



UNIVERSITY OF  
CENTRAL FLORIDA

**ANNUAL SECURITY GUIDE**  
2019-2020 | UCF POLICE DEPARTMENT

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# UCF DAYTONA BEACH



**UCF Daytona Beach**  
1200 W. International Speedway Blvd.  
Daytona Beach, FL 32114  
386.506.4021  
(Located on the Daytona State College Campus)

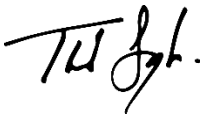
## THE UNIVERSITY of CENTRAL FLORIDA

At UCF, the safety of our students, faculty, staff and visitors is our top priority. Through innovation, partnership and a commitment to excellence, we're working to make UCF a model for campus safety.

Not only do we have one of the best trained and equipped university police forces in the country, we're also implementing some of the newest technology — in our classrooms, on our streets and in our parking areas — to make our campuses safer. But we also need your help.

Please read and follow the suggestions in this guide, and be sure to report any suspicious activity that you see. It takes all of us working together to ensure UCF is the safest it can be.

Go Knights ... and Charge On!



Thad Seymour, Interim President

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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.

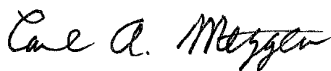
This means hiring officers and staff who fit our university; providing them with the finest training, equipment and leadership; and partnering with the campus community to achieve our safety and security goals.

With more than 68,000 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 80 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, Chief of Police

## CAMPUS SECURITY & FIRE SAFETY STATISTICS

The University of Central Florida Annual Security and Fire Safety Guide is published by the UCF Police department in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, also known as the Clery Act.

### 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/Daytona>. 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. Campus crime statistics include those reported to the UCF Police Department, designated campus security authorities as defined under the Clery Act and local 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](mailto:clery@ucf.edu).

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## UCF POLICE DEPARTMENT MISSION, VALUES, VISION & GOALS

### MISSION

To reduce crime and the fear of crime by providing a safe environment for our students, faculty, staff and visitors and the safeguarding of constitutional rights.

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 Daytona Beach Police Department, Volusia County Sheriff's Office, Florida Highway Patrol and the Florida Department of Law Enforcement. The UCF

Police Department also has legal agreements with neighboring law enforcement agencies to help accomplish this mission. Criminal activity at off campus locations involving student organizations officially recognized by UCF are monitored and recorded through local law enforcement agencies. The crime statistics in this report include those crimes on non-campus and public property reported to the UCF Police Department.

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:

**Integrity** - The community's trust and confidence in the police department will be earned in large part by the integrity of its officers. All officers are expected to espouse the highest moral standards, at all times conducting themselves in a manner which is fair, ethical, legal and which portrays a sense of duty and honor toward the entrusted position in which they hold.

**Justice** - The administration of law and order is based on the constitutional ideal of justice for all. Toward fulfillment of that ideal, the department is committed to the protection of every citizen and strives to ensure that every citizen will be treated with dignity, fairness and respect.

**Service** - As members of a law enforcement agency, the department recognizes that department employees are servants of the public. As such, we are bound to the highest level of community service in the protection of life and property.

**Trust** - The community has entrusted the department to exercise its authority with wisdom, compassion and commitment to honesty and justice. Through the individual efforts of all members of the department, we strive to be worthy of the confidence and trust of the students, faculty, staff, and general public.

## **VISION**

With community service as the foundation, the department is driven to enhance the quality of life; investigating problems as well as incidents; seeking solutions and fostering a sense of security through programs reflecting the needs and desires of the community. The Department nurtures public trust by holding itself to the highest standards of performance and ethics.

## **GOALS**

- Promote a safe and welcoming community
- Prevent, assess, and manage threats to community safety
- Work cooperatively with community partners
- Value diversity
- Value fellow department members
- Maintain public trust

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](http://www.emergency.ucf.edu). Additionally, Daytona State College has a CEMP that also provides evacuation procedures should you receive an emergency alert from their system. The complete Daytona State College Emergency Response Plan is available at [https://daytonastate.edu/campus\\_safety/files/CEMP\\_6-30-2015.pdf](https://daytonastate.edu/campus_safety/files/CEMP_6-30-2015.pdf)

## **UCF ALERT (Emergency Notification)**

UCF prioritizes that the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members. UCF uses the UCF ALERT system to send mass notifications via e-mail, text message, web updates, social media, and sirens. UCF ALERT is an emergency notification service available to students, faculty, staff and select members of the University community who want to subscribe.

Officials at Daytona State College and/or other first responders may become aware of a significant emergency or dangerous situation involving an immediate threat to the health and safety of students and employees. Officials at Daytona State College become aware of emergencies or dangerous situations when students, employees and guests promptly report crimes in progress or other life safety issues, when they are reported to 911. Daytona State College will notify the UCF Police Department of a serious or ongoing threat via the UCF Police Department's Clery Hotline **407-823-0595**.

In response to reports of potential emergencies or dangerous situations on campus, incidents will be evaluated on a case-by-case basis to determine a significant emergency or dangerous situation exists. If, in the professional judgment of responsible authorities issuing an emergency notification would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, the University may elect to delay issuing an emergency notification. As soon as the condition that may compromise efforts is no longer present, the university may issue the emergency notification to the campus community.

The entire university community, will be notified when there is the potential of a very large segment of the university community to be affected by the confirmation of a significant emergency or dangerous situation when a situation threatens the operation of the campus as a whole. The threat will continue to be assessed and additional segments of the university community may be notified if the threat warrants such action. UCF ALERT messages will be used only for events that present an imminent danger to the university community or that will significantly affect university operations.

Incidents which may prompt a UCF ALERT could include but are not limited to:

- A suspect at-large for murder, sexual battery, robbery, aggravated assault, burglary, motor vehicle theft, and arson. aggravated assault, robbery, arson, sexual battery, murder, motor vehicle theft
- 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 Department of Emergency Management, Daytona State College, the UCF Police Department, and UCF Communications determine which notification systems will be used during an emergency. These entities work together to provide timely and accurate information to the university community and ensure that individuals are aware of the situation and that they know the steps to take to safeguard their own personal safety and that of those in the community. The UCF Department of Emergency Management, the UCF Police Department, and UCF Communications together will determine how much information is appropriate to disseminate at different points of time.

UCF will immediately activate the notification system upon confirmation of a significant emergency or dangerous situation involving an immediate threat to health and safety so that individuals may take reasonable precautions for safety, unless the notification at that time will compromise efforts to contain the emergency. Depending on the scale and type of emergency, one or more of the notification systems will be used for emergency notification. Only authorized personnel can operate, activate, or deactivate the UCF ALERT system. Each individual who has the authority to 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.

UCF Alert features several communication tools, including emails, text messages, web updates, social media, sirens, and more (see full notification list below). Generally, emails and text messages will be used only for events that present an imminent danger to the campus community or that significantly impact university operations.

In accordance with federal law, at least annually, UCF will test the emergency response and emergency notification procedures. The test may be announced or unannounced and is designed for assessment of emergency plans and capabilities and measured pre-defined goals. The test will identify coverage concerns, identify maintenances issues, and conduct follow through activities. UCF will document each test conducted and retain test documentation that includes a description of the exercise, i.e. the test, the date the test was held, the start and end time of the test, and if the test was announced or unannounced, a summary of at least



one test will be published on an annual basis. Announced testing of the UCF Alert System will be conducted during scheduled times and dates. A timely announcement will be made to inform the university community of the upcoming test. All members of the UCF community whose UCF Alert contact information is up to date and who have not opted out of receiving emergency messages should receive both. UCF Mobile app users who have opted into push notifications also will receive a message through the app. In preparation for the testing, students and faculty and staff members are encouraged to log in to myUCF and review their UCF Alert settings to ensure that contact information (email, cell phone number and mobile provider) is correct.

## **PRIMARY NOTIFICATIONS**

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

**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 Emergency Management, and UCF Communications have the authority to create messages for this system. Police dispatchers and the UCF Department of Emergency Management, and UCF Communications 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. The UCF Police Department command staff, the police supervisor on duty, the senior police dispatcher on duty, the UCF Department Emergency Management, and UCF Communications have the authority to create messages for this system. Police dispatchers and the UCF Department of Emergency Management, and UCF Communications have the authority to send messages using this system.

