case basis to determine if a serious or ongoing threat to the community exists. For example, if an assault occurs between two students who have a disagreement, there may be no ongoing threat to other UCF community members and a UCF Alert would not be distributed. In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ongoing threat to distribute a UCF Alert to the community. Sex offenses will be considered on a case-by-case basis depending on when and where the incident occurred, when it was reported, the amount of information known by the UCF Police, and the determination of an ongoing threat to the UCF Community.

Officials at Florida Solar Energy Center will notify the UCF Police Department of a serious or ongoing threat via the UCF Police Department's Clery Hotline **407-823-0595**. UCF will immediately notify the campus community, upon the confirmation of a significant emergency or dangerous situation occurring on UCF's campuses, which involve an immediate threat to the health or safety of students, faculty, and staff so that they may take reasonable precautions for safety, unless the notification at that time will compromise efforts to contain the emergency. Only authorized personnel can operate, activate, or de-activate the UCF ALERT system. Each individual who has the authority to activate the UCF ALERT system has the responsibility of ensuring that it is activated primarily for life safety situations and is not used for routine notifications. Depending on the scale and type of emergency, some or all systems will be used for emergency notifications. The deactivation of the UCF ALERT system will be done in stages, depending on the scale and type of emergency. A large-scale emergency will require that some UCF Alert systems remain active until the entire UCF community is aware of its current status. For example: the UCF Emergency Home Page may be used to provide information to faculty and staff members and students after the campus has been deemed safe by the appropriate authority. Incidents which prompt a UCF Alert include, but are not limited to:

- Any of the Clery Reportable Crimes (murder and non-negligent manslaughter, negligent manslaughter, forcible sexual offenses, robbery, aggravated assault, burglary, motor vehicle theft and arson)
- An outbreak of a serious illness
- Approaching tornado, hurricane or other extreme weather condition
- Earthquake
- Gas leak
- Terrorist incident
- Armed intruder
- Bomb threat
- Civil unrest or rioting
- Explosion
- Nearby chemical or hazardous waste spill

UCF Alert features several communication tools, including emails, text messages, web updates, social media, sirens, and more (see full notification list below). These notification procedures are tested on an annual basis. These tests will be announced OR unannounced. In accordance with federal law, a summary of at least one test will be published on an annual basis.

At all times, the best source for official news and information is the UCF website www.ucf.edu. Members of the larger community, such as parents or campus neighbors can visit the UCF website to receive campus emergency information. The site will be updated during an emergency as information becomes available. Follow-up information pertaining to emergencies on campus will be

disseminated using some or all of the notification systems described below.

For questions about UCF Alert and how it is used, contact the UCF Department of Security and Emergency Management at 407-882-7111.

PRIMARY NOTIFICATIONS

These are the primary and immediate ways the campus community will be notified about an emergency on campus:

UCF Emergency Home Page (<http://ucf.edu>): The UCF home page will become the UCF Emergency home page during a major emergency and will provide updates, instruction, and information to the UCF community. The UCF Police Department command staff, the police supervisor on duty, the senior police dispatcher on duty, the UCF Department of Security and Emergency Management, and UCF Communications have the authority to create and send messages using this system.

Mass Notification System (Giant Voice and Speaker Sirens): There are indoor and outdoor sirens on campus. These sirens will produce a tone followed by a voice message. The UCF Police Department command staff, the police supervisor on duty, the senior police dispatcher on duty, and the UCF Department of Security and Emergency Management have the authority to create messages for this system. Police dispatchers, the UCF Department of Security and Emergency Management, and UCF Communications have the authority to send messages using this system.

SMS Text Messaging: If you did not opt out, you will receive emergency notification via a text message on your cellphone. The UCF Police Department command staff, the police supervisor on duty, the senior police dispatcher on duty, the UCF Department of Security and Emergency Management, and UCF Communications have the authority to create messages for this system. Police dispatchers and the UCF Department of Security and Emergency Management have the authority to send messages using this system.

Email: If you did not opt out, you will receive an email to any email account provided on your emergency contact information. If you do not have an email address, sign up for a free Knight's email account. The UCF Police Department command staff, the police supervisor on duty, the senior police dispatcher on duty, the UCF Department of Security and Emergency Management, and UCF Communications have the authority to create messages for this system. Police dispatchers, the UCF Department of Security and Emergency Management and UCF Communications have the authority to send messages using this system.

NOAA Weather Radios: UCF has National Oceanic and Atmospheric Administration (NOAA) programmable weather radios distributed throughout the campus. In the event of severe weather, these radios will automatically sound the appropriate warning message. The National Weather Service Forecast Office in Melbourne, FL creates the content and activates messages sent using this system.

SECONDARY NOTIFICATIONS

These are other options UCF may use to keep the campus community informed of current events regarding an emergency on campus. Individual or all systems will be used depending on the scale and size of the emergency.

UCF Main Phone Line (407-823-2000): Recorded messages of current events and instructions will be posted here. The UCF Police Department command staff, the police supervisor on duty, the senior police dispatcher on duty, the UCF Department of Security and Emergency Management, and UCF Communications have the authority to create messages for this system. The UCF Department of Security and Emergency Management and UCF Communications have the authority to send messages using this system.

Vehicle Public Address Speaker: When an isolated or targeted message may be required, University vehicles equipped with public address speakers (e.g. UCF Police vehicles) may utilize this method. The UCF Police Department command staff, the police supervisor on duty, the senior police dispatcher on duty, and the UCF Department of Security and Emergency Management have the authority to create messages for this system. Police officers and the UCF Department of Security and Emergency Management have the authority to send messages using this system.

Media Release or Press Conference: Depending on the nature and severity of the emergency, the local media may post breaking news or periodic updates regarding an emergency at UCF. The UCF Police Department command staff, the police supervisor on duty, the UCF Department of Security and Emergency Management, and UCF Communications have the authority to create messages and send messages using this system.

Radio (89.9 WUCF): Depending on the nature and severity of the emergency, WUCF and local radio news stations may carry live breaking news or periodic updates regarding an emergency on campus. Their websites may also carry live streaming audio, audio clips, or text updates. The UCF Police Department command staff, the police supervisor on duty, the senior police dispatcher on duty, the UCF Department of Security and Emergency Management, and UCF Communications have the authority to create messages for this system. The WUCF, director of radio and TV has the authority to send messages using this system.

Facebook: During an emergency official and consistent updates can be found on www.facebook.com/UCFPolice and www.facebook.com/UCF. The UCF Police Department command staff, the police supervisor on duty, the senior police dispatcher on duty, the UCF Department of Security and Emergency Management, and UCF Communications, have the authority to create messages for this system. UCF Communications has the authority to send messages using this system.

Twitter: Keep up with UCF news and receive emergency notifications through social media by following @UCF and @UCFPolice on Twitter. The UCF Police Department command staff, the police supervisor on duty, the senior police dispatcher on duty, the UCF Department of Security and Emergency Management, and UCF Communications, have the authority to create messages for this system. UCF Communications has the authority to send messages using this system.

WHAT SHOULD I DO WHEN I RECEIVE AN EMERGENCY NOTIFICATION?

This will depend on the message that you receive, where you are at the time and the emergency situation. If you are on campus and hear or received on the following, please obey these instructions:

Building Evacuation Procedures:

- Leave building immediately when an alarm sounds or if you are instructed to do so by authorized emergency personnel
- Notify others on your way out
- Turn off equipment
- Secure hazardous operations, if possible
- Take important personal items
- Close doors behind the last person out
- Walk quickly to the nearest safe exit
- Do not use elevators, unless authorized emergency personnel tell you to do so
- Do not re-enter the building until authorized emergency personnel give the “**All Clear**” signal
- Report any missing or trapped persons to authorized emergency personnel

- Move away from the building
- Go to your evacuation meeting site and sign in
- Notify emergency personnel if anyone is waiting for assistance

Even if you were not in your building when it was evacuated, go to your evacuation meeting site so someone can account for you.

If you are required to leave the building immediately but are unable to do so because of a physical disability, injury or obstruction:

- Go to the nearest area where there are no hazards, such as a stairwell
- Notify University Police at **911**
- Signal out the window to emergency responders, if possible
- Remain calm, responders will arrive
- Instructors and supervisors should be proactive and be aware of people who will need assistance.

Assisting Blind/Visually Impaired:

- Clearly announce the type of emergency
- Offer your arm for guidance
- Tell the person where you are going and alert him/her to obstacles along the way

Assisting Deaf/Hearing Impaired:

- Turn lights on and off to gain the person's attention
- Indicate directions with gestures or a written note

Assisting Mobility-Impaired/Wheelchair Users:

- Elevators should not be used to move people with disabilities
- Seek volunteers to assist students/personnel with physical disabilities to the nearest enclosed stairway or designated areas for rescue assistance
- One individual should remain with the person(s), if it can be done without unreasonable personal risk
- Others should advise emergency personnel of the location so that the evacuation can be completed
- If an imminent danger situation exists and the person requests assistance in evacuation before emergency personnel can arrive, assist in finding volunteers to evacuate the person per his/her instructions

SHELTER IN PLACE: WHAT IT MEANS TO SHELTER IN PLACE

Sheltering in place provides protection from external hazards, minimizes the chance of injury, and/or provides the time necessary to allow for a safe evacuation. This should be done by selecting a small, interior room if possible, with no or as few windows as possible. When authorities issue directives to shelter-in-place, do not walk outdoors, take refuge indoors immediately.

A shelter in place order may be issued for several reasons:

- Active shooter
- Severe weather
- Hazardous materials
- Civil unrest
- Hostage situation
- Or any situation where it is best for you to stay where you are to avoid any outside threat

When a shelter in place notification occurs:

- Remain CALM
- Faculty should recommend to students and others not to leave or to go outside

- If you are in dorm rooms, remain there
- Select a small interior room with no or few windows as possible
- Close and lock all windows, exterior doors, and any other openings that lead to the outside
- Stay away from all windows and doors
- Facilities Operations personnel or trained crisis coordinators should shut down all building ventilation fans and air conditioners, when and if appropriate
- If you are told there is danger of explosion, close the window shades, blinds, or curtains
- Select interior room(s) above the ground floor, with the fewest windows or air vents
- Room(s) should have adequate space for everyone to be able to sit down comfortably
- Avoid overcrowding by selecting several rooms when necessary.

For severe weather and civil unrest:

- Stay inside and move away from windows
- Close and lock all exterior doors and offices
- For extreme weather, relocate to lower levels in the building

For external chemical, biological or radiological incidents:

- Stay inside and move to an inner corridor or office
- Facilities Operations personnel or trained crisis coordinators may shut down all building ventilation fans and air conditioners, when necessary and appropriate
- Since many chemical agents are heavier than air, and tend to hold close to the ground move to higher levels of the building if possible to reduce the transfer of contaminated air from outside to inside
- Remain alert for instructions and updates as they become available from the emergency personnel and University administrators

VICTIM SERVICES

Our mission is to collaborate with and empower organizations and individuals to eliminate violence in our community through advocacy, education and training.

Victim advocates provide free, **CONFIDENTIAL** services and are available 24/7 to students, faculty, staff, and visitors. An advocate can be reached by calling our 24/7 crisis hotline at 407-823-1200 or by Texting 407-823-6868. Victim advocates are available to assist with a variety of issues arising as a direct result of a crime, violence, or abuse – with or without a police report.

SERVICES

- Crisis intervention
- Emotional support
- Reporting and disclosure options
- Personal advocacy
- Assistance filing injunctions for protection
- Safety planning
- Non-emergency campus medical appointments
- Referrals to on and off campus resources

Victim Services hosts special events and presentations to promote and educate the campus community, and to promote the awareness of sexual assault/sexual harassment, and other forcible and non-forcible sexual offenses, dating violence, stalking, and violence prevention and bystander intervention.

