

# 2021 Clery Report

## Annual Campus and Fire Safety Report

ISSUED FOR 2022/2023 ACADEMIC YEAR



UNIVERSITY POLICE

FLORIDA POLYTECHNIC  
UNIVERSITY



# Florida Polytechnic University Police Department

*Chief Richard Holland*

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**Integrity • Service • Trust**

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From Chief Richard A. Holland,

Thank you all that visit, enrolled, attend, work, and are thinking about attending Florida Polytechnic University. What you will find here is a university with one goal and that is creating an atmosphere of STEM education for those entering this field. My job as the Chief along with all of the members of my department are here to ensure a safe environment in support of the university's goals and mission to enhance your experience.

We truly want you to have a wonderful experience at our campus and in doing this we provide numerous community programs to include self-defense, crime prevention active shooter, and other numerous programs like pizza/coffee with the cops (stay tuned to our calendar events).

We connect through proactive patrolling, being available as well as being highly visible throughout the campus. This includes doing nighttime vehicle standbys for safety, roadside assistance or officers doing escorts just to interact. The University Police are here to serve you with a small net community that believes in safety first. The members of our Agency have a combined law enforcement experience of more than 250 years. Our officers have been selected from some of the best agencies around the United States and have a very diverse background in supervision, investigations; to include robbery, homicide, sex crimes, fraud, and traffic homicide with a high emphasis on community policing.

On behalf of the women and men of the Florida Polytechnic University Police Department, thank you for attending, visiting, working, inquiring about the university, or just wanting to know about the University Police Department. We have one mission: to protect and serve the community of Florida Polytechnic.

Sincerely,  
Richard A. Holland, Jr.  
Chief of Police  
863-874-8472, prompt 2  
[Rholland@floridapoly.edu](mailto:Rholland@floridapoly.edu)

## INTRODUCTION

Choosing a postsecondary institution is a major decision for students and their families. Along with academic, financial, and geographical considerations, the issue of campus safety is a vital concern. In 1990, Congress enacted the Crime Awareness and Campus Security Act of 1990 (Title II of Public Law 101-542), which amended the Higher Education Act of 1965 (HEA). This act required all postsecondary institutions participating in HEA's Title IV student financial assistance programs to disclose campus crime statistics and security information. This act was amended in 1992, 1998, and 2000. The 1998 amendments renamed the law the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in memory of a student who was slain in her dorm room in 1986. It is generally referred to as the Clery Act.

In 2008, the Higher Education Opportunity Act or HEOA (Public law 110-35) reauthorized and expanded the Higher Education Act of 1995, as amended. HEOA amended the requirements of the Clery Act and created additionally safety- and security-related requirements for educational institutions such as ours.

In 1994, the Violence Against Women Act of 1994 or VAWA (Public law 103-322) was the first major federal law to help government agencies and victim advocates work together to fight domestic violence, sexual assault, and other types of violence against women. The VAWA created new punishments for certain crimes and started programs to prevent violence and help victims. The reauthorization of the VAWA in 2013 amended the Clery Act to afford additional rights to campus victims of sexual assault, domestic violence, dating violence, and stalking. These amendments to the Clery Act went into effect July 1, 2015.

Compliance with these federal laws is not a once-a-year event. Many requirements must be satisfied before an institution can be considered in full compliance. Some requirements are ongoing, such as crime information collecting, campus alerts and crime log updating, while other requirements are less frequent, such as this Annual Security and Fire Safety Report and the online survey our institution submits to the Department of Education by October 1 each year.

The Annual Security and Fire Safety Report is prepared by the Chief of Police. There is collaboration with various offices across campus, including but not limited to, Office of Student Affairs, Title IX Office, Office of Rights and Responsibilities, and Facilities and Safety Services. The crime statistics are collected by the Office of Rights and Responsibilities and Title IX Office, which are then verified with the University Police Department.

## CLERY ACT REQUIREMENTS

- Publish an annual report by October 1 that contains three years of campus crime and fire statistics, as well as certain campus security policies and fire prevention statements.
- Disclose crime statistics for campus, public areas immediately adjacent to or running through the campus, and non-campus facilities and remote classrooms.
- Provide timely warnings to the campus community on crimes considered to be a threat to students and employees.
- Publish on-campus housing fire statistics 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. Fire statistics are provided by Lakeland Fire and Rescue.
- Members of the Florida Polytechnic 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 University Police Department and is available online at [www.floridapoly.edu](http://www.floridapoly.edu).
- For a printed copy visit the University Police Department located at 4539-1 Polytechnic Circle (next to the Campus Control Center).