**UCF Emergency Home Page ([ucf.edu](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 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 Emergency Management have the authority to create messages for this system. Police dispatchers, the UCF Department of Emergency Management, 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 Emergency Management, and UCF Communications have the authority to create messages for this system. The UCF Department of 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 Emergency Management have the authority to create messages for this system. Police officers and the UCF Department of Emergency Management have the authority to send messages using this system.

**Media Release or Press Conference:** Local media are likely to 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 Emergency Management, and UCF Communications have the authority to provide information to media, and in an emergency would proactively reach out to media with updates, answer questions, and correct misinformation. Protocols for working with media are listed in the Emergency Communications Plan portion of UCF's Comprehensive Emergency Plan.

**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 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](http://www.facebook.com/UCFPolice) and [www.facebook.com/UCF](http://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 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 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.

## **TIMELY WARNING**

In an effort to provide timely notice to the UCF community in the university of Central Florida will issue a timely warning notice to the campus community for reported criminal incidents that continue to pose an imminent threat to the campus community.

Timely Warning notices are issued by UCF Communications to the university community to notify members of the community about specific Clery Act Crimes that have been reported to the UCF Police Department and that have occurred on campus or on non-campus property or public property, where it is determined that an incident may pose a serious or continuing threat to members of the university community. Timely warning



notices may be distributed for any of the following Clery Act crimes: Murder and non-negligent manslaughter, sex offenses (rape, fondling, incest, and statutory rape), robbery, aggravated assault, burglary, arson, hate crimes, motor vehicle theft, domestic violence, dating violence, stalking.

The decision of whether or not to issue a timely warning will be decided by the UCF Police Department on a case by case basis in light of all the facts surrounding the crime. These include the nature of the crime, the continuing danger to the university community and the possible risk of compromising law enforcement efforts. For example, if an assault occurs between two students who have a disagreement, there may be no ongoing threat to other university community members and a timely warning would not be distributed. Sex offenses will be considered on a case-by-case basis depending on when or where the incident occurred, when it was reported, the amount of information known by UCF Police, and the determination of an ongoing threat to the UCF Community.

Timely Warnings messages will be distributed as soon as pertinent information is available, to enable people to protect themselves and prevent similar crimes from occurring, using one or more of the universities notification systems, in an effort to reach the entire university community. The timely warning message will include information that would promote safety and that would aid in the prevention of similar crimes from occurring, as well as information about the crime that triggered the warning, but will never include the victim's personal identifying information. A timely warning is sent primarily by email blast to members of the university community.

The UCF website [www.ucf.edu](http://www.ucf.edu) is a source for official news and information. The site may 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.

### **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

**NOTE**

If you are off campus and receive a UCF Alert, remain off campus and visit [ucf.edu](http://ucf.edu) for university updates.

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**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 by calling 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](http://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

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## **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 Daytona Beach Police Department. Specify your location if you are calling from a cell phone. 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 386-506-4444, 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 Daytona Beach Police Department at 386-671-5100, Campus Security at 386-506-4444, 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. When contacting UCF Victim Services your information is automatically confidential, without having to indicate that you would like to remain confidential. 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 acting in the scope of their professional license are not considered CSAs and are not required to report crimes for inclusion into this report. However, even the legally recognized privileges acknowledge some exemptions, and there may be situations in which pastoral and professional counselors are in fact under a legal obligation to report a crime. When deemed appropriate they may 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 bomb materials, and are state certified for tracking. A demonstration may be requested for your organization via the UCF Police Department website at <https://police.ucf.edu/k9-demo-request>.

**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, civilian officers who 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/Daytona>



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## CRIME PREVENTION & SECURITY AWARENESS SERVICES

### SAFE ESCORT PATROL SERVICES (SEPS)

At any time during the day, night, or weekend, students, faculty and staff members, and visitors may contact the Campus Security for a safe passage to their vehicles. Please call 321-403-5907 and a Campus Security Officer will respond to assist you.

### OPERATION ID/PROPERTY REGISTRATION

The UCF Police Department offers free engraving of your driver's license number on your valuable that do not have a serial number. 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.

If you report theft of your property but 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, which creates a description of your property and its serial number, the odds of recovering it is much higher.

After entering the item's serial number into the police database, law enforcement agencies are then able to retrieve the information so that the stolen item may be recovered and returned to you. The information is kept for four years and is kept confidential, only accessible to law enforcement officers. 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

During new student orientation, the UCF Police Department partners with the First Year Experience office to speak to students and their families about social behavior, crime prevention, and services offered by the UCF Police Department. Students and parents receive information about preventing property crimes such as theft and vehicle burglaries, self-defense classes, the Knight Ride program, and more. After the presentation, parents have the ability to speak to UCF police officer's one-on-one.

UCF's employees are the campus' greatest assets against crime. In partnership with UCF Human Resources, 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 and activity to police immediately, as well as assist students in need of 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, and introduces them to the physical aspects of self-defense. S.A.F.E. classes are held once per month on UCF's main campus and are free. Separate classes are available for private groups of eight to 20 women, but must be scheduled at least 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, please visit [police.ucf.edu](http://police.ucf.edu). To reach UCF Police Department Community Partnership Unit, call 407-823-3224 or email [policecr@ucf.edu](mailto:policecr@ucf.edu).

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## 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](http://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 regulation and policy statement governing employee related sexual misconduct (and related policies, regulation, procedures and statements from the administration), visit <https://policies.ucf.edu/documents/2-004.pdf> UCF Regulation 3.001 Non-Discrimination; Affirmative Action Programs [https://regulations.ucf.edu/chapter3/documents/3.001Non-DiscrimAffirmActionsProgramsFINAL\\_July17.pdf](https://regulations.ucf.edu/chapter3/documents/3.001Non-DiscrimAffirmActionsProgramsFINAL_July17.pdf)

## University Definitions

There are numerous terms used by University of Central Florida in our policies and procedures. Because both employees and students can file a complaint regarding sexual misconduct and can navigate both on campus administrative resolution processes as well as a criminal resolution process, UCF is providing the following definitions of terms under the Rules of Conduct, located in the Golden Rule Student Handbook and UCF Policy 2-004.1 (Nondiscrimination Policy). 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.

**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 Definitions

The following definitions are used by the Department of Education and the Department of Justice as found in the Uniform Crime Reporting system and other applicable regulations. These definitions inform how UCF tabulates its Clery compliance data, including the statistics found later in this report.

### 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 if 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.

### **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.

### **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.

### **Stalking**

The Department of Education defines the term “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.

### **Florida Statute Definitions**

The following Florida statutes are enforced by UCF Police Department and other law enforcement agencies throughout the state of Florida. These statutes are used to guide the assessment of criminal activities, their investigation by law enforcement, and potential prosecution by criminal courts in Florida.

#### **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.

**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.

**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.

**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:
    1. 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; or
    2. To access, or attempt to access, the online accounts or Internet-connected home electronic systems of another person without that person's permission, causing substantial emotional distress to that person and serving no legitimate purpose.
- (2) A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of stalking, a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.
- (3) A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person and makes a credible threat to that person commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (4) A person who, after an injunction for protection against repeat violence, sexual violence, or dating

violence pursuant to s. 784.046, or an injunction for protection against domestic violence pursuant to s. 741.30, or after any other court-imposed prohibition of conduct toward the subject person or that person's property, knowingly, willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(5) A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks a child under 16 years of age commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(6) A law enforcement officer may arrest, without a warrant, any person that he or she has probable cause to believe has violated this section.

(7) A person who, after having been sentenced for a violation of s. 794.011, s. 800.04, or s. 847.0135(5) and prohibited from contacting the victim of the offense under s. 921.244, willfully, maliciously, and repeatedly follows, harasses, or cyberstalks the victim commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(8) The punishment imposed under this section shall run consecutive to any former sentence imposed for a conviction for any offense under s. 794.011, s. 800.04, or s. 847.0135(5).

(9)(a) The sentencing court shall consider, as a part of any sentence, issuing an order restraining the defendant from any contact with the victim, which may be valid for up to 10 years, as determined by the court. It is the intent of the Legislature that the length of any such order be based upon the seriousness of the facts before the court, the probability of future violations by the perpetrator, and the safety of the victim and his or her family members or individuals closely associated with the victim.

(b) The order may be issued by the court even if the defendant is sentenced to a state prison or a county jail or even if the imposition of the sentence is suspended and the defendant is placed on probation.