Additional information regarding services, events and programs offered by the UCF Victim Services

Department can be found by visiting the UCF Victim Services website at <http://victimservices.ucf.edu/>.

SEX OFFENSES

If you or someone you know has been directly impacted by sexual violence and you are unsure about reporting to the police, please contact an advocate via our 24/7 crisis hotline at 407-823-1200 or TEXT 407-823-6868. Victim advocates can provide immediate assistance and support, as well as offer specific options and resources.

Recommendations for Survivors of Sexual Violence

- Call the **24/7 HOTLINE at 407-823-1200 or TEXT 407-823-6868**.
- Consider filing a police report (*recommended but not required*).
- Do not change your clothing.
- Do not wash your body or clothes (*saving clothing items, sheets, etc. can provide important evidence even if you delay reporting or disclosing*).
- Do not alter/change the scene of the crime.
- Address health concerns as soon as possible (*advocates can assist with related medical appointments on campus or off campus at the UCF Health Center 407-823-3850, or the local Sexual Assault Treatment Center 407-254-9415*).
- Victim advocates will assist with notifying the UCF Police Department or local police if requested by the victim.
- Remember that support and assistance are only a phone call away.

Victim Services Contact Information

24/7 HOTLINE: 407-823-1200

TEXT 407-823-6868

12201 Research Parkway, Suite 450

Orlando, FL 32826

Main Office: 407-823-2425

Office Hours: Monday – Friday 8 a.m. to 4:30 p.m.

www.victimservices.ucf.edu

THE CAMPUS SEX CRIMES PREVENTION ACT

(Section 1601 of Public Law 106-386) is a federal law enacted on October 28, 2000, which provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campuses. To search for an offender by name, neighborhood, university, or email/IM please visit <http://offender.fdle.state.fl.us/offender/Search.jsp>. For more information, please visit <http://offender.fdle.state.fl.us/offender>, or contact the Florida Department of Law Enforcement at:

Florida Department of Law Enforcement (FDLE)

Missing Persons and Offender Registration

2331 Phillips Road

Tallahassee, FL 32308

1-888-357-7332

sexpred@fdle.state.fl.us

REPORTING CRIMINAL INCIDENTS & OTHER EMERGENCIES

All students, employees, and guests should promptly and accurately report crimes in progress, life and death situations, crashes with injuries, and other suspected emergencies or dangerous situations to 911. Dialing 911 on campus will contact the Cocoa Police Department. Specify your location if you are calling from a cellphone. Stay on the line until the dispatcher locates your jurisdiction and tells you to hang up. Campus Security will automatically be notified of the call. Campus Security may also be called directly at 321-403-5907, who will notify the UCF Police Department by calling the Clery Hotline at 407-823-0595.

In response to reports of criminal activity, potential emergencies, or dangerous situations on campus, UCF Police Department will take the required action by either dispatching an officer, or asking the caller to report to Cocoa Police Department headquarters or UCF Police Department headquarters to file an incident report. Incidents should be reported even when the victim of a crime elects to or is unable (physically/mentally) to make a report. UCF Police Department investigators will investigate a report when it is deemed appropriate. Reporting incidents is important to facilitate timely determination of the existence of a significant emergency or dangerous situation and assess for an emergency notification or timely warning notices to aid in the prevention of similar crimes. It also allows criminal offense information to be appropriately included in the annual disclosure of crime statistics.

All other police business (crimes over with, suspicious persons, questions, etc.) may be directed to the Cocoa Police Department at 321-639-7620, Campus Security at 321-403-5907, or the UCF Police Department at 407-823-5555. The UCF Police Department maintains a Daily Crime log, which is accessible to the public and can be viewed at <https://police.ucf.edu/crime-activity-log>.

VOLUNTARY CONFIDENTIAL REPORTING

UCF has several methods for individuals to report crimes and other serious incidents on a voluntary and confidential basis. If you are the victim of a crime and do not wish to pursue action within the University system or the criminal justice system, you may still want to consider making a confidential report to UCF Victim Services at 407-823-1200 or by Texting 407-823-6868. With such information, the University can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method or assailant, and alert the campus community of potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the University. Pastoral and professional counselors, when they deem appropriate, may or may not inform individuals of procedures to report crimes on a voluntary confidential basis.

SECURITY OF AND ACCESS TO UNIVERSITY FACILITIES

Many events held at the University facilities are open to the public. Other facilities, such as the bookstore, libraries, and cafeterias are also open to the public. Access to academic and administrative facilities on campus is generally open to students, employees, and visitors for the purpose of study, work, teaching, and conducting other University business during normal business hours. Security in academic and administrative facilities is conducted through routine security patrols by Campus Security, who does not have arrest powers.

MAINTENANCE OF CAMPUS FACILITIES

University facilities are well-maintained, and in the interest of students, faculty and staff security is given considerable attention. The Facilities Team works diligently to address physical security concerns such as

burned out lights or malfunctioning door locks so these issues are promptly repaired.

CAMPUS SAFETY ALERT/CRIME ALERT BULLETIN

The University relies upon its close working relationships with local law enforcement agencies to receive information about incidents involving UCF students. UCF police officers actively investigate any crime tip received. When notified of incidents that represent a serious and continuing threat to the campus community, a Campus Safety Alert or Crime Alert Bulletin is released detailing the incident and providing tips for others to avoid similar situations.

Incidents are assessed on a case by case basis for issuing a Crime Alert bulletin. Such factors as the nature of the crime and the continuing danger to the campus community are used to determine the need for a warning. Typically, Crime Alerts are issued for the following Uniformed Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) classifications: major incidents of arson, criminal homicide, and robbery. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by UCF Police Department.

SPECIALTY POLICE UNITS

K-9 Units: Assist in the detection of unwanted substances such as bomb materials or illegal drugs, and are state certified for tracking. A demonstration may be requested for your organization via the UCF Police Department website at <http://www.police.ucf.edu/K9demo.html>.

Investigators: Conduct follow-up investigations on police reports completed by the patrol division of the UCF Police Department.

Community Service Officers (CSOs): Highly trained, unarmed, non-sworn officers assigned to the Rosen College of Hospitality Management, the College of Medicine at Lake Nona, and the main campus. CSOs can take reports for misdemeanor crimes, provide escorts, and respond to injured or ill persons and other minor incidents.

Forensic Technicians: Document, photograph, and collect evidence at crime scenes, and are responsible for the proper management, maintenance and dissemination of all evidence, safekeeping of property, and lost and found property.

Law Enforcement Analysts: Develop tactical and strategic plans for addressing crime, developing and disseminating criminal intelligence bulletins, and supporting law enforcement investigative personnel with tasks associated with crime detection, such as crime mapping.

For more information on crime statistics on and near campus, go to <http://police.ucf.edu/SafetyGuide/FSEC/>.

CRIME PREVENTION & SECURITY AWARENESS SERVICES

SAFE ESCORT PATROL SERVICES (SEPS)

Under the supervision of the UCF Police Department, this service provides free safe passage for students, faculty and staff members, and visitors who need to cross the main campus after dark. Call 407-823-2424 Sunday through Thursday, 7 p.m. to 1 a.m. for an escort. After 1 a.m. call 407-823-5555 for a main campus escort. All SEPS personnel receive a full background check prior to becoming employed by the UCF Police Department.

OPERATION ID/PROPERTY REGISTRATION

The UCF Police Department offers free engraving of your driver license number on your valuables. This assists the Police Department in recovering property that is lost or stolen. Property registration, another

free service, provides students, faculty and staff members with a way to record the make, model, value, color and serial number of valuables into a Police Department database. Why would you want to do this? Theft is the number one crime that affects college students across America. Don't think it can't happen to you!

If you report theft of your property and you don't have the information that law enforcement needs to help you, the odds on getting your property back diminish. If you use the online property registration program that creates a description of your property and we get your serial number, the odds on the recovery is much higher.

The police enter your serial number into the national and state databases. Law enforcement agencies are now able to retrieve the information so that the stolen item may be recovered and returned to you. The information is kept for 4 years and is kept confidential, only accessible to law enforcement officers. This program is available 24 hours a day throughout the year and just takes minutes to do. Any item with a serial number, such as radios, TVs, computers and cell phones, are eligible.

To register your property, visit the UCF Police Department's website at <https://police.ucf.edu/property-registration>. You can also register your property on the UCF Mobile app, which can be downloaded at <https://ucfmobile.ucf.edu>. Once downloaded, open the app, select the "Safety" module, then "Crime Prevention," then "Property Registration." From there, you'll be directed to the website, where you can register your items.

ORIENTATIONS AND CRIME PREVENTION PROGRAMS

The UCF Police Department partners with the Office of First Year Experience to speak to students and their families about social behavior, crime prevention, and the services offered by the UCF Police Department. This is conducted during new student orientation. Students and parents receive information about preventing property crimes such as theft and vehicle burglaries, as well as self-defense classes. After the presentation, parents have the ability to speak to UCF police officers one-on-one regarding crime and crime prevention.

UCF's employees are the University's greatest assets against crime. In partnership with the Human Resources Department, a UCF Police Department Community Partnership officer speaks at all new employee orientations about crime prevention and keeping our campus safe. Employees are asked to report suspicious people to the UCF Police Department, as well as assist students who are in need of the police or medical attention.

S.A.F.E.

Self-defense Awareness and Familiarization Exchange (S.A.F.E.) is a two hour educational awareness, crime-victim prevention program. This class provides teenaged and adult women with strategies, techniques, and information that may reduce their risk of exposure to violence, as well as introduces them to the physical aspects of self-defense. S.A.F.E. classes are held once per month at the UCF Police Department and are free. Separate classes offered for private groups of eight to 20 women and can be held in a private room on campus. Please schedule private groups three weeks in advance.

PHYSICAL SECURITY ANALYSIS

UCF Police Department Community Partnership officers are state-certified crime prevention practitioners who provide evaluations of buildings and departments on campus to help make the campus a safer environment. Departments can request an evaluation by calling the Community Partnership Unit during normal business hours Monday through Friday.

OTHER SERVICES

- What if...? – Community Partnership officer help students develop the thought process to identify their strengths and weaknesses in emergency situations.
- Basic Vehicle Maintenance: Do you know where your dip stick is? Could you change the tire if it went flat? We're here to help you learn the basics of vehicle maintenance.
- Q & A Sessions – Have you always wondered why police use so many lights on a vehicle stopped for

a traffic violation? Or maybe you have a relative who needs help with a stalker. This is your chance to ask questions that an officer may be able to help you with. Just ask!

- Spring Break – Suggestions to keep you safe while traveling.
- Identity Theft – Learn how to protect yourself from becoming a victim of ID theft and learn how to identify some of the latest scams.
- Criminal Justice for Beginners – Learn the basics of what happens when someone is arrested and booked into jail.
- Digital Safety and Awareness – Learn how to protect yourself while using various social network programs online.
- Shots Fired – In conjunction with the UCF Department of Security and Emergency Management, suggestions are discussed for dealing with an active shooter.
- Concealed Weapons – Brief overview on laws regarding concealed firearms and concealed weapons both on and off campus.

For more information regarding these programs and services, or to register for a S.A.F.E. class, individuals may contact the UCF Police Department Community Partnership Unit at 407-823-3224. Some programs require a three-week advance in scheduling. Interviews are by appointment only.

THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013 (VAWA)

The University of Central Florida is committed to maintaining a safe and nondiscriminatory learning, living and working environment for all students, employees, registered student organizations, DSOs, and third-parties. These commitments are informed by state and federal law, including Title IX of the Education Amendments of 1972 and the Violence Against Women Reauthorization Act of 2013. All members of the university community are responsible for the maintenance of an environment in which people are free to learn and work without fear of discrimination, discriminatory harassment, or retaliation.