## **MISSION, VALUES, VISION AND GOALS**

### Mission

The University Police Department, along with Lakeland Police Department and Polk County Sheriff's Office provides high-quality-professional crime prevention, protection, and law enforcement services to maintain and promote human safety and the security of property for the Florida Polytechnic University campus and its associated locations. The University Police 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 University Police Department provides services, develops programs, and trains its sworn and civilian staff members with sensitivity to the unique concerns of the university community.

### Values

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

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

### Vision

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

## Goals

Increase public safety and police coverage for the university community by expanding programs currently offered and adding new services as required.

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

## **Timely Warnings**

The University Police Department will make determinations for a Timely Warning. The circumstances for which a timely warning will be issued are for events that present an imminent danger to the campus community or that will significantly impact university operations. The individual responsible for making these determinations are the Chief of Police. The timely warnings will be sent out via the Florida Poly Alerts described below.

## **Florida Poly Alerts**



The University Police Department will make reasonable efforts to provide notifications about emergencies and natural or man-made disasters affecting the university.

Each individual who has the authority to activate the Florida Poly Alerts system has the responsibility of ensuring that it is activated primarily for life safety situations and is not used for routine notifications. Florida Polytechnic University will, without delay and taking into account the safety of the community, determine the content of the notification, and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

### What is Florida Poly Alerts?

Florida Poly Alerts is a multimedia communications system that provides timely and accurate information about emergency situations that could impact the university. The goal is to help keep the campus safe and informed during an emergency.

The University Police Department, along with the executive staff will determine which communications tools will be used during an emergency. These entities work together to provide timely and accurate information to the Florida Polytechnic community. Florida Poly Alerts features several communications tools, including e-mails, text messages, web updates, social media, voice messaging and more.

Generally, emails and text messages will be used only for events that present an imminent danger to the campus community or that will significantly impact university operations. Florida Polytechnic University understands that some Florida Poly Alerts recipients may be charged for receiving text messages, and, therefore, will use text messages judiciously.

Examples of situations in which text messages and e-mails might be sent include, but are not limited to, bomb threats, chemical spills, significant traffic or parking issues, and extreme weather alerts.

At all times, the best source for official news and information is the Florida Polytechnic University website, [www.floridapoly.edu](http://www.floridapoly.edu). The site will be updated during an emergency, as information becomes available.

For questions about Florida Poly Alerts and how it is used, contact the University Police Department at 863-874-8472 (prompt 2) or the IT Help Desk at 863-874-8888 (prompt 1).

## PRIMARY NOTIFICATIONS

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

- **Florida Poly Emergency Home Page (<https://floridapoly.edu/>):**
  - The Florida Poly home page will become the Florida Poly Emergency home page during a major emergency and will provide updates, instructions, and information to the Florida Poly community.
- **Outdoor and Indoor Public Address System at the IST Building:**
  - In the event of an emergency a message will be broadcasted alerting and instructing occupants of the building and those outside the area.
- **SMS Text Messaging:**
  - If you did not opt out, you will receive a text message on your cellphone with specific instructions.
- **Email:**
  - If you did not opt out, you will receive an email to any email account provided on your emergency contact information.
  - If you do not have an e-mail address, sign up for a free Poly e-mail account. (Sign up or update your emergency contact information now.)
- **NOAA Weather Notification:**
  - Florida Polytechnic University closely monitors the National Oceanic and Atmospheric Administration (NOAA) weather updates and receives weather alerts from the NOAA and the Polk County Emergency Operations Center. In the event of severe weather, Florida Poly will automatically distribute the appropriate warning message.

## SECONDARY NOTIFICATIONS

These are other options Florida Polytechnic University 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. Florida Polytechnic University main phone line 863-583-9050. Recorded messages of current events and instructions will be posted here.