### **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 offered the following primary prevention and awareness programs for all incoming students in 2018:

<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 2018:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered?</u>
Green Dot Bystander Training, SET Training, Victim Services Housing Presentation	January 5, 18, 23, 31	Live Oaks Center, Neptune Multipurpose Room, Teaching Academy Rm 301	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Hate Crimes, Identity theft
Green Dot Bystander Training, Green Dot Bystander Overviews, SET Title IX Training, Set Training	February 5, 22, 23	Neptune Community, Teaching Academy Rm 301, Student Union, Life Oaks Center	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Hate Crimes
Green Dot Bystander Training	March 19	Studio 2	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Hate Crimes
Green Dot Bystander Training	April 10, 18, 26	Howard Philips Hall Rm 216, Teaching Academy Rm 201,	Sexual Assault,



		Seminole County Sheriff's Office	Stalking, Domestic Violence, Dating Violence, Hate Crimes
Green Dot Bystander Training, Title IX Training, O-Team Training, RA Training	May 9, 11, 25	Classroom Building 1, Student Union, HEC, Teaching Academy Rm 301	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Hate Crimes
Green Dot Bystander Training, Green Dot Bystander Employee Overviews	June 20, 21, 26	Teaching Academy Rm 301, RWC, Student Union	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Hate Crimes
Green Dot Faculty/ Staff Bystander Training	July 24	Health and Public Affairs	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Hate Crimes
Title IX Training, SDES Peer Mentoring Training, Victim Services RA Training, New Faculty Orientation	August 10, 13, 16	Neptune Community, classroom Building 2, Neptune Multipurpose Room	Sexual Assault, Stalking, Domestic Violence, Dating Violence
SET Title IX Training, UCF Cares Ambassadors, Green Dot Bystander Training	September 11, 24, 28	Student Union, Lead Scholars	Sexual Assault, Stalking, Harassment, Relationship Violence, Domestic Violence, Dating Violence, Hate Crimes
Set Training, SDES Title IX Training, Green Dot Bystander Training, Green Dot Bystander	October 3, 12, 14, 15, 19, 21, 22, 30	Student Union, Barbara Ying Community, Career Services Training Room, Rosen,	Sexual Assault, Stalking,

Employee Overviews		Psychology, RWC, Nicholson School of Communication	Harassment, Relationship Violence
Green Dot Bystander Training, SET Training, Title IX Training, SDES Title IX Training	November 6, 7, 8, 14, 24	Student Union, Theater Building, Barbara Ying Center	Sexual Assault, Stalking, Harassment, Relationship Violence, Domestic Violence, Dating Violence, Hate Crimes
SDES Title IX Training, Green Dot Bystander Employee Overviews, Victim Services RA Training	December 10, 13, 14	Barbra Ying Center, Neptune Multipurpose Room, Fraternity and Sorority Life Conference Room	Sexual Assault, Stalking, Harassment, Relationship Violence, Domestic Violence, Stalking, Identity Theft
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 2018:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered?</u>
Green Dot Student Bystander Training, Victim Service Orientation, Stalking Awareness Tabling, Human Trafficking Awareness Tabling	January 4, 5, 6, 16, 17, 19, 24, 29,	Student Union, Psychology Bldg., Education Complex Gym, Rosen Campus	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Hate Crimes, Identity Theft, Fraud, Human Trafficking

Green Dot Student Bystander Training, Green Dot Student Overviews, One Billion Rising, Escalation Workshop, Title IX Training, LBC Valentine Day Tabling, LBC Valentines Day Prize Ride, One Billion Rising LBC, LBC Men's Basketball Game Pre-Game Fair, Relationship Abuse, Title IX Training, Don't Just Stand There, LBC Tabling, Photovoice, Sexual Harassment in the Workforce	February 4, 5, 7, 14, 15, 16, 20, 21, 27, 28	Student Union, Graduate Center, John C. Hitt Library, CFE Arena, Performing Arts, Ferrell Commons, Classroom Building 1, Theatre Building, Rosen Campus, Phi Beta Sigma, School for Performing Arts	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Hate Crimes
Green Dot Bystander Training, Campus Connection, Vagina Monologues, Health Fair, Safe Knight Week, Let's Be Clear Walk, One Love LEAD Scholars, Consent: Focus Group, LBC Tabling, KORT Presentation, Focus Group #1,	March 2, 3, 5, 6, 7, 8, 22, 27, 31	John C. Hitt Library, Student Union, Memory Mall, Ferrell Commons, RWC	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Hate Crimes
Green Dot Bystander Training, Green Dot Student Overviews, Denim Day, Title IX Training, LBC Tabling, Relationship Violence, Neurobiology of Trauma, SAAM victim Services Event	April 3, 5, 6, 14, 16, 18, 19, 23, 24, 25	Student Union, Psychology, Ferrell Commons, Health and Public Affairs, Howard Philips Hall Rm 216, Kappa Kappa Gamma:	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Hate Crimes
Green Dot Student Bystander Training, Green Dot Student Overviews, FTIC Victim Services Orientation, Transfer Orientation LBC Tabling, FTIC Orientation Tabling	May 8, 16, 11, 17, 21, 22, 23, 24, 25, 29, 30, 31	Student Union	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Hate Crimes
Green Dot Student Overviews, FTIC Orientation, LBC Transfer Orientation, Summer B Block Party, Summer Knights	June 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 18, 19, 20, 21, 22, 26, 27, 28, 29	Student Union	Sexual Assault, Stalking, Domestic Violence, Dating Violence, hate Crimes
Green Dot Student Overviews, FTIC Tabling Orientation, Consent Workshop, Relationship violence, FTIC Orientation Tabling, Sociology Title IX Training, Neurobiology of Trauma, Pool Party	July 3, 5, 6, 9, 10, 11, 12, 13, 16, 17, 18, 20, 24, 26, 27	Student Union, RWC, Wayne Densch Sports Center, Nike Programming Center, Hercules Programming Center, Howard Philips Hall, Graduate Center, RWC Pool, LEAD Scholars	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Hate Crimes
Green Dot Student Bystander Training, Green Dot Bystander	August 16, 17, 20, 21, 22, 23, 28, 29, 30	Math Bldg., Hercules Programming Center,	Sexual Assault, Stalking, Domestic Violence, Dating

Student Overviews, Victim Services Presentation, Why didn't they fight back?, SDES Peer Monitoring Title IX Training, Neurobiology of Trauma Workshop, Pegasus Palooza Carnival, Title IX Training UCF Cares/ Title IX Training, Let's Be Clear Resource Fair, Transfer and Transition Services Launch Party, Welcome Expo, Confetti/ Consent Program, Lavender Lunch, LBC Title IX Training, LBC Tabling		Classroom Building 2, Harris engineering Center, Memory Mall, UCF Global, Ferrell Commons, Trevor Colbourn Hall Room 151, Pegasus Ballroom, Student Union Patio, Neptune MPR	Violence, Hate Crimes, Harassment, Relationship Violence
Green Dot Bystander Training, Green Dot Bystander Student Overviews, Campus Safety Fair, LBC Tabling, Safety Expo, LBC Prize Ride, Continuum Workshop, Escalation Workshop, Knight for a Day, ZBT Title IX Training, Knights Care: Creating a Trauma-Informed Campus, Neuroscience Alliance Neurobiology of Trauma	September 4, 5, 6, 7, 12, 13, 16, 20, 22, 23, 24, 26, 27, 28, 29	Ferrell commons, Student Union, Memory Mall, Neptune MPR, Key West Ballroom, Engineering 1 Room 102, Engineering 1 Room 327, Education Complex, Social Justice and Advocacy Office	Prevention awareness, Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship Violence, Hate Crimes
Green Dot Booster Session, Light Up the Night, Healthy Relationship & Sexual Assault Presentation, Domestic Violence Presentation, Campus Connections Tabling: Photovoice, Healthy Knight Expo, Navigating Difficult Relationships, LBC Prize Ride, Light Up the Night, Are you into this? Consent Workshop, LBC Tabling, Knight for a Day, Rosen Open House, Consent Pizza Workshop, Leggo My Ego, Knights care: Creating a Trauma- Informed Campus, UCF Cares Week of Action: Tabling, Neurobiology of Trauma Workshop, Diversified Greek Counsel Presentation	October 2, 3, 4, 8, 9, 11, 12, 13, 14, 16, 19, 22, 24, 25, 26, 31	Student Union, Business Administration, Classroom Bldg. 2, John C. Hitt Library, Student Union, Neptune Classroom, Ferrell Commons, Pegasus Ballroom, Rosen College, Neptune Community LEAD Scholars, Office of Fraternity and Sorority Life, RWC	Sexual Assault, Stalking Domestic Violence, Dating Violence, Hate Crimes, Relationship Violence, Harassment
Green Dot Bystander Training, You Belong Here: Title IX and Non-Discrimination for LGBT+	November 3, 4, 5, 6, 7, 8, 10, 13, 15, 16, 18, 19	Student Union, Nike/ Hercules Courtyard, Neptune Classroom,	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship viol