The university does not discriminate in any of its education or employment programs and activities on the basis of sex. Prohibited forms of sex-based discrimination include sexual harassment, sexual violence, domestic violence, dating violence, and stalking. In alignment with its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community, the university informs the community of its comprehensive plan to address reports of sex-based discrimination and sexual misconduct, including educational programs and procedures to respond to reports of sexual assault, domestic violence, dating violence, and stalking reported to university officials, whether the incident occurs on or off campus.

The university has a website dedicated to the prevention of sexual misconduct, which includes campus policies, programs and prevention strategies, reporting options, and information regarding on-and off campus resources. The website address is www.letsbeclear.ucf.edu.

For a complete copy of UCF's policy governing student-related domestic violence, dating violence, sexual assault, and stalking, visit <http://goldenrule.sdes.ucf.edu>.

For a complete copy of UCF's policy statement governing employee related sexual misconduct (and related policies, procedures and statements from the administration), visit <http://policies.ucf.edu/documents/2-004.1ProhibitionOfDiscriminationHarassmentAndRelatedInterpersonalViolence.pdf>.

University Definitions

There are numerous terms used by University of Central Florida in our policies and procedures. Because both employees and students can complain of sexual misconduct and can navigate both on campus administrative resolution processes as well as a criminal resolution process, UCF is providing definitions of terms under the Rules of Conduct, in the Golden Rule Student Handbook as well as definitions from the Department of Education, the Equal Employment Opportunity Commission, and the Florida Commission for Human Rights.

Questions regarding any terms used in this document related to sexual misconduct should be directed to UCF's Title IX Coordinator, Human Resources, or the Office of Student Rights and Responsibilities.

A complainant is an individual who discloses having been subjected to any prohibited conduct under university policy (including sexual assault/misconduct, sexual exploitation, relationship violence, stalking, sexual or gender-based harassment, retaliation), regardless of whether that person makes a report or seeks action under the policy.

A respondent is any individual or group who has been accused of sexual assault/misconduct, sexual exploitation, relationship violence, stalking, sexual or gender-based harassment, or retaliation, or other forms of prohibited conduct under university policy.

Consent, as defined by the Rules of Conduct in the Golden Rule Student Handbook, is an understandable exchange of affirmative words or actions, which indicate a willingness to participate in mutually agreed upon sexual activity. Consent cannot be obtained by force, threat, coercion, manipulation, reasonable fear of injury, intimidation, use of position of influence, or through the use of one's mental or physical helplessness or incapacity. The lack of a negative response, lack of protest or resistance, silence and passivity are not consent. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Past consent to sexual activity does not imply ongoing future consent.

Incapacitation is a state where an individual cannot make rational, reasonable decisions because of age, mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated due to the consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition. A person who is incapacitated lacks the capacity to give consent because they cannot understand the facts, nature, or extent of the sexual interaction.

Preponderance of Evidence means that evidence, considered as a whole, shows that the fact sought to be proved is more probable than not. This is the standard used in adjudicating all disciplinary cases within the Student Conduct Review Process and within Title IX investigations.

Sexual assault as defined by UCF Policy 2-004.1 *Prohibition of Discrimination, Harassment and Related Interpersonal Violence* consists of sexual contact that occurs without consent. Sexual contact includes but is not limited to the following behaviors:

1. touching, kissing, fondling (whether over or under clothing) of an individual for the purpose of sexual gratification; and/or
2. contact, however slight, between the mouth, anus, or sex organ of one individual with either the anus or sex organ of another individual; and/or
3. contact, however slight, between the anus or sex organ of one individual and any other object.

In the Rules of Conduct in the Golden Rule Student Handbook, unlawful sexual activity with certain minors is defined as attempting to commit by solicitation sexual acts with a minor by oral, written, or electronic means.

Sexual exploitation as defined by UCF Policy 2-004.1 *Prohibition of Discrimination, Harassment and Related Interpersonal Violence* and by the Rules of Conduct in the Golden Rule Student Handbook, is purposely or knowingly doing or attempting to do any of the following:

- Recording or photographing private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
- Disseminating or posting images of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts, or buttocks) without consent;
- Allowing third-parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or livestreaming of images);
- Subjecting another person to human trafficking; or
- Exposing another person to a sexually transmitted infection or virus without the other's knowledge.

Relationship violence, as defined by UCF Policy 2-004.1 *Prohibition of Discrimination, Harassment and Related Interpersonal Violence* and by the Rules of Conduct in the Golden Rule Student Handbook, includes any act of violence or threatened act of violence that occurs between individuals who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship. Relationship violence may include any form of prohibited conduct under this Policy, including sexual assault, stalking, and physical assault. Relationship violence may involve a pattern of behavior used to establish power and control over another person through fear and intimidation or may involve one-time conduct. A pattern of behavior is typically determined based on the repeated use of words and/or actions and inactions in order to demean, intimidate, and/or control another person. This behavior can be verbal, emotional, and/or physical and may be directed towards the former partner, their property, or other individuals. Examples of relationship violence may include, but are not limited to:

- Slapping;
- Pulling hair;
- Punching;
- Damaging another person's property;
- Driving recklessly to scare someone;
- Name calling;
- Humiliating another person in public;
- Harassment directed toward a current or former partner or spouse;
- and/or
- Threats of abuse such as threatening to hit, harm, or use a weapon on another (whether complainant or acquaintance, friend, or family member of the complainant), or other forms of verbal threats.

Stalking as defined by UCF Policy 2-004.1 *Prohibition of Discrimination, Harassment and Related Interpersonal Violence* and by the Rules of Conduct in the Golden Rule Student Handbook, occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear for the person's safety or the safety of others, or to experience substantial emotional distress. Stalking includes "cyber-stalking," a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, phones, texts, or other similar devices or forms of contact. Stalking may include, but is not limited to:

- Non-consensual communications (face-to-face, telephone, email);
- Threatening or obscene gestures;
- Surveillance/following/pursuit;
- Showing up outside the targeted individual's classroom or workplace;
- Sending gifts and/or notes (romantic, bizarre, sinister, or perverted); and/or
- Making threats.

Federal and Florida Statute Definitions

Sexual Assault

"Sexual assault" is defined by the Department of Education as an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape is defined as 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.

Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest is defined as nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape is defined as nonforcible sexual intercourse with a person who is under the statutory age of consent.

Rape and sexual assault are called “Sexual Battery” under Florida criminal law.

Fla. Stat. § 794.011 Sexual battery.

(1) As used in this chapter:

(a) “Consent” means intelligent, knowing, and voluntary consent and does not include coerced submission. “Consent” shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender.

(b) “Mentally defective” means a mental disease or defect which renders a person temporarily or permanently incapable of appraising the nature of his or her conduct.

(c) “Mentally incapacitated” means temporarily incapable of appraising or controlling a person’s own conduct due to the influence of a narcotic, anesthetic, or intoxicating substance administered without his or her consent or due to any other act committed upon that person without his or her consent.

(d) “Offender” means a person accused of a sexual offense in violation of a provision of this chapter.

(e) “Physically helpless” means unconscious, asleep, or for any other reason physically unable to communicate unwillingness to an act.

(f) “Retaliation” includes, but is not limited to, threats of future physical punishment, kidnapping, false imprisonment or forcible confinement, or extortion.

(g) “Serious personal injury” means great bodily harm or pain, permanent disability, or permanent disfigurement.

(h) “Sexual battery” means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.

(i) “Victim” means a person who has been the object of a sexual offense.

(j) “Physically incapacitated” means bodily impaired or handicapped and substantially limited in ability to resist or flee.

(2)(a) A person 18 years of age or older who commits sexual battery upon, or in an attempt to commit sexual battery injures the sexual organs of, a person less than 12 years of age commits a capital felony, punishable as provided in ss. 775.082 and 921.141.

(b) A person less than 18 years of age who commits sexual battery upon, or in an attempt to commit sexual battery injures the sexual organs of, a person less than 12 years of age commits a life felony, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.

(3) A person who commits sexual battery upon a person 12 years of age or older, without that person’s consent, and in the process thereof uses or threatens to use a deadly weapon or uses actual physical force likely to cause serious personal injury commits a life felony, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.

(4)(a) A person 18 years of age or older who commits sexual battery upon a person 12 years of age or older but younger than 18 years of age without that person’s consent, under any of the circumstances listed in paragraph (e), commits a felony of the first degree, punishable by a term of years not exceeding life or as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.

(b) A person 18 years of age or older who commits sexual battery upon a person 18 years of age or older without that person’s consent, under any of the circumstances listed in paragraph (e), commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.

(c) A person younger than 18 years of age who commits sexual battery upon a person 12 years of age or older without that person’s consent, under any of the circumstances listed in paragraph (e), commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.

(d) A person commits a felony of the first degree, punishable by a term of years not exceeding life or as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115 if the person commits sexual battery upon a person 12 years of age or older without that person’s consent, under any of the circumstances listed in

paragraph (e), and such person was previously convicted of a violation of:

1. Section 787.01(2) or s. 787.02(2) when the violation involved a victim who was a minor and, in the course of committing that violation, the defendant committed against the minor a sexual battery under this chapter or a lewd act under s. 800.04 or s. 847.0135(5);
2. Section 787.01(3)(a)2. or 3.;
3. Section 787.02(3)(a)2. or 3.;
4. Section 800.04;
5. Section 825.1025;
6. Section 847.0135(5); or
7. This chapter, excluding subsection (10) of this section.

(e) The following circumstances apply to paragraphs (a)-(d):

1. The victim is physically helpless to resist.
2. The offender coerces the victim to submit by threatening to use force or violence likely to cause serious personal injury on the victim, and the victim reasonably believes that the offender has the present ability to execute the threat.
3. The offender coerces the victim to submit by threatening to retaliate against the victim, or any other person, and the victim reasonably believes that the offender has the ability to execute the threat in the future.
4. The offender, without the prior knowledge or consent of the victim, administers or has knowledge of someone else administering to the victim any narcotic, anesthetic, or other intoxicating substance that mentally or physically incapacitates the victim.
5. The victim is mentally defective, and the offender has reason to believe this or has actual knowledge of this fact.
6. The victim is physically incapacitated.
7. The offender is a law enforcement officer, correctional officer, or correctional probation officer as defined in s. 943.10(1), (2), (3), (6), (7), (8), or (9), who is certified under s. 943.1395 or is an elected official exempt from such certification by virtue of s. 943.253, or any other person in a position of control or authority in a probation, community control, controlled release, detention, custodial, or similar setting, and such officer, official, or person is acting in such a manner as to lead the victim to reasonably believe that the offender is in a position of control or authority as an agent or employee of government.

(5)(a) A person 18 years of age or older who commits sexual battery upon a person 12 years of age or older but younger than 18 years of age, without that person's consent, and in the process does not use physical force and violence likely to cause serious personal injury commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.

(b) A person 18 years of age or older who commits sexual battery upon a person 18 years of age or older, without that person's consent, and in the process does not use physical force and violence likely to cause serious personal injury commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.

(c) A person younger than 18 years of age who commits sexual battery upon a person 12 years of age or older, without that person's consent, and in the process does not use physical force and violence likely to cause serious personal injury commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115.

(d) A person commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, s. 775.084, or s. 794.0115 if the person commits sexual battery upon a person 12 years of age or older, without that person's consent, and in the process does not use physical force and violence likely to cause serious personal injury and the person was previously convicted of a violation of:

1. Section 787.01(2) or s. 787.02(2) when the violation involved a victim who was a minor and, in the course of committing that violation, the defendant committed against the minor a sexual battery under this chapter or a lewd act under s. 800.04 or s. 847.0135(5);
2. Section 787.01(3)(a)2. or 3.;
3. Section 787.02(3)(a)2. or 3.;
4. Section 800.04;
5. Section 825.1025;
6. Section 847.0135(5); or
7. This chapter, excluding subsection (10) of this section.