- **Two-Way Radios:** Employees on campus who utilize two-way radios for routine business (police, facilities operations, student development, housing) will also receive alerts and warnings via their radios from their home office.
- **Vehicle Public Address speaker:** When an isolated or targeted message may be required, university vehicles equipped with public address speakers (i.e. University Police Department) may utilize this method.
- **Media Release or Press Conference:** Depending on the nature and severity of the emergency, the local media may post breaking news or periodic updates regarding an emergency at Florida Poly Alerts or [www.floridapoly.edu](http://www.floridapoly.edu).
  - Depending on the nature and severity of the emergency, local radio and television 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.
- Facebook: Keep up with Florida Poly news and also receive emergency notifications. [www.facebook.com/FLPolyU](http://www.facebook.com/FLPolyU).
- Twitter: Keep up with Florida Poly news and also receive emergency notifications. <https://twitter.com/FLPolyU>

Florida Poly is always working to find additional ways to notify the campus of an emergency, so stay tuned.

### 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 receive the following, please obey these directions:

- **Lockdown or shelter-in-Place, Tornado, severe Thunderstorm, Active Shooter and Armed Assailant:** Seek shelter immediately in the nearest hardened building, away from doors and windows.
- **All Clear:** The campus is deemed safe by all emergency personnel. Return to normal business or follow instructions provided by the university or emergency responders.
- **Tests:** Florida Polytechnic University Police will conduct tests of the Florida Poly Alert system. The campus community will be notified of these tests ahead of time. No actions are required.

The following university personnel have the authority to activate and deactivate the Florida Poly Alert system:

- AVP/University Relations or designee
- Chief of University Police or designee
- Emergency Manager/Safety Services or designee

## **REPORTING CRIMINAL INCIDENTS AND OTHER EMERGENCIES**

All students, employees, and guests should promptly report crimes in progress, life and death situations, and crashes with injuries to 911. Specify your location if you are calling from your cellphone. Stay on the line until the dispatcher locates your jurisdiction and tells you to hang up.

## **VOLUNTARY CONFIDENTIAL REPORTING**

Florida Polytechnic University 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. 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 to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution. If individuals want to file an anonymous report, please go to the University Police [page](#) and click on Anonymous Witness and fill out the form. The form is then directed to the University Police Department for follow-up.

## **ACCESS TO UNIVERSITY FACILITIES**

University facilities are well-maintained and in the interest of the students and employees security is given considerable attention. Many cultural, community and academic events held in 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 limited to students, employees, and visitors for the purpose of study, work, teaching, and conducting other university business.

All campus buildings are patrolled daily by the University Police Department in order to monitor and address any security measures needed. Florida Poly has designed policies and regulations in order to create a safe and harmonious environment for the members of its community. All campus community members and visitors of the university are required to obey these regulations. These policies not only reflect the university's high standards of conduct, but also local, state and federal laws. Observed and enforced, they create a significant degree of safety for the university community

## **EMERGENCY BLUE LIGHT PHONES**

Located throughout campus, these phones provide direct contact to an emergency dispatch center. They can be identified by the blue light on top of the box or pole. When the red button is activated the phone will notify the 911 dispatch center for police/fire/ambulance. A University police officer will be dispatched as needed.

## **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 Florida Polytechnic University or a trend that is happening in or around the campus.

University Police, Lakeland Police, and the Polk County Sheriff's Office share safety and crime bulletins to keep their respected communities informed. When notified of incidents involving crime or a safety concern near or on campus, a Campus Safety Alert or Crime Alert Bulletin is released, detailing the incident and providing tips for others to avoid similar situations.



## **CAMPUS SECURITY AUTHORITY**

Although students are encouraged to contact law enforcement when a crime is committed against them, students can also report to a Campus Security Authority. Those staff members who have been designated as a Campus Security Authority are:

The Office of Student Affairs, Student Development, Title IX Coordinator, Ombudsman, Resident Hall Staff, the University Registrar, Office of Enrollment (Admissions), and all members of the University Police.

## **COMMUNITY POLICING AND SERVICES**

### Escort Patrol Service

The University Police Department provides free safe passage for students, faculty, and staff, and visitors who need to cross the main campus after dark. Call 863-874-8472 (prompt 2) to contact the department to request an escort 24/7/365.

The University Police Department conducts a list of programs each semester, there are as follows:

### Operation Id/Property Registration

The University Police Department offers free engraving of your student/faculty and staff identification number on your valuables. This assists the police in recovering property that is lost or stolen. Property registration, another free service, provides students, and faculty and staff members with a way to record the make, model, value, color, and serial number of valuables. If any of the valuables are stolen, this information is needed to place the item in a national database, which will help in the recovery and return of your property.