Students, Housing Homecoming Carnival, Benefits of Reporting, LBC Service Project, Campus Connections Tabling: Photovoice, Don't Just Stand There, Sexual Assault Mock Trial, Title IX Training		Zebra Coalition, John C. Hitt Library, NSCM, Ferrell Commons, Chi Omega Sorority House, Psychology	ence, Harassment
Tabling: Photovoice, Green Dot Student Bystander Training, Green Dot Bystander Student Overview	December 2, 5, 10	Ferrell Commons, Nicholson School of Communication Rm 101	Sexual Assault, Stalking, Harassment, Dating Violence, Relationship 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

UCF offered the following ongoing awareness and prevention programs for employees in 2018:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered?</u>
Clery and Title IX for DHRL, Title IX Training, Stalking Awareness Tabling, Human Trafficking Awareness Tabling, Victim Services Nursing Presentation	January 5, 10, 12, 16, 17, 24, 26, 29	Neptune Community, Career Services, College of Arts and Humanities, HEC, UCF Global, Teaching Academy, Neptune Multipurpose Room, Student Union,	Sexual Assault, Stalking, Domestic violence, Dating Violence, Human trafficking
Title IX Training, Victim Services Apartment Managers Presentation, One Billion Rising,	February 5, 7, 9, 13, 14, 20, 21, 26, 28, 31	Visual Arts, Psychology, Lake Nona, College of Nursing, Classroom Building 1, Wayne Densch Sports Center, Colburn Hall, Student Union, John C. Hitt Library	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Identity Theft, Fraud
Title IX Training, Campus Connection, Vagina Monologues	March 5, 9, 20, 21, 23, 26, 30	Physical Science, Teaching Academy, College of Sciences, Theater Building, Colburn Hall, Class Building 2, Teaching Academy, Business Administration	Sexual Assault, Stalking, Domestic Violence, Dating Violence
Title IX Training, Denim Day	April 18, 19, 25, 26	COPA 1, College Sciences, HEC, Student Union	Sexual Assault, Stalking, Domestic Violence, Dating Violence
Title IX Training	May 7, 9, 10	Human Relations, HEC	Sexual Assault, Stalking, Domestic Violence, Dating Violence
Title IX Training	June 5, 6	Lake Nona, Student Union	Sexual Assault, Stalking,

			Domestic Violence, Dating Violence
Title IX Training	July 26	RWC	Sexual Assault, Stalking Domestic Violence, Dating Violence
Title IX Training, Police Academy Training,	August 7, 8, 13, 15, 16	UCF Global, UCF IT, Classroom Building 2, Nicholson School of Communication and Media	Sexual Assault, Stalking, Domestic Violence, Dating Violence
Apartment Managers Presentation, Campus Safety Fair	September 5, 14	Student Union	Sexual Assault, Stalking, Domestic Violence, Dating Violence
Light Up the Night	October 8	Student Union	Domestic Violence
Title IX Training, Sexual Assault Mock Trial	November 6, 27	Student Union, UCF HR	Sexual Assault, Sexual Assault, Stalking, Domestic Violence, Relationship Violence
Title IX Training	December 6, 10, 14, 20	Nike Community Center, Neptune Community Center, Nike Programming Center	Sexual Assault, Stalking, Harassment, Relationship Violence

### Procedures for Reporting Sexual Assault, Relationship Violence, or Stalking

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 or by visiting the UCF Police Department.

Assistant Director/Title IX Coordinator  
Office of Institutional Equity  
Barbara Ying CMMS, Building 81, Suite 101  
University of Central Florida  
Orlando, FL 32816  
(407) 823-1336  
[oie.ucf.edu](http://oie.ucf.edu)

UCF Police Department  
3610 Libra Drive  
Orlando, FL 32816  
407-823-5555

[To file an electronic report regarding sexual assault, domestic violence, dating violence, or stalking, please visit https://letsbeclear.ucf.edu and click "File a Report" on the top right corner of the page. This report is sent directly to the Title IX coordinator, who then coordinates outreach to the complainant. Even after a report is filed, the complainant retains the ability to request that OIE not investigate their grievance. A complainant's request for anonymity and/or inaction may hinder or limit a response by the University.](https://letsbeclear.ucf.edu)

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.

There is no time limit for a complainant to report prohibited conduct to the university under the Rules of Conduct or UCF Policy 2-004.1; however, the university's ability to respond may diminish over time, as evidence may erode, memories may fade, and respondents may no longer be affiliated with the university. If the respondent is no longer a student, employee, or DSO, the university will provide reasonably appropriate remedial measures, assist the complainant in identifying external reporting options, and take reasonable steps

to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects.

For criminal complaints, 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.

To encourage reporting, any individual (including a bystander or third-party) who makes a good faith report of Prohibited Conduct will not be subject to disciplinary action by the university for the reporter's own personal use of alcohol or drugs at or near the time of the incident provided any such violations did not harm or place the health or safety of any other person at risk. The university may offer support, resources, and educational counseling to such an individual.

### ***University Response Procedures***

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 information regarding their reporting options and resources available on campus via email and in person.
5. Provide the victim/survivor with referrals to on and off campus resources as required.
6. 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.
7. Provide a "No trespass" directive to the accused party if deemed appropriate.
8. Provide written instructions to the victim/survivor on how to apply for Protective Order.
9. 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.
10. 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.
11. Provide information to the victim/survivor on how to preserve evidence.
12. 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.
13. Provide reasonable accommodations to individuals with disabilities so they can equitably participate in the investigative process.

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). Specific information on the use of this standard of evidence is found both in the Golden Rule Student Handbook and in UCF Policy 2-004.1.

### ***Interim and Remedial Measures***

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 [oie.ucf.edu](http://oie.ucf.edu) to report incidents of sexual assault, domestic violence, dating violence, and/or stalking.

Once the Title IX Coordinator receives a report, a remedial measures specialist will reach out to the complainant to offer the aforementioned resources and options. These resources and reporting options are sent to the complainant via email. The remedial measures specialist then contacts the complainant to set up a meeting to more thoroughly review the resources they may need and their options.

### ***Seeking Medical Attention***

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>.

It is important to preserve evidence in case a victim decides to pursue criminal charges or file an injunction, even if a victim is unsure if they want to pursue these options right away. 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.

### ***Guidance for Victims of Sexual Assault and Relationship Violence***

- It is important that a victim of sexual assault or relationship violence 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.

### ***Nonresponse to Outreach***

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 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.

### **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 [www.letsbeclear.ucf.edu](http://www.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 (these rights are provided, in writing, to complainants when they meet with the Title IX office, Victim Services and Police Department):

1. **CONFIDENTIALITY.** Identifying information of a victim will be protected as much as possible within legal requirements. See [www.letsbeclear.ucf.edu](http://www.letsbeclear.ucf.edu) for more information regarding privacy and confidentiality of investigative and disciplinary records. It is important to note that as a state agency, UCF may be requested to provide records under F.S. 119. Investigative records will not be disclosed pending the outcome of an investigation. Students' personally identifiable information would be redacted in compliance with FERPA (Family Educational Rights and Privacy Act) and state of Florida public record laws prior to making a disclosure of a record.
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 any personal identifying info, but will provide sufficient information about the crime to allow campus community members to make informed choices regarding their safety.
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. A victim may (a) report to law enforcement to discuss possible criminal investigation, (b) report to

the Title IX coordinator to discuss possible administrative investigation, (c) both, or (d) neither. Reporting options are available at [www.letsbeclear.ucf.edu](http://www.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. UCF administrative no contact orders are issued to both parties, and restrict the parties from having any communication with each other, directly or indirectly, or through third parties or electronic means. UCF administers no contact orders via university email.
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 through the Title IX investigative process. You can obtain more information about these processes by accessing Regulation 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* and under UCF Policy 2-004.1 *Nondiscrimination Policy*. 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.** UCF recognizes that individuals may choose to access off-campus 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. Individuals may choose to access both off-campus and on-campus resources.