- (6)(a) The offenses described in paragraphs (5)(a)-(c) are included in any sexual battery offense charged under subsection (3).
- (b) The offense described in paragraph (5)(a) is included in an offense charged under paragraph (4)(a).
- (c) The offense described in paragraph (5)(b) is included in an offense charged under paragraph (4)(b).
- (d) The offense described in paragraph (5)(c) is included in an offense charged under paragraph (4)(c).
- (e) The offense described in paragraph (5)(d) is included in an offense charged under paragraph (4)(d).
- (7) A person who is convicted of committing a sexual battery on or after October 1, 1992, is not eligible for basic gain-time under s. 944.275. This subsection may be cited as the “Junny Rios-Martinez, Jr. Act of 1992.”
- (8) Without regard to the willingness or consent of the victim, which is not a defense to prosecution under this subsection, a person who is in a position of familial or custodial authority to a person less than 18 years of age and who:
- (a) Solicits that person to engage in any act which would constitute sexual battery under paragraph (1)(h) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (b) Engages in any act with that person while the person is 12 years of age or older but younger than 18 years of age which constitutes sexual battery under paragraph (1)(h) commits a felony of the first degree, punishable by a term of years not exceeding life or as provided in s. 775.082, s. 775.083, or s. 775.084.
- (c) Engages in any act with that person while the person is less than 12 years of age which constitutes sexual battery under paragraph (1)(h), or in an attempt to commit sexual battery injures the sexual organs of such person commits a capital or life felony, punishable pursuant to subsection (2).
- (9) For prosecution under paragraph (4)(a), paragraph (4)(b), paragraph (4)(c), or paragraph (4)(d) which involves an offense committed under any of the circumstances listed in subparagraph (4)(e)7., acquiescence to a person reasonably believed by the victim to be in a position of authority or control does not constitute consent, and it is not a defense that the perpetrator was not actually in a position of control or authority if the circumstances were such as to lead the victim to reasonably believe that the person was in such a position.
- (10) A person who falsely accuses a person listed in subparagraph (4)(e)7. or other person in a position of control or authority as an agent or employee of government of violating paragraph (4)(a), paragraph (4)(b), paragraph (4)(c), or paragraph (4)(d) commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Fla. Stat. § 794.0115 Dangerous sexual felony offender; mandatory sentencing.

- (1) This section may be cited as the “Dangerous Sexual Felony Offender Act.”
- (2) Any person who is convicted of a violation of s. 787.025(2)(c); s. 794.011(2), (3), (4), (5), or (8); s. 800.04(4) or (5); s. 825.1025(2) or (3); s. 827.071(2), (3), or (4); or s. 847.0145; or of any similar offense under a former designation, which offense the person committed when he or she was 18 years of age or older, and the person:
- (a) Caused serious personal injury to the victim as a result of the commission of the offense;
- (b) Used or threatened to use a deadly weapon during the commission of the offense;
- (c) Victimized more than one person during the course of the criminal episode applicable to the offense;
- (d) Committed the offense while under the jurisdiction of a court for a felony offense under the laws of this state, for an offense that is a felony in another jurisdiction, or for an offense that would be a felony if that offense were committed in this state; or
- (e) Has previously been convicted of a violation of s. 787.025(2)(c); s. 794.011(2), (3), (4), (5), or (8); s. 800.04(4) or (5); s. 825.1025(2) or (3); s. 827.071(2), (3), or (4); s. 847.0145; of any offense under a former statutory designation which is similar in elements to an offense described in this paragraph; or of any offense that is a felony in another jurisdiction, or would be a felony if that offense were committed in this state, and which is similar in elements to an offense described in this paragraph, is a dangerous sexual felony offender, who must be sentenced to a mandatory minimum term of 25 years imprisonment up to, and including, life imprisonment.
- (3) “Serious personal injury” means great bodily harm or pain, permanent disability, or permanent disfigurement.
- (4) The offense described in subsection (2) which is being charged must have been committed after the date of commission of the last prior conviction for an offense that is a prior conviction described in paragraph (2)(e).
- (5) It is irrelevant that a factor listed in subsection (2) is an element of an offense described in that subsection. It is also irrelevant that such an offense was reclassified to a higher felony degree under s.

794.023 or any other law.

(6) Notwithstanding s. 775.082(3), chapter 958, any other law, or any interpretation or construction thereof, a person subject to sentencing under this section must be sentenced to the mandatory term of imprisonment provided under this section. If the mandatory minimum term of imprisonment imposed under this section exceeds the maximum sentence authorized under s. 775.082, s. 775.084, or chapter 921, the mandatory minimum term of imprisonment under this section must be imposed. If the mandatory minimum term of imprisonment under this section is less than the sentence that could be imposed under s. 775.082, s. 775.084, or chapter 921, the sentence imposed must include the mandatory minimum term of imprisonment under this section.

(7) A defendant sentenced to a mandatory minimum term of imprisonment under this section is not eligible for statutory gain-time under s. 944.275 or any form of discretionary early release, other than pardon or executive clemency, or conditional medical release under s. 947.149, before serving the minimum sentence.

Fla. Stat. § 794.02 Common-law presumption relating to age abolished.

The common-law rule “that a boy under 14 years of age is conclusively presumed to be incapable of committing the crime of rape” shall not be in force in this state.

Fla. Stat. § 794.021 Ignorance or belief as to victim’s age no defense.

When, in this chapter, the criminality of conduct depends upon the victim’s age being below a certain specified age, ignorance of the age is no defense. Neither shall misrepresentation of age by such person nor a bona fide belief that such person is over the specified age be a defense.

Fla. Stat. § 794.023 Sexual battery by multiple perpetrators; reclassification of offenses.

(1) The Legislature finds that an act of sexual battery, when committed by more than one person, presents a great danger to the public and is extremely offensive to civilized society. It is therefore the intent of the Legislature to reclassify offenses for acts of sexual battery committed by more than one person.

(2) A violation of s. 794.011 shall be reclassified as provided in this subsection if it is charged and proven by the prosecution that, during the same criminal transaction or episode, more than one person committed an act of sexual battery on the same victim.

(a) A felony of the second degree is reclassified to a felony of the first degree.

(b) A felony of the first degree is reclassified to a life felony.

This subsection does not apply to life felonies or capital felonies. For purposes of sentencing under chapter 921 and determining incentive gain-time eligibility under chapter 944, a felony offense that is reclassified under this subsection is ranked one level above the ranking under s. 921.0022 or s. 921.0023 of the offense committed.

Fla. Stat. § 794.05 Unlawful sexual activity with certain minors.

(1) A person 24 years of age or older who engages in sexual activity with a person 16 or 17 years of age commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. As used in this section, “sexual activity” means oral, anal, or vaginal penetration by, or union with, the sexual organ of another; however, sexual activity does not include an act done for a bona fide medical purpose.

(2) The provisions of this section do not apply to a person 16 or 17 years of age who has had the disabilities of nonage removed under chapter 743.

(3) The victim’s prior sexual conduct is not a relevant issue in a prosecution under this section.

(4) If an offense under this section directly results in the victim giving birth to a child, paternity of that child shall be established as described in chapter 742. If it is determined that the offender is the father of the child, the offender must pay child support pursuant to the child support guidelines described in chapter 61.

Domestic Violence

The Department of Education defines the term “domestic violence” to mean:

1) Felony or misdemeanor crimes of violence committed:

- (i) By a current or former spouse or intimate partner of the victim;
 - (ii) By a person with whom the victim shares a child in common;
 - (iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
 - (iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
 - (v) 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 in which the crime of violence occurred.
- 2) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Florida criminal law defines "domestic violence" as:

Fla. Stat. § 741.28 Domestic violence; definitions. As used in ss. [741.28-741.31](#):

- (1) "Department" means the Florida Department of Law Enforcement.
- (2) "Domestic violence" means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.
- (3) "Family or household member" means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.
- (4) "Law enforcement officer" means any person who is elected, appointed, or employed by any municipality or the state or any political subdivision thereof who meets the minimum qualifications established in s. [943.13](#) and is certified as a law enforcement officer under s. [943.1395](#).

Dating Violence

The Department of Education defines the term "dating violence" to mean violence committed by a person:

- 1) Who is or has been in a social relationship of a romantic or intimate nature with the victim and
- 2) The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition:
 - (i) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - (ii) Dating violence does not include acts covered under the definition of domestic violence.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

The State of Florida defines "dating violence" in criminal law as:

Fla. Stat. § 784.046 (1) (d) "Dating violence" means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:

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

The term does not include violence in a casual acquaintanceship or violence between individuals who only have engaged in ordinary fraternization in a business or social context.

Stalking

The Department of Education defines the “stalking” as:

- 1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - (i) Fear for the person’s safety or the safety of others; or
 - (ii) Suffer substantial emotional distress.
- 2) For the purposes of this definition:
 - (i) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
 - (ii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
 - (iii) Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.
- 3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

The State of Florida defines “stalking” in criminal law as:

Fla. Stat. § 784.048 Stalking; definitions; penalties.

- (1) As used in this section, the term:
 - (a) “Harass” means to engage in a course of conduct directed at a specific person which causes substantial emotional distress to that person and serves no legitimate purpose.
 - (b) “Course of conduct” means a pattern of conduct composed of a series of acts over a period of time, however short, which evidences a continuity of purpose. The term does not include constitutionally protected activity such as picketing or other organized protests.
 - (c) “Credible threat” means a verbal or nonverbal threat, or a combination of the two, including threats delivered by electronic communication or implied by a pattern of conduct, which places the person who is the target of the threat in reasonable fear for his or her safety or the safety of his or her family members or individuals closely associated with the person, and which is made with the apparent ability to carry out the threat to cause such harm. It is not necessary to prove that the person making the threat had the intent to actually carry out the threat. The present incarceration of the person making the threat is not a bar to prosecution under this section.
 - (d) “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.

Education and Prevention Programs

UCF engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

- Identifies domestic violence, dating violence, sexual assault, and stalking as prohibited conduct;
- Defines, using definitions provided both by the Department of Education as well as state law, what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- Defines what behavior and actions constitute consent to sexual activity in the State of Florida and the Rules of Conduct;
- Provides a description of safe and positive options for bystander intervention.

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking.

Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;

- Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- Provides an overview of information contained in the Annual Security and Fire Safety Guide in compliance with the Clery Act.

UCF has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students, participating in and presenting information and materials during new employee orientation, and ongoing awareness prevention programming and activities to all students and employees.