### New Student Orientation Program

The University Police Department officers speak to students and their families about social behavior and crime prevention. Students and parents receive information about preventing property crimes, theft and vehicle burglaries, as well as self-defense classes. After the presentation, parents are able to speak to officers about crime and crime prevention.

Florida Polytechnic University employees are the university's greatest assets against crime. In partnership with our employees they are asked to report suspicious people and assist students who are in need of the police or medical attention.

### Active Shooter Class

A free emergency action class put on by the University Police Department for responding to an active assailant event. Rehearsing the plan regularly is critical to minimizing and preventing injury and death caused by an active assailant attack. This Active Assailant Preparedness Training makes sure all those involved with the university (students, employee, and parents) are well prepared should the unthinkable occur—an active shooter at any school. The course covers how to recognize when a person may be involved in suspicious activities and how to react quickly. Survival options covered include evacuating, hiding, and protecting and taking action.

## Women's Basic Self Defense Class

A basic self-defense program provided free of charge with Instructors from the police department and university staff who will provide educational opportunities for women as well as seniors to create a safer future and environment for themselves.

## Crime Prevention Class

This class gives students and employees important tips designed to keep them and their property safe. Topics include reporting a crime, safety tips, protecting your campus and how to be a good witness among others.

The class will also cover crime and statistics and how to become more involved with the university programs like operation ID and see something say something. There will also be a question and answer session.

## Anonymous Witness

This program is designed so that students and employees can report suspicious activity and crimes on campus while remaining anonymous. You can simply fill out the [anonymous witness form](#) or call anonymously. You will not be contacted, unless you provide contact information. All tips remain anonymous and confidential. Please keep in mind this program is intended to assist the Florida Polytechnic University Police Department and is not intended for crimes in progress or for emergencies. In those instances, please call 911 for an emergency or 863-874-8472.

## Conversation With Cops

Building relationships. One conversation at a time, Conversation with the Cops brings police officers and our university community together to discuss issues and learn more about each other in a casual atmosphere at neutral locations that provides the opportunity for real conversations about issues that matter.

## Educational Safety Awareness

This is a weekly mobile display setup to provide informational material and pamphlets or question and answers sessions for all our students, faculty and staff members provided by the University Police Department.

## See Something/Say Something

Across the nation, we're all part of communities. In cities, on farms, and in the suburbs, we share everyday moments with our neighbors, colleagues, family, and friends. It's easy to take for granted the routine moments in our every day—going to work or school, the grocery store or the gas station. But your every day is different than your neighbor's—filled with the moments that make it uniquely yours. So, if you see something you know shouldn't be there—or someone's behavior that doesn't seem quite right—say something. Because only you know what's supposed to be in your everyday. Informed, alert communities play a critical role in keeping our nation safe.

"If You See Something, Say Something™" engages the public in protecting our homeland through awareness-building, partnerships, and other outreach.

<https://www.dhs.gov/see-something-say-something>

### Physical Security Analysis

Florida Polytechnic University officers are trained professionals who provide evaluations of buildings and departments to help make the campus safer. Departments can request an evaluation by calling 863-874-8472 (prompt 2) during business normal hours.

### Victim Services

The University Police Department has formed a partnership with the Lakeland Police Department's Victim Assistance Program. As part of their extensive victim advocacy program, they provide options, advocacy, and education to the Florida Polytechnic University community. Their primary mission is the provision of advocacy services to victims. More information is available at:

<https://www.lakelandgov.net/departments/lakeland-police-department/bureaus-divisions/investigative-services/victims-assistance/>

## **SEX OFFENSES**

If you are the survivor of a sexual battery, sexual assault, or date or acquaintance rape, and you do not wish to report immediately to law enforcement, help is available 24/7. Call the Lakeland Police Department at 863-834-6966 and ask to speak with a victim advocate. An advocate can discuss all options, so survivors can make an informed decision and receive appropriate referrals and resources specifically designed for this type of victimization. A Lakeland Police Department advocate is always available to assist you with or without a police report.

### RECOMMENDATIONS:

- Call for an advocate.
- Consider filing a police report (recommended but not required).
- Do not change your clothing.
- Do not wash your body or clothes.
- Do not alter or change the scene of the crime

### The Campus Sex Crimes Prevention Act

Section 1601 of Public Law 106-386: A federal law enacted on October 28, 2000, that provides for the tracking of convicted registered sex offenders enrolled as students at institutions of higher education or working or volunteering on campus.