## **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 <http://www.myorangeclerk.com/enu/Pages/court-services/injunctions.aspx> .

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**

<b><u>Resource</u></b>	<b><u>Address/Location on Campus</u></b>	<b><u>Phone Number</u></b>
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	Barbara Ying Center 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 142 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: <b>911</b>
Victim Services – Main Office M-F 8 AM – 4:30 PM	12201 Research Parkway, Suite 450 Orlando, FL 32826	Main: 407-823-2425 <b>24/7 HOTLINE: 407-823-1200</b> <b>TEXT: 407-823-6868</b>
Victim Services Outreach Office M-F 9 AM – 4:00 PM	12795 Aquarius Agora Drive, Suite 108 Orlando, FL 32816	407-823-1116 <b>24/7 HOTLINE: 407-823-1200</b> <b>TEXT: 407-823-6868</b>

**Off-Campus**

<b><u>Resource</u></b>	<b><u>Address/Location off Campus</u></b>	<b><u>Phone Number</u></b>
Counseling and Mental	1525 E Robinson Street	407-898-0110

Health Mental Health Association of Central Florida	Orlando, FL 32801	
Advent Health East Orlando - Hospital	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](http://www.letsbeclear.ucf.edu) – UCF website dedicated to preventing and responding to 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.justice.gov/archives/ovw/protecting-students-sexual-assault> The Department of Justice

### How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. Active bystanders are students, faculty and staff who intervene, either directly or indirectly, when they see something happening that may cause harm to a member of our community. They may not be involved in the harm, but as a witness to the incident they have the choice to do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. Further information regarding bystander intervention may be found on the UCF website [www.letsbeclear.ucf.edu](http://www.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. **Direct:** Take the direct approach. If you see someone who looks like they could be in trouble or need help, ask if they are ok. Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated. Speak up when someone discusses plans to take sexual advantage of another person. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
2. **Delegate:** Sometimes the direct approach can be intimidating. Call someone else for assistance, such as a friend or law enforcement. Refer people to on- or off-campus resources listed in this guide for support in health, counseling, or with financial or legal assistance. Get others involved to help diffuse a situation.
3. **Distract:** Interrupt situations where you see problematic behavior. Make an excuse by asking an unrelated question, like “do you know what time it is?” or stating, “hey, I need to borrow this person for a minute.” By distracting someone from doing something they may later regret, you help everyone involved.

### Green Dot

UCF is a Green Dot campus. Green Dot is a bystander intervention training program that aims to reduce power based personal violence on campus by training students, faculty, and staff how to become active bystanders. Green Dot uses the concept of displacing Red Dots (potential/real acts of violence) with Green Dots (actions taken to eliminate/ prevent Red Dots, like those listed above). Actions could be reactive or proactive. Green Dot Bystander Intervention programming lets everyone know that violence is not tolerated on UCF's campus. The original Green Dot program was conceived in the college setting to prevent dating violence, sexual violence, and stalking. It relies on the premise that if everyone does their small part and commits to individual responsibility, the combined effect is a safe campus culture that is intolerant of violence. The college-based curriculum draws heavily on the experiences of college students and the reality of this issue in their lives. This



curriculum uses interactive activities to reinforce core concepts and encourages students to envision their future and the world in which they want to live, then aligns their bystander behavior with that vision. More information on Green Dot, and information on becoming Green Dot trained, can be found at [www.greendotucf.com](http://www.greendotucf.com).

### 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, [www.rainn.org](http://www.rainn.org)).

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

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 in Policy 2-004.1 (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. Training topics include, but are not limited to, legal report writing, effective questioning, conducting internal investigations, trauma-informed principles, Title IX and Title VII legal standards, de-escalation, campus sexual assault, determining remedial measures, and responding to domestic and dating violence in various communities (international students, students of color, LGBTQ+ students). 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.). All student conduct hearing board members who review sexual and relationship violence cases receive a minimum of eight (8) hours of training on an annual basis, in addition to their training to serve on hearing boards generally. This training includes, but is not limited to, student conduct review procedure, trauma-informed questioning, UCF nondiscrimination policy and Rules of Conduct, determining violations based on the preponderance of the evidence, sanctioning recommendations, and rationale writing.

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. This designee will provide, in writing via email, a list of resources and reporting options to every complainant. This designee will then contact each complainant to discuss their needs and identify specific resources.
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 (including but not limited to, Human Resources or Academic Affairs). Both the Complainant and Respondent have the right to file a response to the investigative report with OIE.

## When a Student is the Accused

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 (Complainants) may choose how to proceed within the student conduct process, although UCF can proceed with conduct action without the complainant's consent in certain circumstances, such as 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 the alleged conduct otherwise adversely affects the Respondent's suitability as a member of UCF community. Consistent with due process, a charged student (Respondent) is not in violation until a preponderance of evidence proves otherwise.

Complainants and respondents 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 (complainants) protections under Title IX ([http://www2.ed.gov/about/offices/list/ocr/docs/tix\\_dis.html](http://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html)) and the Campus SaVE Act (<http://campussaveact.org/>). To ensure fairness to both complainants and respondents throughout the disciplinary process, UCF has established the following provisions:

1. Both the Complainant and Respondent are permitted to have an advisor or support person accompany them throughout the university's investigative process and student conduct review process. This person will not represent the Complainant or Respondent, address witnesses, investigator(s), the hearing body, any other party, or otherwise directly participate throughout the university's investigative process and/or student conduct review process. In addition, if the selected person is a witness, the person cannot be an advisor or support person.
2. Both the Complainant and the Respondent have the right to remedial and protective measures and shall be notified of available assistance at the University.
3. Both the Complainant and Respondent will have equal opportunity to present relevant witnesses and other information during the investigative process and during a formal hearing. Prior to the initiation of the student conduct review process, the investigator has the discretion to determine the relevance of any proffered evidence and to include or exclude certain types of evidence. In general, the investigator will not consider statements of personal opinion, rather than direct observations or reasonable inference from the facts, or statements as to any party's general reputation for any character trait.
4. If the investigative process results in a recommendation to initiate the student conduct review process, both the Complainant and Respondent will receive notice to attend a preliminary conference meeting with the Office of Student Conduct and be informed of the available resolution options in the student conduct review process.
5. During the Student Conduct Review Process, both the Complainant and Respondent shall be informed of the Administrative Hearing Officer assigned to the case and shall have the opportunity to challenge the impartiality of the individual within three (3) business days of notification.
6. Both the Complainant and Respondent will be afforded similar and timely access to any information made available through the investigative process and/or that will be used during the student conduct review process.
7. If the matter proceeds to a formal hearing, both the Complainant and Respondent may submit a list of proposed questions related to the alleged incident to be asked during the formal hearing. The relevancy of proposed questions will be determined by the hearing body. During a formal hearing, all questions shall be asked through the hearing body. Both Complainant and Respondent should not be questioned directly by one another.
8. Both the Complainant and Respondent will have equal opportunity to present relevant witnesses and other information during the investigative process and a formal hearing. Relevancy and timeliness will be determined by the investigator(s) and/or hearing body.
9. Both the Complainant and Respondent may not have irrelevant past conduct, including sexual history, discussed during the formal hearing. The issue of relevancy shall be determined by the hearing body.

10. Both the Complainant and the Respondent will be provided access to participate, during the entire formal hearing in person, via videoconference, by telephone, or by other means available.
11. At least five (5) business days before the formal hearing, the Complainant may submit a written statement describing the impact of the Prohibited Conduct on the Complainant and expressing a preference about the sanction(s) to be imposed. At least five (5) business days before the formal hearing, the Respondent may submit a written statement explaining any factors that the Respondent believes should mitigate or otherwise be considered in determining the sanction(s) imposed. The Office of Student Conduct will ensure that the Complainant and the Respondent each have an opportunity to review any statement submitted by the other party before the formal hearing. The purpose of the statement(s) is to assist the hearing body in proposing a sanction. Therefore, the statement(s) will be given to the hearing body for consideration only if the hearing body makes a proposed finding of in violation on one or more allegations of sexual misconduct and/or interpersonal violence addressed in the formal hearing.
12. Both the Complainant and Respondent will be informed, concurrently and in writing, of the outcome of the investigative process, the Student Conduct Review Process, and the outcome of the appeal process, in accordance with federal guidelines.
13. Both the Complainant and the Respondent have the right to appeal the outcome of the Student Conduct Review Process on the basis outlined in the applicable Student Conduct Appeals section UCF-5.010 (individual student UCF-5.013 (registered student organizations)).
14. Both the Complainant and Respondent will be given periodic status updates throughout the investigative process and the Student Conduct Review Process.