UCF offered the following primary prevention and awareness programs for all incoming students in 2017:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered?</u>
"Haven" (Undergraduate Students)	Year round Mandatory for all incoming undergraduate and graduate students	Online	Sexual Assault, Stalking, Domestic Violence, Dating Violence
"Haven Plus" (Graduate Students)	Year round Mandatory for all incoming undergraduate and graduate students	Online	Sexual Assault, Stalking, Domestic Violence, Dating Violence

UCF offered the following primary prevention and awareness programs for all new employees in 2017:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered?</u>
Actions to Prevent and Correct Discrimination	Year round	Online	Sexual Assault, Stalking, Domestic Violence, Dating Violence
Victim Services Information	Online	Online	Sexual Assault, Stalking, Domestic Violence, Dating Violence

UCF offered the following ongoing awareness and prevention programs for students in 2017:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered?</u>
It's On Us/Let's Be Clear Tabling, Don't	January 9, 10, 12, 17, 23,24, 30, 31	Ferrell Commons, Student Union,	Sexual Assault, Stalking, Domestic Violence, Dating

Just Stand There Bystander Workshop, Stalking and Human Trafficking awareness events		Memory Mall, Residence Halls	Violence
It's On Us/Let's Be Clear Tabling, Don't Just Stand There Bystander Workshop, IES Sex/Consent Talk, Greek Leadership Class, Escalation Workshop, PhotoVoice Workshop, Continuum Workshop, One Billion Rising	February 6, 7, 8, 13, 14, 15 16, 17, 21, 22, 23, 26, 27, 28	Ferrell Commons, Student Union, Memory Mall, Residence Halls, IES, Fraternity & Sorority Life, Lead Scholars Classroom	Sexual Assault, Stalking, Domestic Violence, Dating Violence
It's On Us/Let's Be Clear Tabling, Don't Just Stand There Bystander Workshop, IES Sex/Consent Talk, It's On Us Walk, Student Care Services Resource Scavenger Hunt, Take Back the Night, Green Dot Student Training, The Vagina Monologues	March 2, 7, 8, 20, 21, 22, 25, 26, 27, 29	Ferrell Commons, Student Union, Memory Mall, Residence Halls, IES, UCF Reflection Pond, Pegasus Ballroom	Sexual Assault, Stalking, Domestic Violence, Dating Violence
It's On Us/Let's Be Clear Tabling, Don't Just Stand There Bystander Workshop, Escalation Workshop, PhotoVoice Workshop, Green Dot Student Training, UCF Week of Action, OSRR Prize Ride, Sexual Assault Awareness, Demin Day	April 3, 5, 10, 11, 12, 13, 14, 17, 18, 26 **The Clothesline Project was displayed all month in April in the Student Union Atrium	Ferrell Commons, Student Union, Memory Mall, Residence Halls, Lead Scholars Classroom	Sexual Assault, Stalking, Domestic Violence, Dating Violence
It's On Us/Let's Be Clear Tabling, Orientation FTIC Training, Orientation	May 22, 24, 30	Ferrell Commons, Student Union, Memory Mall, Residence Halls	Sexual Assault, Stalking, Domestic Violence, Dating Violence

FTIC Presentation			
It's On Us/Let's Be Clear Tabling, Title IX Prevention. Orientation FTIC Presentation	June 1, 5, 8, 10, 12, 14, 19, 21, 27, 28	Ferrell Commons, Student Union, Memory Mall, Residence Halls Fraternity & Sorority Life Rm 415	Sexual Assault, Stalking, Domestic Violence, Dating Violence
It's On Us/Let's Be Clear Tabling, Continuum Workshop, Orientation FTIC Presentation, OSRR Title IX Overview	July 3, 5, 10, 12, 17, 19, 27	Ferrell Commons, Student Union, Memory Mall, Residence Halls, LEAD Scholars	Sexual Assault, Stalking, Domestic Violence, Dating Violence
It's On Us/Let's Be Clear Tabling	August 16, 18, 22, 23, 29	Ferrell Commons, Student Union, Memory Mall, Residence Halls	Sexual Assault, Stalking, Domestic Violence, Dating Violence
Campus Safety Fair, It's On Us/Let's Be Clear Tabling, Monthly Interest Meeting	September 1, 5, 6, 19, 20, 26	Pegasus Ballroom, Ferrell Commons, Student Union, Memory Mall, Residence Halls, Classroom	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Hazing
It's On Us/Let's Be Clear Tabling, Don't Just Stand There Bystander Workshop, Escalation Workshop, UCF Week of Action, Monthly Interest Meeting, Light Up The Night, Healthy Relationship Bingo	October 2, 3, 4, 5, 10, 11, 12, 16, 17, 18, 19, 23, 24, 25, 26, 30, 31	Ferrell Commons, Student Union, Memory Mall, Residence Halls, Classroom	Sexual Assault, Stalking Domestic Violence, Dating Violence
It's On Us/Let's Be Clear Tabling, Escalation Workshop, Continuum Workshop, Monthly Interest Meeting, Open Mic Tabling, Sexual Assault Mock Trial	November 1, 3, 6, 13, 14, 15, 16, 19, 21	Ferrell Commons, Student Union, Memory Mall, Residence Halls, LEAD Scholars Classroom	Sexual Assault, Stalking, Domestic Violence, Dating Violence
It's On Us Tabling	Year round as requested		Sexual Assault, Stalking, Domestic Violence, Dating Violence
Academic Presentations and Workshops	Year round as requested	Campus locations as requested	Sexual Assault, Stalking Domestic Violence, Dating Violence

Green Dot Bystander Intervention Program	Year round as requested	Campus locations as requested	Sexual Assault, Stalking Domestic Violence, Dating Violence
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UCF offered the following ongoing awareness and prevention programs for employees in 2017:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered?</u>
SET Title IX Training, SDES Title IX Part I/II Training	February 7, 8, 27	Online, OSRR	Sexual Assault, Stalking, Domestic Violence, Dating Violence
SET Title IX Training, SDES Title IX Part I/II Training	March 2, 9	Online, OSRR	Sexual Assault, Stalking, Domestic Violence, Dating Violence
Orientation Team Training	April 11	Student Union, Classroom	Sexual Assault, Stalking, Domestic Violence, Dating Violence
Orientation Team Training, RA Title IX Training	May 9, 10	Student Union	Sexual Assault, Stalking, Domestic Violence, Dating Violence
OSI Title IX GA Training	June 6	Student Union	Sexual Assault, Stalking, Domestic Violence, Dating Violence
Green Dot Faculty/Staff Training	June 23	Student Union	Sexual Assault, Stalking Domestic Violence, Dating Violence

Procedures for Reporting a Complaint

UCF has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, financial aid, visa and immigration assistance, and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation, and working accommodations, if reasonably available. UCF will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the UCF Police Department, the Office of Institutional Equity, or local law enforcement. Students and employees should contact the Title IX Coordinator at Barbara Ying CMMS, Building 81, Suite 101, University of Central Florida Orlando, FL 32816 (407) 823-1336 <http://oie.ucf.edu/> to report incidents of sexual assault, domestic violence, dating violence, and/or stalking.

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at a certified Sexual Assault Treatment Center. The Florida Council Against Sexual Violence's (FCASV) Hotline Number, 1-800-956-7273, will route calls to local crisis centers and also UCF Victim Services Hotline 407-823-1200 should be contacted for immediate assistance in accessing services at the local Sexual Assault Treatment Center. The FCASV website also includes a search for local sexual violence treatment centers <http://www.fcasv.org/information/find-your-local-center>.

In Florida, evidence may be collected even if you chose not to make a report to law enforcement. Advocates are available 24 hours a day, 7 days a week to provide support and advocacy for survivors of sexual abuse. The UCF Police Department has trained Victim Services employees within the Police Department, who can also support victims of sexual and/or domestic abuse. The UCF Police Department can provide transportation

to the hospital whether or not the survivor wants to make an official report to law enforcement. Police are required to 1) assess information provided to them for purposes of determining if a Timely Warning (community alert) needs to be sent out; 2) determine if the crime statistic should be included in their annual count; and 3) notify the Title IX Coordinator, Office of Institutional Equity of the call, but a victim's personal identifying information would never be publically disclosed.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing, or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to UCF hearing boards/investigators or police. Although UCF strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and the victim has the right to decline involvement with the police. UCF will assist any victim with notifying local police if they so desire. The UCF Police Department works with the Orange County Sheriff's Office, the Seminole County Sheriff's Office, and the City of Orlando Police Department (see "Off-Campus Resource" section for contact information for these three local police departments.) to investigate crimes when deemed appropriate.

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, at Barbara Ying CMMS, Building 81, Suite 101, University of Central Florida Orlando, FL 32816 (407) 823-1336 <http://oie.ucf.edu/> or by visiting the UCF Police Department. UCF will work with the victim to provide resources, on campus, off campus or both, to include medical, health, counseling, advocacy, financial aid, legal assistance, and visa & immigration assistance to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to allegations of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on those found in violation of this policy.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, the individual nevertheless should consider speaking with the UCF Police Department or other law enforcement to preserve evidence in the event that the victim chooses to pursue charges at a later date.

If a report of sexual assault, stalking, dating violence, or domestic violence is reported to UCF, the following are the procedures that UCF will follow, as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

1. Depending on when the incident is reported (immediate vs delayed report), provide the victim/survivor with access to medical care if needed.
2. Assess immediate safety needs of the victim/survivor.
3. Assist the victim/survivor with contacting local police if the victim/survivor requests AND provide the victim/survivor with contact information for the local police department.
4. Provide the victim/survivor with referrals to on and off campus resources as required.
5. Assess need to implement interim or long-term measures to protect the victim/survivor, such as housing changes and/or changes in class schedules for students, changes in employment for faculty and staff, and/or "No Contact" directives between both parties for both students and employees.
6. Provide a "No trespass" directive to the accused party if deemed appropriate.
7. Provide written instructions to the victim/survivor on how to apply for Protective Order.

8. Provide a copy of UCF policies prohibiting sexual misconduct to the victim/survivor and inform the victim/survivor regarding timeframes for inquiry, investigation and resolution.
9. Inform the victim/survivor of the outcome of the investigation, whether or not the accused will be administratively charged, and inform the victim/survivor of the outcome of any hearing that may have taken place.
10. Provide information to the victim/survivor on how to preserve evidence.
11. Enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.

The standard of evidence used to determine responsibility is a preponderance of the evidence, which means that it is “more likely than not” that the sexual misconduct, dating violence, domestic violence, and/or stalking occurred. (50.1% likely to have occurred).

Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is to have occurred on or off campus, UCF will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options for reporting and resources. Rights and options are also available at <https://letsbeclear.ucf.edu/>.

Rights of Student and Employee Victims of Sexual Misconduct

Sexual misconduct is not tolerated at UCF. Reports of sexual misconduct, including, sexual harassment, sexual assault, dating and domestic violence, or stalking are taken seriously. It is important to UCF that victims are informed, protected, and respected. The following rights are afforded to any UCF student, staff, or faculty member who experiences sexual misconduct.

1. **CONFIDENTIALITY.** Identifying information of a victim will be protected as much as possible within legal requirements. See <https://letsbeclear.ucf.edu/> for more information regarding confidentiality requirements.
2. **TIMELY WARNINGS.** Any timely warning that is broadcast through UCF websites or emails for the safety of our community will not identify a victim by name.
3. **REPORTING OPTIONS.** The university encourages victims to file a report so that the university may investigate, take appropriate action to protect the victim and others from additional misconduct, and take appropriate action against the perpetrator. However, ultimately, it is the victim’s choice whether or not to report her or his victimization. At UCF, there are several offices to report an incident if you choose to do so. Reporting options are available at <https://letsbeclear.ucf.edu/>.
4. **NO CONTACT or PROTECTIVE ORDERS.** The University will honor any protective order that you may have acquired through the local courts. Please bring a copy of such a court order to the University Police Department for their information and enforcement. In addition, a UCF administrative no contact order may be issued by the Title IX coordinator, deputy Title IX coordinator, or Office of Student Conduct.
5. **REQUESTS FOR CHANGES.** You may request a change in academic setting (class or campus), on campus housing, or work assignment in order to be separated from the accused perpetrator. Such a request will be granted to the greatest extent possible. These requests should be made to the Title IX coordinator at 407-823-1336, Barbara Ying Center/CMMS (Building 81), Suite 101 University of Central Florida Orlando, FL 32816. Requested changes will be made as soon as alternative arrangements can reasonably be made and regardless of whether you choose to pursue an investigation into your incident.
6. **FAIR AND IMPARTIAL INVESTIGATION AND RESOLUTION.** You can expect a fair and just process as your complaint is handled. You can obtain more information about these processes by accessing 5.006 of the Student Rights and Responsibilities sections of the Golden Rule Student Handbook when the

perpetrator is a student; and if the perpetrator is a university employee, by accessing the discrimination grievance documents on the Office of Institutional Equity webpage at <http://oie.ucf.edu/>.