### Violence Against Women's Act (Vawa)

The Violence Against Women Act (VAWA) has been of ongoing interest to Congress since its enactment in 1994 (P.L. 103-322). The original act was intended to change attitudes toward domestic violence, foster awareness of domestic violence, improve services and provisions for victims, and revise the manner in which the criminal justice system responds to domestic violence and sex crimes.

The legislation created new programs within the Departments of Justice (DOJ) and Health and Human Services (HHS) that aimed to reduce domestic violence and improve response to and recovery from domestic violence incidents. VAWA primarily addresses certain types of violent crime through grant programs to state, tribal, and local governments; nonprofit organizations; and universities. VAWA programs target the crimes of intimate partner violence, dating violence, sexual assault, and stalking.

In 1995, the Office on Violence Against Women (OVW) was created administratively within DOJ to administer federal grants authorized under VAWA. In 2002, Congress codified the OVW as a separate office within DOJ. Since its creation, the OVW has awarded more than \$5 billion in grants. While the OVW administers the majority of VAWA authorized grants, other federal agencies, including the Centers for Disease Control and Prevention (in HHS) and the Office of Justice Programs (in DOJ), also manage VAWA grants.

Since its passage in 1994, VAWA has been modified and reauthorized several times. In 2000, Congress reauthorized the programs under VAWA, enhanced federal domestic violence and stalking penalties, added protections for abused foreign nationals, and created programs for elderly and disabled women. In 2005, Congress again reauthorized VAWA.

In addition to reauthorizing the programs under VAWA, the legislation enhanced penalties for repeat stalking offenders; added additional protections for battered and/or trafficked foreign nationals; created programs for sexual assault victims and American Indian victims of domestic violence and related crimes; and created programs designed to improve the public health response to domestic violence.

In February 2013, Congress passed legislation (Violence against Women Reauthorization Act of 2013; P.L. 113-4) that reauthorized most of the programs under VAWA, among other things. The VAWA reauthorization also amended and authorized appropriations for the Trafficking Victims Protection Act of 2000, enhanced measures to combat trafficking in persons, and amended some VAWA grant purpose areas to include sex trafficking. Moreover, VAWA 2013 gave Indian tribes authority to enforce domestic violence laws and related crimes against non-Indian individual and established a nondiscrimination provision for VAWA grant programs. The reauthorization also included new provisions to address the rape kit backlog in states.

### The Campus Sexual Violence Elimination Act

Florida Polytechnic University complies The Campus Sexual Violence Elimination Act, or [Campus SaVE Act \(SaVE\)](#), is a 2013 amendment to the federal Jeanne Clery Act. SaVE was designed by advocates along with victims/survivors and championed by a bi-partisan coalition in Congress as a companion to [Title IX Title IX](#) that will help bolster the response to and prevention of sexual violence in higher education. President Obama signed the measure into law as part of the [Violence Against Women Reauthorization Act of 2013](#) on March 7, 2013.

SaVE requires colleges and universities, both public and private, participating in federal student aid programs (covering virtually every campus in the United States) to increase transparency about the scope of sexual violence on campus, guarantee victims enhanced rights, provide for standards in institutional conduct proceedings, and provide campus community wide prevention educational programming. Florida Polytechnic University began implementing SaVE on October 1, 2014.

## Increased Transparency

Florida Polytechnic University collects and reports statistics for domestic violence, dating violence and stalking (as defined by the Violence Against Women Act) occurring on-campus, on public property within and adjacent to campus, and at non-campus properties like off-campus student organization housing and remote classrooms. Florida Polytechnic University already reports sexual assault statistics.

Florida Polytechnic University will collect statistics from a broad range of campus officials including resident advisors, deans and athletic coaches, campus police, and local law enforcement. The law requires disclosures to protect the confidentiality of victims in these statistical disclosures as well as any public record keeping, to the extent provided by law.

## **TITLE IX**

Maintaining a campus free of sex discrimination, including sexual misconduct and sexual harassment, is important for all students and employees.

Title IX of the Education Amendments (1972) prohibits discrimination on the basis of sex in any educational program or activity that receives federal financial assistance (20 U.S.C. § 1681(a)). Title IX prohibits sexual harassment, including sexual violence.

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity receiving Federal financial assistance.”

### Title IX of the Educational Amendments of 1972 to the 1964 Civil Rights Act

The university is working toward fostering a climate free from sexual misconduct through training, education, prevention programs, and through policies and procedures that encourage prompt reporting, prohibit retaliation, and promote timely, fair and impartial investigation and resolution of sexual misconduct cases in a manner that eliminates the sexual misconduct, prevents its recurrence and addresses its effects.