#### Conduct Procedures:

1. *If the Respondent is a student or student organization:* The Deputy Title IX Coordinator for Students will review the documentation provided by the Title IX Investigator(s)/Title IX Coordinator and determine whether there is “cause” to forward the case to the Office of Student Conduct with a recommendation that the Office of Student Conduct charge the Respondent with alleged violations of university policy. “Cause” is determined by the Deputy Title IX Coordinator for Students based upon whether the facts, as substantiated by a preponderance of the evidence during the Title IX investigation, infer a possible violation of the Rules of Conduct. A finding of “cause” at this stage is not a finding of a violation of the Rules of Conduct. Both the Complainant and Respondent are notified via email whether “cause” exists to move a case to the Office of Student Conduct.
  - a. If the Deputy Title IX Coordinator for Students determines that there is “no cause,” all parties will be issued a letter stating such, and the matter will be closed (note: this does not prohibit the complainant from independently initiating external criminal charges).
  - b. If the Deputy Title IX Coordinator for Students determines that there is “cause,” the Deputy Title IX Coordinator for Students’ written recommendation, along with a copy of OIE’s investigative report and all other supporting information, will be forwarded to the Director of the Office of Student Conduct. A finding of “cause” at this stage is not a finding of a violation. The Office of Student Conduct will charge the student and/or registered student organization through the Student Conduct Review Process when there is evidence of facts which reasonably allow the university to conclude that sex discrimination, sexual misconduct, sexual assault, sexual exploitation, relationship violence, stalking, sexual or gender-based harassment, sexual harassment, complicity in the commission of any of these acts, or retaliation for reporting or participating in a process related to an investigation of such acts as defined by the Rules of Conduct may have occurred.
  - c. Thereafter, the Office of Student Conduct shall follow due process and its standard University adjudicative procedures as outlined in the Golden Rule (section UCF-5.009 and UCF-5.013). The investigation and conduct proceeding shall use the “preponderance of evidence” standard. This standard is based on a “more likely than not” threshold that a particular fact or violation(s) of the UCF Rules of Conduct or Organizational Rules of Conduct did occur. The parties will be provided equal opportunity to present relevant witnesses and evidence throughout the conduct process. In addition, both the complainant and respondent will have full-disclosure to inspect

and review all evidence/materials prior to the hearing. (See section UCF-5.006 (9) (e) for additional rights of the complainant and respondent during the Student Conduct Review Process).

- d. *Interim Actions*: If the Director of the Office of Student Conduct or designee, upon notifying the Vice President of Student Development and Enrollment Services or designee decides that a threat of imminent harm to persons or property exists, an interim suspension may be imposed on a student or registered student organization who is suspected of violating the Rules of Conduct or Organizational Rules of Conduct as outlined in the Golden Rule [section UCF-5.009 (1) (a), UCF-5.013 (1) (a)]. Interim administrative action is not a sanction. It is taken in an effort to protect the safety and well-being of the Complainant and/or Respondent, of others, of the University, or of property. Interim administrative action is preliminary in nature; it is in effect only until there is a resolution of the student or registered student organization conduct matter.
- e. *Resolution Options*
  - i. *Case Dismissal*: The Director of the Office of Student Conduct or designee may dismiss a case if it is found to not have sufficient facts or information to substantiate the claim of misconduct, the accused person is not a student, or the action claimed as misconduct is not a violation of the Rules of Conduct.
  - ii. *Mediation*: Depending on the nature and severity of the alleged violation, the Office of Student Conduct may recommend formal mediation through the Office of Student Rights and Responsibilities as an alternative to disciplinary action. The involved parties must each agree to mediation. Mediation is confidential. In mediation, the parties voluntarily meet with an impartial mediator to communicate their concerns and needs to each other and to reach their own agreement on the resolution of the case. The participants in mediation are responsible for keeping their agreement or renegotiating it, if necessary. In the event that the participants do not agree to mediate or mediate but do not reach a full and final resolution, the case will be referred back for disciplinary action through an informal or a formal hearing. Breach of a mediated agreement may result in a follow up mediation session or the matter may be referred back through the conduct process at the discretion of the Office of Student Conduct. Mediation will not be a resolution option for cases involving allegations of incidents of Sexual Misconduct and/or Interpersonal Violence.
  - iii. *Informal Hearing*: At the discretion of the Office of Student Conduct, violations found not to warrant a formal hearing may be referred to an informal hearing. At the informal hearing, the charged student has the opportunity to meet with an Office of Student Conduct staff member or designee and accept responsibility for the charges of violation of the Rules of Conduct. At the informal level the matter will be settled by the following outcomes: punitive sanction (Disciplinary Warning, Disciplinary Probation, or Disciplinary Deferred Suspension) as well as educational sanctions (papers, seminars, community service, etc.). If the matter is not resolved informally, the case will be resolved through a formal hearing. The outcomes from an informal hearing process (decision of responsibility and recommended sanctions) are final and are not eligible to be appealed (UCF-5.010).
  - iv. *Formal Hearing*: If an alleged violation of the Rules of Conduct is not dismissed or otherwise resolved, then the Office of Student Conduct shall present in writing formal charges to the student. The charged student may request either a panel or administrative hearing. The charged student's hearing shall be open only to the charged student, his/her advisor, the hearing body, witnesses (when called upon), and a representative from the Office of Student Conduct. For cases of sexual misconduct and/or interpersonal violence, the hearing shall also be open to the complainant and advisor. Formal notification shall include: 1. The student's name and address; 2. Date, time and location of the formal hearing; 3. The rule(s) of conduct allegedly violated as known at the time formal charges are prepared; 4. Names of potential witnesses known at the time formal charges are prepared; 5. A description of any physical or written

documentation known at the time charges are prepared.

There are two types of formal hearings – panel hearings and administrative hearings.

(a) Panel Hearings.

1. A panel to consider an individual case shall be randomly selected by the Office of Student Conduct from the Student Conduct Board and shall consist of two (2) faculty and administrative staff members combined, and two (2) student members. One panel member shall be selected by the Office of Student Conduct to chair the hearing and report the purposed finding(s) and recommended sanctions, if any, to the Director of the Office of Student Conduct or designee.

2. At hearings conducted by a panel, an Office of Student Conduct staff member shall act as an advisor to the panel. The Director of the Office of Student Conduct or designee shall receive the panel's proposed finding(s) as to "in violation" or "not in violation" of the Rules of Conduct, and consider any sanctions proposed by the panel.

3. The Director of the Office of Student Conduct or designee may accept the proposed finding(s) of "in violation" or "not in violation" or remand the case for rehearing. If the Director of the Office of Student Conduct or designee accepts the proposed finding(s) of "in violation," they may approve, mitigate or increase the sanctions proposed by the panel.

4. Any decision by the Director of the Office of Student Conduct or designee to alter proposed sanctions or remand a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.

(b) Administrative Hearings

1. Administrative hearings shall be conducted by one faculty or staff member selected by the Office of Student Conduct from the Student Conduct Board. The charged student shall be informed of the hearing officer assigned to the case and shall have the opportunity to challenge the impartiality of the individual within three (3) business days of notification. The student shall state in writing the basis for such challenge. A hearing officer so challenged will be excused; however, indiscriminate challenges shall not be permitted. In the event that a student has opted not to challenge the impartiality of a hearing officer prior to the allotted three (3) business days, the assigned hearing officer shall remain as scheduled.

2. At hearings conducted by an administrative hearing officer, an Office of Student Conduct staff member shall act as an advisor to the administrative hearing officer. The Director of the Office of Student Conduct or designee shall receive the administrative hearing officer's proposed finding(s) as to "in violation" or "not in violation" of the Rules of Conduct, and consider any sanctions proposed by the administrative hearing officer.