7. **RETALIATION CONCERNS.** Retaliation is strictly prohibited under UCF Policy 2-700 *Reporting Misconduct and Protection from Retaliation*. Retaliation means any adverse action taken against a person for making a good faith report of prohibited conduct or participating in or being a party to any proceeding under this Policy. Retaliation includes threatening, intimidating, harassing, coercing and any other conduct that would discourage a reasonable person from engaging in activity protected under this Policy. Retaliation may be present even where there is a finding of “no responsibility” on the allegations of prohibited conduct. Also, an individual may be found to have engaged in retaliation when they were not a party to the initial report of discrimination. Retaliation does not include good faith actions lawfully pursued in response to a report of prohibited conduct. Retaliation can include, but is not limited to, actions taken by the university, actions taken by one student against another student, actions taken by an employee against another employee or student, or actions taken by a third party against a student or employee.
8. **COMMUNITY RESOURCES.** The communities in which UCF campuses are located also offer resources to victims. Please see the Resources section on the <https://letsbeclear.ucf.edu/> Website for further information.

Injunctions

UCF complies with Florida law in recognizing orders of protection, which are called injunctions in Florida. There are five types of injunctions that differ based on the nature of the threat and the victim's relationship to the abuser. Injunctions are issued throughout the State of Florida.

Domestic Violence Injunctions

You may file a Domestic Violence Injunction if there has been an incident of violence and the Respondent is your spouse, former spouse, related to you by blood or marriage, living with you or has lived with you in the past, or is the other parent of your child(ren) whether you have been married or lived together.

Repeat Violence Injunctions

You may file a Repeat Violence Injunction if two or more incidents of violence have been committed against you or a member of your immediate family by another person. At least one of those acts of violence must have occurred within the last six months of filing a petition.

Sexual Violence Injunctions

You may file a Sexual Violence Injunction if there has been an incident of violence wherein a sexual act is committed or attempted. In order to receive an injunction, you must have reported the sexual violence to law enforcement and be cooperating in any resulting criminal proceeding.

Dating Violence Injunctions

You may file a Dating Violence Injunction if there has been an incident of violence between individuals who have had a continuing relationship of a romantic and intimate nature. The relationship must have existed within the past six months.

Stalking Violence Injunctions

You may file a Stalking Violence Injunction if someone purposely follows or harasses you repeatedly over a period of time for no legitimate reason.

Please refer to the Orange County Clerk of Court webpage for more information on the types of injunctions and the requirements for filing <https://www.myorangeclerk.com/Divisions/Family/Restraining-Orders>.

Any person who obtains an order of protection from Florida or any U.S. State should provide a copy to the UCF Police Department and the Title IX Coordinator, Office of Institutional Equity. A victim may then meet with Police and/or a victim advocate to develop a safety action plan, which is a plan for the UCF Police Department

and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, different parking arrangements, providing a different telephone number or email address, changing classroom or working locations, and/or allowing a student to complete assignments from home.

UCF examines, on a case-by-case basis, what specific needs are present and how best to accommodate those needs.

UCF cannot apply for a legal order of protection (injunction) on behalf of a victim. The victim is required to apply directly for these services and may obtain assistance in doing so from the UCF Police Department, another local law enforcement agency, or may go directly to the Orange County Courthouse located at 425 N. Orange Avenue Orlando, FL 32801 407-836-2000. Hours of operation are Monday through Friday from 7:30 am to 4:00 pm. If you are the victim of dating violence, domestic violence, sexual assault, or stalking and need an emergency injunction after hours, contact your local police department or if on campus, the UCF Police Department.

UCF may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent, university offices will work cooperatively to ensure that the victim's health, physical safety, work, and academic status are protected, pending the outcome of a formal university investigation of the complaint. For example, if reasonably available, a victim may be offered changes to academic, living, or working situations in addition to counseling, health services, financial aid, visa and immigration assistance, and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the victim (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20)). Further, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

UCF does not publish the name of crime victims nor house identifiable information regarding victims in UCF Police Department's Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by going to the Registrar's Office and making the request. Employees should contact Human Resources for assistance.

Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking

On-Campus

<u>Resource</u>	<u>Address/Location on Campus</u>	<u>Phone Number</u>
Campus Faith and Ministries	4145 Pyxis Lane, Suite 152-154 Orlando, FL 32816	407-823-5336
Counseling and Psychological Services	4090 Libra Drive Orlando, FL 32816	407-823-2811
Wellness and Health Promotion Services	12800 Gemini Blvd. S. Orlando, FL 32816	407-823-5841
UCF Global	4356 Scorpius Street Building GB 139 Orlando, FL 32816-0130	407-823-2337
Multicultural Academic & Support Services	12715 Pegasus Drive, Suite 154 Orlando, FL 32816	407-823-2716
Office of Diversity and Inclusion	12701 Scholarship Drive Orlando, FL 32816	407-823-6479

Office of Student Conduct	4145 Pyxis Lane, Suite 227 Orlando, FL 32816	407-823-4638
Office of Student Financial Assistance	4365 Andromeda Loop, N, Rm. 107 Orlando, FL 32816	407-823-2827
Office of Student Rights and Responsibilities	4145 Pyxis Lane, Suite 227 Orlando, FL 32816	407-823-4638
Office of the Title IX Coordinator	12701 Scholarship Drive, Suite 101 Orlando, FL 32816	407-823-1336
Student Care Services	4515 Pyxis Lane, Suite 138 Orlando, FL 32816	407-823-5607
UCF CARES	4515 Pyxis Lane, Suite 138 Orlando, FL 32816	407-823-5607
Student Health Services	4098 Libra Drive Orlando, FL 32816	407-823-2701
University Police	3610 Libra Drive Orlando FL 32816	Non-emergency: 407-823-5555 Emergency: 911
Victim Services – Main Office M-F 8 AM – 4:30 PM	12201 Research Parkway, Suite 450 Orlando, FL 32826	Main: 407-823-2425 24/7 HOTLINE: 407-823-1200 TEXT: 407-823-6868
Victim Services Outreach Office M-F 9 AM – 4:00 PM	12795 Aquarius Agora Drive, Suite 108 Orlando, FL 32816	407-823-1116 24/7 HOTLINE: 407-823-1200 TEXT: 407-823-6868

Off-Campus

<u>Resource</u>	<u>Address/Location off Campus</u>	<u>Phone Number</u>
Counseling and Mental Health Mental Health Association of Central Florida	1525 E Robinson Street Orlando, FL 32801	407-898-0110
Florida Hospital East	7727 Lake Underhill Road Orlando, FL 32822	407-303-8110
Harbor House of Central Florida (DV Shelter, Orange County)	PO Box 680748 Orlando, FL 32868	Hotline: 407-886-2856
Help Now of Osceola Inc. (DV Shelter, Osceola Co.)	PO Box 420370 Kissimmee, FL 32742-0370	Hotline: 407-847-8562
Legal Aid Society of Orange County Bar Association, Lawyer Referral Service	100 E. Robinson St Orlando, FL 32801	407-841-8310
Orange County Courthouse	425 North Orange Avenue Orlando, FL 32801	407-836-2000
Orange County Courthouse Restraining Orders, Harbor House Office	425 North Orange Avenue Orlando, FL 32801	407-836-2001

Orange County Sheriff's Office	2500 West Colonial Drive Orlando, FL 32804	407-254-7000
Osceola County Court (injunctions for protection)	2 Courthouse Square Kissimmee, FL 34741	407-742-3500
Osceola County Sheriff's Office	2601 E. Irlo Bronson Memorial Hwy Kissimmee, FL 34744	407-348-1100
Safehouse of Seminole (DV Shelter Seminole County)	PO Box 471279 Lake Monroe, FL 32747-1279	Hotline: 407-330-3933
Seminole County Courthouse (Injunctions for Protection)	301 N. Park Avenue Sanford, FL 32772	407-665-4580
Seminole County Sheriff's Office	100 Bush Blvd. Sanford, FL 32773	407-665- 6600
Sexual Assault Treatment Center Orange County	Undisclosed Location, must call hotline first.	Hotline: 407-497-6701
Sexual Assault Treatment Center, Osceola County	Undisclosed location must call hotline first	Hotline: 407-497-6701
Sexual Assault Treatment Center, Seminole County	Confidential Location, must call hotline first	Hotline: 407-497-6701
Women's Center (Brevard County) – Includes referrals to Sexual Assault Treatment Center	1425 Aurora Road Melbourne, FL 32935	Hotline: 321-784- 4357
The LGBT Center of Central Florida	946 N. Mills Avenue Orlando, FL 32803	407-228-8272
Victim Service Center of Central Florida	2111 E Michigan Street, Suite. 210 Orlando, FL 32806	407-254-9415
Zebra Coalition (services for LGBT+ youth age 13-24)	911 N Mills Avenue Orlando, FL 32803	407-228-1446

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

- www.letsbeclear.ucf.edu – UCF website dedicated to preventing sexual misconduct
- <http://www.rainn.org> – Rape, Abuse and Incest National Network
- <https://www.justice.gov/ovw/sexual-assault> - Department of Justice
- <http://www2.ed.gov/about/offices/list/ocr/index.html> - Department of Education, Office of Civil Rights
- <https://www.notalone.gov/> The Department of Justice
- <http://changingourcampus.org/> Center for Changing Our Campus Culture

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the

choice to intervene, speak up, or do something about it.”¹ We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list² of some ways to be an active bystander. Further information regarding bystander intervention may be found on the UCF website <https://letsbeclear.ucf.edu/>. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

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

Risk Reduction

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

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don’t know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn’t the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cash money.
7. **Don’t allow yourself to be isolated** with someone you don’t trust or someone you don’t know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don’t leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you’ve left your drink alone, just get a new one.
12. **Don’t accept drinks from people you don’t know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don’t drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa**. If a friend seems out of it, is way too intoxicated for the amount of alcohol they’ve had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.)**. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - a. **Remember that being in this situation is not your fault**. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - b. **Be true to yourself**. Don’t feel obligated to do anything you don’t want to do. "I don’t want to" is

¹ Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles, 60*, 779-792.

² Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse

always a good enough reason. Do what feels right to you and what you are comfortable with.

- c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
- d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.

16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

Investigative Procedures

The following information summarizes the general procedures used by OIE to respond to and investigate allegations of sexual assault, domestic violence, dating violence, and stalking. Investigative procedures are found in the *Golden Rule Student Handbook* (if the Respondent is a student) or in OIE's investigation procedures (if the Respondent is an employee).

The Office of Institutional Equity (OIE) is responsible for administrative investigation into allegations of sexual assault, domestic violence, dating violence and stalking when the Respondent is a UCF student, employee, Direct Service Organization (DSO), or third parties in certain circumstances. Complainants, Respondents, and witnesses have the right to have one support person/advisor of their choice accompany them to any meeting with OIE related to a report or investigation. Complainants also have the right to file an external complaint with an applicable state or federal agency. All records pertaining to investigations in these matters are maintained by OIE. The privacy of investigative records is governed by Florida Statute 119, the Family Educational Rights and Privacy Act of 1974 (FERPA), and other applicable University recordkeeping policies.

Investigations are conducted by individuals who have received specialized training in these types of investigations on an annual basis. All investigations are conducted in a thorough, fair, neutral and impartial manner. The University strives to conclude each Title IX investigation (including the student conduct review process) within 60 calendar days. For various reasons, this may not be feasible. The University reserves the right to extend investigations beyond this timeframe based on various circumstances (i.e., breaks between academic semesters, holidays, emergency University closings, compliance of involved parties, etc.).