3. The Director of the Office of Student Conduct or designee may accept the proposed finding(s) of "in violation" or "not in violation" or remand the case for rehearing. If the Director of the Office of Student Conduct or designee accepts the proposed finding(s) of "in violation," they may approve, mitigate or increase the sanctions proposed by the administrative hearing officer.

4. Any decision by the Director of the Office of Student Conduct or designee to alter sanctions or remand a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision.

Conduct of formal hearings

The following is furnished as a guide to the sequence of events in a formal hearing. Please note that all formal hearing proceedings are recorded. The recording is part of the official record of the formal hearing and no other recordings are permitted.

1. Reading of charges.
2. Student response of "in violation" or "not in violation."
3. Presentation of information in support of the charges.



4. Opening statement by the charged student.
5. Questioning of the charged student.
6. Presentation and questioning of all other parties.
7. Final questions of the charged student by the hearing body.
8. Closing remarks by the charged student.
9. Hearing is brought to a close;
10. The student is invited to await announcement of the proposed finding(s) and recommended sanction(s), if any.

Deliberations by hearing body are not part of the hearing and are confidential. Deliberations occur after the closure of the hearing and are not recorded. Following deliberations, the hearing body will prepare a written statement of its proposed finding(s) and, if applicable, recommended sanctions.

The case record shall consist of the following items:

1. A copy of the formal charges in writing.
2. A recording of the formal hearing.
3. A recording of the announcement of the proposed finding(s) and proposed sanctions, if any.
4. All staff memoranda submitted.
5. All items of physical or written documentation submitted, provided such items are not returned to a rightful owner. In that case, photographs or other facsimiles shall be made before return.
6. The proposed finding(s) and sanction(s) by the hearing panel or administrator, if any.
7. The Director of the Office of Student Conduct or designee's decision.

Student Conduct Board members for panel and administrative formal hearings are selected through an annual application and interview process with the exception of the justices from the Student Government Association Judicial Branch. All Student Conduct Board members, including justices, receive annual training from the Office of Student Conduct. Student Conduct Board members who serve on hearings related to allegations of sex discrimination, including but not limited to relationship violence, sexual assault, sex harassment and stalking receive additional training annually.

#### *f. Student Rights in the Student Conduct Review Process*

The following rights shall be explained to each charged student prior to the commencement of any formal disciplinary hearing:

(a) The charged student shall be afforded reasonable written notice, at least five (5) business days prior to the formal hearing, unless waived in writing. Written notice sent to the charged student's electronic and/or physical address listed in the Registrar's records shall constitute full and adequate notice. Written notice shall include:

1. The student's name and address.
2. Date, time and location and nature of the proceeding of the formal hearing.
3. The rule(s) of conduct allegedly violated as known at the time formal charges are prepared.
4. Names of potential witnesses known at the time formal charges are prepared.
5. A description of any written or physical documentation known at the time formal charges are prepared.

(b) The student may have, at his or her own expense and initiative, an advisor present at the hearing. It is the student's responsibility to make appropriate arrangements for the advisor to attend the hearing, and the hearing shall not be delayed due to scheduling conflicts of the chosen advisor. The advisor may be present to advise the student but shall not speak for or present the case for the student or otherwise participate directly in the proceeding. The student may consult with their advisor at any time during the hearing. This consultation must take place in a manner that does not disrupt the proceedings. In addition, an advisor may not serve as a witness. If the advisor does not adhere to their defined role in the student conduct review process, they may be removed from the hearing.

(c) All hearings shall be conducted on the basis that the charged student is not in violation until the preponderance of evidence proves otherwise. At a hearing, the technical rules of evidence applicable to civil and criminal cases shall not apply. The burden of proof in a student conduct hearing is not on the student charged with a violation of the Rules of Conduct.

(d) The student may inspect any information presented in support of the charges at least three (3) business days before the formal hearing. The University also has the right to review any information the student intends to use at least three (3) business days before the formal hearing. Only such information that is determined relevant information will be made part of the hearing record.

(e) The university cannot compel any person to attend a formal hearing. However, all parties may arrange for witnesses to voluntarily present relevant information during the proceeding. The student may hear and question adverse parties who testify at the hearing.

(f) The student shall not be forced to present self-incriminating information; however, the University is not required to postpone disciplinary proceedings pending the outcome of any civil or criminal case. The University's formal hearing is not a criminal or judicial proceeding and is designed to address student behavior; therefore, alleged violations of the UCF Rules of Conduct will be addressed independently of any outcome imposed by the courts for a criminal offense.

(g) The proposed finding, as well as the Director of the Office of Student Conduct or designee's determination, of "in violation" or "not in violation" on the charges shall be based solely on the information presented at the formal hearing.

(h) Only if the proposed finding of the hearing body is that the student is in violation, will prior conduct history be reviewed and potentially affect proposed sanctioning.

2. *If the Respondent is an employee:* OIE does not determine corrective actions for personnel, which may include discipline. The President, Provost or appropriate Vice President (or designee) will determine what corrective action will be taken and assign implementation of the corrective action.

- a. All written responses will be added to and maintained with OIE's file pertaining to the outcome.
- b. Notice of the outcome and applicable sanctions will be provided, in writing, to both the Complainant and Respondent.
- c. There is no appeal step within OIE's procedures. Disciplinary actions which rely on an OIE investigative report may be appealed through existing disciplinary processes. State or federal civil rights agencies may be contacted by the Complainant as appropriate.

#### Possible Sanctions:

1. *If the Respondent is a student:* Any student found in-violation of the Rules of Conduct for sex discrimination, sexual misconduct, sexual assault, sexual exploitation, relationship violence, stalking, sex or gender-based harassment, sexual harassment, complicity in the commission of any of these acts, or retaliation for reporting or participating in a process related to an investigation of such acts is subject to disciplinary action from the University including but not limited to disciplinary warning, disciplinary probation, deferred suspension, disciplinary suspension, disciplinary dismissal, or disciplinary expulsion. In addition to issuing punitive sanctions, educational requirements such as but not limited to attendance at seminars, workshops, presentations, writing papers, and conducting interviews on what constitutes consent and other relevant topical areas will also be imposed.

- a. **Disciplinary Warning:** An official warning that the student's behavior is in violation of the UCF Rules of Conduct, and that if the student is subsequently found in violation of a rule while on Disciplinary Warning; subsequent action may be more severe.

- b. **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.
  - c. **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 Office of Student Rights and Responsibilities. In determining if and to what extent suspended students shall be authorized to be on University premises, the Director of the Office of Student Rights and Responsibilities 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.
  - d. **Disciplinary Dismissal:** Disciplinary Dismissal is a sanction which removes the student from the individual's academic program and separates the student from the University for a period of at least two years and up to seven years. A dismissed student has none of the rights or privileges of a student of the University. Following Disciplinary Dismissal, the individual must apply for readmission to the University. Readmission is possible but not guaranteed and will only be considered after the two to seven year time allotted from the effective date of the Dismissal, based on meeting all readmission criteria and obtaining clearance from the Associate Vice President and Dean of Students or designee. This may include restricted access to campus and/or other specified activities. Students placed on Disciplinary Dismissal will have a conduct overlay placed on their transcript for the period of time that the Disciplinary Dismissal is in effect. The conduct overlay is a notation indicating that the student is not in good standing. Further, while on Disciplinary Dismissal, 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 Dismissal; otherwise the Disciplinary Dismissal will remain in effect.
  - e. **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.
  - f. **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.
2. ***If the Respondent is a Registered Student Organization:*** Any registered student organization found in violation of the Organizational Rules of Conduct for sex discrimination, sexual misconduct, sexual assault, sexual exploitation, relationship violence, stalking, sex or gender-based harassment, sexual

harassment, complicity in the commission of any of these acts, or retaliation for reporting or participating in a process related to an investigation of such acts is subject to disciplinary action from the University including but not limited to organizational probation, organizational deferred suspension, organizational suspension, or recommendation of charter revocation. In addition to issuing punitive sanctions to organizations, educational sanctions such as but not limited to attendance at seminars, workshops, presentations, writing papers, and conducting interviews on what constitutes consent and other relevant topical areas will also be imposed.