The following are the steps taken by OIE when a report is received:

1. OIE will notify the Remedial and Protective Measures Designee who will contact the Complainant to discuss interim remedial and protective measures, support resources, and reporting options.
2. OIE will review any report made to its office to determine whether OIE has jurisdiction to investigate. If not, OIE will advise the reporting person and will not investigate any further.
3. OIE will contact the Complainant to discuss their rights and options. OIE will interview the complainant about the incident(s) and review relevant documentation provided by the complainant.
 - a. If the Complainant requests an investigation following the Complainant's substantive interview, OIE will then conduct an assessment of the merits of the allegation to determine whether the conduct at issue, if it occurred as alleged, would constitute a violation of University policies or regulations. To make this determination, OIE's analysis is guided by state and federal law. If OIE determines that the conduct would not violate University policies and procedures even if all the allegations are credited, OIE will advise the Complainant of its determination and will not undertake further investigation. OIE may notify other individuals (including the Respondent) or offices within the University of the reported allegations in order to mitigate the impacts of any potentially discriminatory conduct. If, based on the allegations, OIE determines that the alleged conduct may violate University policies or regulations, the investigation will proceed as follows.

- b. If the complainant does not respond to OIE's outreach, responds and indicates a desire to not participate in the University's investigative process, or responds and requests that an investigation not be conducted, the OIE's staff will consult with the Title IX Coordinator regarding whether Title IX requires the University to continue with the investigation despite the complainant's decision to not participate in the process or request that an investigation not be conducted. In this regard, OIE and the Title IX Coordinator will consider the reasons for the nonparticipation or request, including concerns about continued safety of the person reportedly harmed and members of the campus community. OIE and the Title IX Coordinator also must balance considerations about the continued health and safety of members of the community against a complainant's desire not to have the report investigated. In cases when a complainant does not want to have a report investigated, but OIE has concerns that not taking formal or informal action might endanger the health or safety of members of the campus community, OIE may initiate private consultation with appropriate individuals to analyze the situation and assist in determining appropriate measures to take. Consultation may occur with the Deputy Title IX Coordinators, Director of OIE, Associate Vice President and Dean of Students, Students of Concern Team, UCF Police, licensed psychological health professional, Executive Director of Housing and Residence Life, Chief HR Officer, Director of the Office of Student Conduct and/or General Counsel. The University may need to proceed with investigating and adjudicating the case regardless of the wishes of the complainant in those cases whereby the situation is determined to pose a significant danger to the University community, including, but not limited to: cases involving significant violence, cases in which the University has reason to believe that the Respondent has harmed more than one individual, or cases in which there is deemed to be a threat to the campus community. The Title IX Coordinator will make the ultimate decision about whether to move forward with an investigation or respond to the report in another manner. It is important to note that a Complainant's request for anonymity and/or inaction may hinder or limit a response by the University.
4. Title IX Investigators and/or the Title IX Coordinator will notify the Respondent of the investigation. The Remedial and Protective Measures Designee will contact the Respondent to discuss interim remedial and protective measures, support resources, and information regarding the University's investigative process.
5. The Title IX Investigators and/or the Title IX Coordinator will conduct individual interviews with the Complainant, Respondent, and witness(es) (if applicable), and collect all relevant evidence. The Complainant or the Respondent will not be permitted to participate in each other's interview process. All interviews will be recorded in written form and each party will be provided with the opportunity to review their respective interview summaries to ensure accuracy and provide any additional information.
6. Both the Complainant and Respondent are permitted to have an advisor or support person of their choosing accompany them throughout the entire process. None of these parties can also serve as a witness. No other parties may be present for the investigative interviews and meetings with OIE.
7. Persons requiring a reasonable accommodation based on disability throughout the process must alert the Title IX Investigator or Title IX Coordinator of their need/request prior to the start of any meeting with supporting documentation.
8. Both the Complainant and Respondent will have equal access to review and comment upon any information independently developed during the university investigation process from their interviews prior to a final investigative report being submitted by the Title IX Investigator(s)/Title IX Coordinator to the Deputy Title IX Coordinator for Students.
9. *If the Respondent is a student:* At the conclusion of the investigation, the Title IX Investigator(s)/Title IX Coordinator will submit a final investigative report, which will summarize all interviews and relevant information (as determined by the Title IX Investigator(s)/Title IX Coordinator) and set forth the investigator's factual findings to the Deputy Title IX Coordinator for Students. Both the Complainant and Respondent have the right to file a response to the investigative report with OIE.
10. *If the Respondent is an employee:* OIE will notify the parties of its findings in writing at the conclusion of its investigation (Investigative Report). OIE also will notify the Office of the President, Provost or appropriate Vice President, and any other individual or office that may need to know the information.

Both the Complainant and Respondent have the right to file a response to the investigative report with OIE.

Rights of Students and Employees Accused of Sexual Misconduct

If you have been accused of sexual misconduct including sexual harassment, sexual assault, dating or domestic violence, or stalking, and the university is determining whether disciplinary action is appropriate, you have certain rights.

1. **CHARGES.** You have the right to be notified of the charges against you. You will be notified in writing and will be provided a copy of the complaint against you.
2. **PROMPT, FAIR, AND IMPARTIAL INVESTIGATION.** You have the right to a prompt, fair, and impartial investigation of the complaint against you, including an opportunity to present witnesses and other evidence. You may present documents, the names of witnesses, and other evidence to the investigator(s). The investigator(s) may also interview other witnesses and consider other evidence.
3. **ADVISOR.** You have the right to select an advisor to support and accompany you at all times throughout the university proceedings. The advisor may support you, but may not represent you or speak for you. You may contact the Title IX coordinator or the Office of Student Conduct if you have procedural questions or concerns during any stage of the process.
4. **STANDARD OF EVIDENCE.** The standard of evidence that is applied is called a “preponderance of the evidence,” meaning you will only be considered responsible for sexual misconduct if the evidence shows that you more likely than not committed the violation. Less evidence is required under this standard than under the “beyond a reasonable doubt” standard that would be used if you are also criminally charged for sexual misconduct by law enforcement. However, at the complainant’s request, the university may take action to change a class assignment or working relationship, or issue a campus protective order, so that you will be separated from the complainant to the greatest extent possible. These actions will not be considered in determining whether you are responsible for the alleged sexual misconduct, and will not prejudice you under that process.
5. **SANCTIONS.** You have the right to know the potential sanctions that may be imposed if you are found responsible for sexual misconduct. These sanctions include, but are not limited to, warnings, probation, suspension, dismissal from the university, or termination from employment.
6. **INFORMATION.** You have the right to information regarding the status of the complaint against you, including the outcome of the campus investigation and any disciplinary action, the procedures to appeal a disciplinary action, and the final outcome.

When a Student is the Accused

The following provisions are designed to provide a fair process for both parties while also ensuring victims/survivors protections under Title IX. Consistent with due process, a charged student is not in violation until a preponderance of evidence proves otherwise.

As a public institution UCF must provide due process to students accused of violent conduct, injurious behavior, sexual misconduct, dating violence, domestic violence, and/or stalking. Alleged victims of violence may choose how to proceed within the student conduct process, although UCF can proceed with conduct action without the victim’s consent if the alleged behavior put others in reasonable fear of physical harm or created a hostile environment in which others are unable to conduct or participate in University work,

education, research or other activities, or otherwise adversely affects the accused student's suitability as a member of UCF community. Alleged victims of violence or harassment whose cases are handled by the Office of Student Conduct in a formal hearing have certain rights in the conduct process as listed below. The following provisions are designed to provide a fair process for both parties while also ensuring victims/survivors protections under Title IX (http://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html) and the Campus SaVE Act (<http://campussaveact.org/>). Consistent with due process, a charged student is not in violation until a preponderance of evidence proves otherwise. To ensure fairness to victims/survivors of acts of violence throughout the disciplinary process, UCF has established the following provisions for victims/survivors:

1. A victim or a survivor may have a person of her or his choice accompany her or him throughout the Student Conduct Review process. This person will act as a support person or advisor but will not represent the victim or survivor. A victim or a survivor shall be notified of the available assistance at the University of Central Florida.
2. A victim or survivor will be afforded similar and timely access to any information that will be used during the Student Conduct Review Process.
3. A victim or survivor will receive notice to attend a preliminary conference meeting with the Office of Student Conduct.
4. A victim or survivor may submit a list of questions related to the alleged incident, prior to the hearing, that she or he feels the charged student should be asked during the hearing process.
5. A victim or survivor will have equal opportunity to present relevant witnesses and other information during the Student Conduct Review Process.
6. A victim or survivor may not have her or his irrelevant past conduct, including sexual history, discussed during the hearing. The issue of relevancy shall be determined by the Student Hearing Panel or the hearing officer.
7. A victim or survivor will be provided access to view and hear the charged student's statements during the Student Conduct Review Process.
8. A victim or survivor should not be questioned directly by the charged student during the Student Conduct Review Process. All questions shall be asked through a hearing officer.
9. A victim or a survivor may make a "victim or survivor impact statement" and suggest an appropriate sanction, disciplinary warning, disciplinary probation, disciplinary suspension, and /or disciplinary expulsion (see section 5.009 #5 for more information) to include appropriate compensations if the charged student is found to have been in violation of the Rules of Conduct.
10. A victim or survivor and the charged student, will be informed of the outcome of the student conduct review, any outcomes, and appeal process concurrently in writing, after making a commitment to protect the confidentiality for all persons involved as outlined in the Family Educational Rights and Privacy Act Regulations, 34 CFR 99(a)(13). The victim/survivor must be informed of the outcome of the hearing and the outcome of any appeal without a commitment to protect the confidentiality of the information, pursuant to the Clery Act Regulations, 34 CFR 668.46(b)(11). The "final outcome" means only the final determination with respect to the alleged offense and any sanction that is imposed against the accused. If the alleged victim of such crime or offense is deceased as a result of such crime or offense, the next of kin shall be treated as the alleged victim for purposes of this paragraph. UCF will provide the written determination of the hearing, appeal outcomes, and any changes to the result before it becomes final to the victim or survivor.
11. A victim or survivor has the right to appeal the outcome of the Student Conduct Review Process on the basis outlined in the Student Conduct Appeals section UCF-5.010
12. A victim or survivor will be given periodic status updates throughout the Student Conduct Review Process, which generally takes sixty calendar days following receipt of an incident report.

If a complainant reports, UCF will ask for consent from the complainant to begin an investigation. Sometimes UCF may have to proceed without an investigation if there is a great risk to public safety.

Student Disciplinary Process and Sanctions

The UCF disciplinary process is consistent with the institution's policy and will include a prompt, fair, and impartial investigation and resolution process transparent to the accuser and the accused. The UCF disciplinary process does not include communications and meetings between officials and victims concerning

accommodations or protective measures to be provided to the victim. Usually, the resolution of complaints of sexual misconduct are completed within 60 days of the report, however the proceedings timeframe allows for extensions for good cause with notice to the accuser and the accused of the delay and the reason for the delay. Investigators and hearing board members are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. The policy and process provides that:

1. The accuser and the accused student each have the opportunity to attend a hearing before a properly trained hearing board that protects the safety of victims and promotes accountability;
2. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
3. The institution will allow for timely access to the accuser, the accused and appropriate officials to any information that will be used after the fact-finding investigation but during formal and informal disciplinary meeting and hearings;
4. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
5. The institution provides the accuser and accused the same opportunities to have others present during an institutional disciplinary proceeding. The accuser and the accused student each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or proceeding;
6. A student conduct decision is based on the preponderance of evidence standard;
7. The accuser and the accused will be notified simultaneously in writing of the result of any disciplinary proceeding, as well as any changes to those result or disciplinary actions prior to the time that such results become final; and
8. The accuser and the accused each have the right to appeal the outcome of the hearing by and will be notified simultaneously in writing, of any change to the result prior to the time that it becomes final and of the final result after the appeal is resolved.