- a. **Organizational Warning:** An official warning that the organization's behavior is in violation of the Organizational Rules of Conduct and that if the organization is subsequently found in violation of a rule, subsequent action may be more severe.
- b. **Organizational Probation:** A period of time during which any further violation of the Organizational Rules of Conduct puts the registered student organization's status with the University in jeopardy. Restrictive conditions may also be imposed as part of disciplinary probation and will vary according to the severity of the offense. Restrictive conditions may include barring or limiting some or all of the organization's activities and/or privileges (including, but not limited to: social activities; intramural competition; organizational competition; Homecoming; eligibility to receive any University award or honorary recognition; privilege to occupy a position of leadership or responsibility in any University registered student organization governing body, publication, or activity; or ability to represent the University in an official capacity or position). If a registered student organization is found "in violation" for another violation of the Organizational 84 | P a g e Rules of Conduct while on organizational probation, more severe sanctions may be imposed.
- c. **Organizational Deferred Suspension** Organizational deferred suspension is used for offenses found serious enough to warrant organizational suspension, but where the specific circumstances of the case mitigate the offense or for repeated offenses of a less serious nature. Organizational deferred suspension is a designated period of time during which a registered student organization is given the opportunity to demonstrate the ability to abide by the community's expectations of behavior articulated in the Organizational Rules of Conduct. During an organizational deferred suspension, the registered student organization will be officially suspended from the university, but the organizational suspension will be deferred, meaning that the registered student organization may continue to operate with sanction-specific restrictions. Organizational suspension will be automatically enforced should the registered student organization fail to complete any of the assigned sanctions by the deadline(s) and/or for any subsequent violation of the Organizational Rules of Conduct unless the Director of the Office of Student Conduct determines otherwise in exceptional circumstances. If the registered student organization is found in violation for any subsequent violation of the Organizational Rules of Conduct, while on deferred suspension, including failure to complete any assigned sanctions by the deadline(s), the registered student organization will be automatically suspended for a minimum of two (2) semesters in addition to any educational sanctions imposed for the subsequent violation. Registered student organizations on organizational deferred suspension may be limited in their abilities to represent the university in intramural sporting events, extracurricular activities, or official functions. The duration of any organizational deferred suspension period and the specific restrictions imposed will be determined by the Office of Student Conduct on a case-by-case basis.
- d. **Organizational Suspension:** While on organizational suspension, the registered student organization loses its University recognition and/or registration for a temporary period of time. While an organization is suspended, it may not use University resources or participate as an organization in any University activities or events.
- e. **Revocation of UCF Registration:** Permanent severance of the organization's relationship with UCF.
- f. **Recommendation for Charter Revocation:** An official request to a national office that the local chapter's charter be revoked.
- g. **Educational Sanctions:** In conjunction with any sanction listed above, a registered student organization found to have been in violation of any of the Organizational Rules of Conduct will

be assigned educational sanctions that are proportional to the violation such as, but not limited to: reflective/research papers, classes/seminars, community service, restitution, interviews, etc. If a registered student organization has any outstanding educational sanctions at the conclusion of organizational probation or 85 | P a g e organizational suspension, the organizational probation or organizational suspension will remain in effect pending completion of the educational sanctions.

3. *If the Respondent is an employee:* Corrective actions may include but are not limited to a specific remedy for the Complainant, policy changes, disciplinary action against the Respondent, reconsideration of an action, or other remedies. A monitoring schedule also may be prescribed.

Appeals: Appeals procedures in cases where the Respondent is a student are found in UCF-5.010 (Student Conduct Appeals). Appeals procedures in cases where the Respondent is a student organization are found in UCF-5.013 (Organization Conduct Review Process; Sanctions; Appeals). Both UCF-5.010 and UCF-5.013 are located in the Golden Rule Student Handbook (<http://goldenrule.sdes.ucf.edu/docs/goldenrule.pdf>). Both the Complainant and Respondent are notified of their right to appeal in the written notification of the outcome of the student conduct review process. Complainants and Respondents in matters involving allegations of sexual misconduct and/or interpersonal violence or complicity (as defined in UCF Regulation section 5.008(5)) may appeal the finding(s) and sanction(s) imposed from a student conduct formal hearing. The appeal must be made in writing to the Appellate Officer (VP of SDES or designee) within seven (7) business days after the date both the Respondent and Complainant are notified of the decision by the Director of the Office of Student Conduct or designee. The appeal form can be found at <http://osc.sdes.ucf.edu/process>. Complainants and Respondents may appeal the finding and sanction(s) imposed on the basis of one or more of the following: 1. Irregularities in fairness and stated procedures of the hearing that could have affected the outcome of the hearing; 2. Discovery of new and significant information that could have affected the outcome of the hearing and that was not known or could not reasonably have been discovered and/or presented at the time of the initial hearing; and/or 3. The sanction(s) are extraordinarily disproportionate to the violation(s). On the appeal form, the student must state the reason(s) for appeal, supporting facts, and the recommended solution. Failure to describe the nature of the information in full detail in the appeal letter will result in the denial of the appeal. The appellate officer shall first determine if sufficient grounds for appeal exist and then, if so, may either deny the appeal, thus sustaining the initial decision and sanction(s) or do one of the following: 1. If the Complainant or Respondent alleges that the sanction was disproportionate to the violation(s) and the appellate officer finds the sanction to be disproportionate, the appellate officer may alter the sanction. 2. If the Complainant or Respondent alleges that there was a defect in procedure or new information was presented which was sufficiently substantial to have affected the outcome and the appellate officer agrees, the appellate officer will order a new hearing. The appellate officer shall issue a written decision to the student's appeal within twenty (20) business days of receipt of the appeal. The written decision shall issue to both the Complainant and the Respondent. Should the appellate officer require additional time for review beyond the 20 business days, the appellate officer shall notify the Complainant and Respondent in writing of the need for additional time. Decisions of the appellate officer reflect final agency action. Any decision by an appellate officer to alter sanctions or return a case shall be accompanied by a concise and explicit written statement that explains the basis for that decision

Appeals procedures in cases where the Respondent is an employee are informed by applicable policies and procedures governing the classification of employee.

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## **Alcohol & Other Drug Prevention and Intervention Services**

Substance Use Disorders Prevention, Treatment & Recovery Services are available to both students and employees at the UCF Student Health Center. A variety of health promotion services, including education, assessment for substance use disorders, interventions, treatment and recovery support are provided to UCF students by clinicians at Student Health Services. Confidential screening and assessment is available for students who are interested in feedback regarding risk and protective factors

associated with their self-reported substance use. In compliance with the DFSCA a description of drug and alcohol policies and abuse education programs is available at <https://goldenrule.sdes.ucf.edu/wp-content/uploads/sites/64/2019/09/2019-2020-Golden-Rule-8.25.2019-3.pdf#page=118>

Student Health partners with other campus and community entities to support services that encourage individuals and student organizations to make safer, responsible choices that enhance their personal and academic success at UCF.

UCF prohibits the unlawful possession, use, or distribution of drugs or alcohol by students, faculty or staff. Violations of these prohibitions will result in disciplinary action by the university.

<https://studenthealth.ucf.edu/DrugFreePolicy/>

[https://regulations.ucf.edu/docs/notices/3.0191DisciplinaryAction-USPS\\_finalJun09\\_000.pdf](https://regulations.ucf.edu/docs/notices/3.0191DisciplinaryAction-USPS_finalJun09_000.pdf)

In accordance with Regulation UCF-4.035, the University of Central Florida prohibits the unsafe or unlawful service, distribution, possession, or consumption of alcoholic beverages on campus. Members of the university community, vendors, and visitors are obligated to adhere to the requirements of state statutes, local ordinances, and university regulations and policies that regulate the service, possession, and consumption of alcoholic beverages. The university will cooperate in the enforcement of these legal requirements.

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.

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 Student Health website at <http://studenthealth.ucf.edu> for more information on additional programs, resources 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:**

**2016:** No hate crimes reported.

**2017:** No hate crimes reported.

**2018:** No hate crimes reported.

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## 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 UCF DAYTONA BEACH CAMPUS**

	On Campus			Non-campus			Public Property		
	2016	2017	2018	2016	2017	2018	2016	2017	2018
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	2	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	2	0	1	0	0	0	0	0	0
Motor Vehicle Theft	3	0	1	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Rape	1	0	0	0	0	0	0	0	0
Fondling	0	0	1	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	1	0	0	0	0	0	0
Dating Violence	2	1	1	0	0	0	0	0	0
Stalking	6	4	7	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	2	0	3	0	0	0	0	0	0
Drug Law Referral	0	0	2	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 2016, 2017, 2018 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.