Sanctions

In all cases, investigations that result in a finding of more likely than not that a violation occurred will lead to the initiation of disciplinary procedures against the accused individual. University sanctions for sexual misconduct include the following and will be imposed upon a finding of responsibility:

Disciplinary Probation

Disciplinary probation status shall be for a specific length of time. Restrictive conditions may be imposed and vary according to the severity of the offense. Restrictive conditions may include, but may not be limited to the following: loss of good standing, which may become a matter of record; ineligibility to receive any University award, scholarship, loan, honorary recognition, or initiation into any local or national organizations, and denial of the privilege to occupy a position of leadership or responsibility in any University student organization, publication, or activity, or ability to represent UCF in an official capacity or position. Under disciplinary probation, the student may continue to attend classes and is given a chance to show capability and willingness to live in accordance with University rules. However, if the student is subsequently found in violation of a rule while on disciplinary probation, UCF may suspend or expel the student from UCF. While on Disciplinary Probation, a hold will be placed on a student's record for record keeping purposes.

Disciplinary Suspension

A student involved in an offense warranting consideration of action more serious than disciplinary probation or one involved in repeated misconduct may face suspension. During the period of suspension, a student may not attend classes, participate in University related activities, whether they occur on or off campus. A student under disciplinary suspension may not otherwise be present on University premises unless authorized in writing in advance under conditions approved by the Director of the OSRR. In determining if and to what extent suspended students shall be authorized to be on University premises, the Director of the OSRR or designee shall consider whether the suspension creates an undue hardship on the suspended student in regard to

considerations that include, but are not limited to, the medical needs of the student. An overlay will be placed on a student's record during the period of suspension. Further, while on disciplinary suspension, a hold will be placed on a student's record for record keeping purposes. All assigned educational sanctions must be completed prior to the conclusion of disciplinary suspension; otherwise the disciplinary suspension will remain in effect.

Disciplinary Expulsion

Expulsion is a sanction which removes the student from his/her academic program and permanently separates a student from UCF without opportunity to graduate or re-enroll at UCF in the future. An overlay will be permanently placed on the student's record. Further, a hold will be permanently placed on a student's record for record keeping purposes.

Educational Sanctions

In conjunction with an administrative sanction, a student found to have been in violation of any of the Rules of Conduct will be assigned educational sanctions such as, but not limited to, reflective / research papers, classes / seminars, community service, interviews, etc. If a student has any outstanding educational sanctions at the conclusion of disciplinary probation or suspension, a student's disciplinary probation or suspension status and hold will remain in effect pending the completion of the educational sanctions.

ALCOHOL & OTHER DRUG PREVENTION AND INTERVENTION SERVICES

The Alcohol & Other Drug (AOD) Prevention Programming Office offers a variety of health promotion services, including education, prevention, alcohol and other drug assessments/evaluations, short-term interventions, and referrals. The office partners with other campus and community programs, activities, and support services to encourage individuals and groups to make low-risk, responsible choices that will enhance their personal and academic success at UCF.

The state of Florida statutes declare that it is unlawful for any person under the age of 21 to possess, use or consume alcoholic beverages. Consequently, no one under the legal drinking age may consume, distribute or possess alcohol on University properties, or as part of any University activity, unless they are employed under the provisions of f.s. 562.13. Please read the statute for more information. Additionally, it is unlawful to sell, give, serve or permit alcohol to be served to anyone under the age of 21. Furthermore, servers can be held liable for damage caused by underage drinkers to whom they provided alcoholic beverages. The UCF Police Department enforces Florida state, county and local liquor laws, which include underage drinking laws.

The state of Florida statutes also declare that it is unlawful to be under the influence of, use, possess, distribute, sell, offer, agree, or represent to sell narcotics, hallucinogens, dangerous drugs, or controlled substances, except when permitted by prescription or law. Violations of these laws are dealt with through the criminal courts and through the Office of Student Rights and Responsibilities. Students found liable are subject to not only criminal prosecution, but also to administrative sanctions, including permanent expulsion from the University. The UCF Police Department enforces both federal and state drug laws.

REAL PROJECT: AOD PEER EDUCATORS

Confidential screening and assessment is available for students who are interested in feedback regarding risk and protective factors associated with their self-reported AOD use. In compliance with the DFSCA a description of drug and alcohol policies and abuse education programs is available at <http://goldenrule.sdes.ucf.edu/docs/aod.pdf>. Students who have violated campus alcohol and other drug policies and/or have been referred for alcohol and other drug violations with law enforcement are also advised in our office. Please visit the UCF Wellness and Health Promotion Services website at

<http://whps.sdes.ucf.edu> for more information on additional programs, resources, and workshops available to the UCF community.

PROTECT YOURSELF FROM DATE RAPE DRUGS

- Never leave your drink unattended. Date rape drugs can be slipped into any type of drink and they are often colorless and odorless.
- Do not accept drinks from strangers.
- Watch bartenders pour your drink.
- Attend parties and bars with friends who will be with you throughout the event.
- Have your designated driver arranged before going out. The designated driver doesn't consume any alcohol or illegal substances.

- If you think your drink has been tampered with, seek medical attention right away and request the hospital conduct a toxicology test.

REPORTING HATE CRIMES

A hate/bias crime is a crime that shows evidence that the victim was intentionally selected due to the perpetrator's bias against the victim. All CSAs are required to report hate crimes by category of prejudice, geographic location, year the incident was reported, and category of crime, including any crime perpetrated on the basis of prejudice that results in bodily injury.

The following categories of crime statistics for the campus, non-campus properties, and public property areas that are reported to the UCF Police Department and Campus Security Authorities must be disclosed for the most recent three calendar years:

- Homicide: Murder/Non-negligent Manslaughter, Negligent Manslaughter
- Sex Offenses
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Domestic Violence
- Dating Violence
- Stalking
- Larceny-theft
- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism

Hate crimes must be reported for the following categories of prejudice:

- Race
- Gender
- Gender Identity
- Religion
- Sexual Orientation
- Ethnicity
- National Origin
- Disability

For the last three years the following hate crimes were reported:

2015: No hate crimes reported.

2016: No hate crimes reported.

2017: No hate crimes reported.

DEFINITIONS

LOCATIONS

Crime statistics are reported according to the following geographical categories: on campus and on campus residential, non-campus building or property, and public property. The following definitions apply to these geographic categories:

Campus: (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to the institutions education purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

Non-campus Building or Property: (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property: All public property, including streets and sidewalks that are immediately adjacent to and accessible from the campus.

CRIMES

For USE in classifying criminal offenses:

Murder/Non-negligent Manslaughter: The willful, non-negligent killing of a human being by another. This includes any death caused by injuries received in a fight, argument, quarrel, assault or commission of a crime.

Negligent Manslaughter: The killing of another person through gross negligence. Gross negligence is the intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of another.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person 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 or probably would result in a serious potential injury if the crime were successfully completed.

Burglary: The unlawful entry of a structure to commit a felony or a theft. This includes attempted acts as well.

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

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.

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

Drug Law Violations (Sale and Possession): The unlawful cultivation, manufacturer distribution, sale purchase, possession, transportation, or importation of any controlled substance, or the unlawful manufacture, sale, purchase, or transportation of equipment or devices used for preparing and/or taking drugs or narcotics (drug paraphernalia).

Weapon Law Violations: The violation of state laws or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Crime definitions for **sexual assault**, **domestic violence**, **dating violence**, and **stalking** are located under the VAWA section of this guide.

CAMPUS SECURITY AUTHORITIES

Campus Security Authorities (CSA) include UCF Police Officers and police department administrators, and non-police personnel or offices responsible for campus security (e.g. community service officers, campus contract security personnel, parking enforcement staff, personnel providing access control and/or security at campus facilities, athletic events or other special events, safe escort staff, residential community assistants, and other similar positions). In addition, any UCF official with significant responsibility for student and campus activities is considered a CSA. CSAs are responsible for reporting crimes to the UCF Police Department, including crimes where the victim chooses to remain anonymous. Pastoral counselors and mental health or professional counselors are not considered CSAs when acting in the scope of the recognition as a pastoral counselor or the scope of the professional counselor’s license or certification.

Crimes reported at FLORIDA SOLAR ENERGY CENTER

	On Campus			Non-campus			Public Property		
	2015	2016	2017	2015	2016	2017	2015	2016	2017
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	1	0	0	0	0	0	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
Sexual Offense	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
Liquor Law Arrest	0	0	0	0	0	0	0	0	0
Liquor Law Referral	0	0	0	0	0	0	0	0	0
Drug Law Arrest	1	0	0	0	0	0	0	0	0
Drug Law Referral	0	0	0	0	0	0	0	0	0
Illegal Weapons Arrest	0	0	0	0	0	0	0	0	0
Illegal Weapons Referral	0	0	0	0	0	0	0	0	0

Please note: there was no unfounded crime data reported for 2015, 2016, 2017 for the crimes listed above.

YOUR SAFETY IS OUR CONCERN

The UCF Police Department protects the rights of the campus community regardless of sex, race, color, ethnicity, sexual orientation, physical handicap, religion, or other belief system. We maintain the highest ethical standards to ensure positive interactions and to maintain the continued trust and support of our community.

Our first and highest priority is the safety and welfare of the students, faculty and staff members, and visitors. To keep our campus community safe, we investigate suspicious behavior and identify violations. Our officers actively enforce the criminal laws and motor vehicle laws of the state and will only detain citizens when there is a reasonable suspicion that a crime is being committed or has been committed.

PREVENT CAMPUS THEFT

Theft is the biggest crime problem facing university campuses across the nation. Electronics are a popular target for thieves. An owner walks away from their property for a moment and returns to find that the property is missing. We encourage everyone to use the property registration program offered by the UCF Police Department. By recording your serial number, the chances of recovering your property are much higher.

Bicycles are the best method of transportation to get around campus, but they are also a target if left unsecured or if inexpensive locks are used. Cross locking – using more than one kind of lock – is a good way to deter thieves. For example, put a U-shaped lock through your frame and front tire.

- Register property with a serial number on the UCF Police Department's website at <https://police.ucf.edu/property-registration> and we will store the information for four years.
- You can also register your property on the UCF Mobile app, which can be downloaded at <https://ucfmobile.ucf.edu>. Once downloaded, open the app, select the "Safety" module, then "Crime Prevention," then "Property Registration." From there, you'll be directed to the website, where you can register your items.

10 KEYS TO PREVENT AUTO BURGLARY & THEFT

More than 45,000 vehicles are registered on the UCF campus. The UCF Police Department and other law enforcement agencies do everything in their collective power to prevent auto burglary and auto theft. The following are 10 keys that can help you protect your vehicle from theft:

1. Always roll your windows up and lock your car.
2. Don't leave valuables in plain view. Items left in the open attract thieves. Store them in your trunk if necessary.
3. Engrave expensive accessories, such as car stereos and speaker systems, with your driver license number. This aids the police in tracing the stolen items.
4. Never leave your vehicle running and unattended.
5. Install an antitheft device that is highly visible, hard to defeat, and renders the car inoperable.
6. Drop a business card or address label in the map pockets of your doors.
7. Don't hide a spare key.
8. Don't leave important papers such as bank statements, credit card statements, or other important documents in your car.
9. Photocopy your registration and insurance information and keep it in a safe place other than your vehicle.
10. Most importantly, be crime-wise. Think of what you can do to protect your belongings ahead of time before you become a victim. Don't become complacent.

If your vehicle has been burglarized, contact the UCF Police Department immediately and try not to touch the vehicle. The more you touch your vehicle, the more you contaminate the crime scene.