The university’s [Sexual Misconduct Policy](#) is consistent with federal law in prohibiting discrimination on the basis of sex, gender, gender identity, gender expression, or sexual orientation.

### Submitting a Report

The Title IX coordinator is responsible for monitoring compliance with regulations and is responsible for receiving complaints of sexual harassment, including sexual assault, sexual violence, relationship (domestic/dating) violence, stalking or other sexual misconduct.

Reports of sexual misconduct should be reported to the Title IX coordinator who coordinates Florida Poly’s compliance with Title IX, and responds to reports of sexual misconduct by providing outreach, resources, and investigations.

Michelle Disson

Title IX Coordinator

863-874-8484

[titleixcoordinator@floridapoly.edu](mailto:titleixcoordinator@floridapoly.edu)

[Online Reporting Form](#)

The Title IX Coordinator will maintain the records of all reports. When applicable the Title IX Coordinator will provide proper disclosures to the University Police while excluding any personally identifying information about the victim.

### What Is Sexual Misconduct?

Sexual misconduct is an umbrella term that includes:

- Sexual harassment: Unwelcomed verbal or physical sexual advances that interfere with work or school
- Sexual assault: Any nonconsensual sexual contact, including but not limited to nonconsensual vaginal, anal or oral penetration
- Sexual exploitation: Nonconsensual or abusive sexual behavior for one's own benefit or the benefit of another; including recording or distributing sexual photographs or videos without consent
- Intimate partner violence: Verbal, emotional, financial, psychological, or sexual abuse of a current or former intimate partner (dating, domestic, relationship violence)
- Stalking: A course of conduct that would cause someone to fear for their safety, including following, surveilling, or threatening a person or their property in person or online

### What Is Consent?

Consent is a voluntary, affirmative and active agreement to a sexual activity. Consent must be gained for every act and can be withdrawn at any time.

- **Active:** Must be mutually understood affirmative words or actions. Consent can NOT be implied through silence or previous history.
- **Coherent:** If someone is incapacitated from alcohol or drugs, asleep, or otherwise mentally impaired, they are NOT able to consent to sexual activity.
- **Willing:** Must be freely given, it can NOT be granted under psychological, emotional, or physical force, manipulation, persuasion or threats.
- **Ongoing:** Voluntary and affirmative agreement for every act, every time. Past consent does not apply and consent can be withdrawn at any time.

### What to do if someone makes a disclosure?

You may learn of an incident of sexual harassment, sexual misconduct, sexual assault, intimate partner violence (dating/domestic) or stalking. Your response is very important and may determine whether the person who has experienced this chooses to tell anyone else or seek professional assistance.

Do:

- Ensure the person is safe and if needed receives medical attention (e.g. SAFE exam).
- Explain options for reporting.
- Provide information on confidential reporting to
- On-campus: [care@floridapoly.edu](mailto:care@floridapoly.edu)
- Off-campus: [Peace River Center](#)
- Listen, but do not investigate.

Do Not:

- Conduct your own investigation. Even the best intentions may exacerbate a situation or compromise an investigation.
- Dictate what a person should do.
- Blame the person.
- Be the person's only support.

The Title IX coordinator is also available to answer any questions that you may have regarding your rights, responsibilities.

### Disclosures Made to Responsible Employee

#### **Responsible Employees**

With the exception of the confidential resources listed below, ALL Florida Poly employees, including resident and teaching assistants, are "Responsible Employees" and have a legal responsibility to notify the Title IX coordinator of any disclosure made by a student.

Employees are also encouraged, though not required by law, to report any disclosures of sexual misconduct made by a fellow employee.

Next Steps:

- Listen and believe.
- Explain and be clear about your role and responsibility to report the information shared if the disclosure was made by a student, plus your ability to help.
- Do NOT promise confidentiality but explain that you will only share the information with the Title IX coordinator, as required by law.
- Notify the Title IX coordinator of the allegation within 48 hours of the report

The university has Confidential Resources that are NOT required to report to the Title IX Coordinator.

They are:

- University Ombudsman
- BayCare Student Assistance Program
- BayCare Employee Assistance Program
- Peace River Center

#### **What Happens After a Report has been submitted?**

- 1. The Title IX coordinator will reach out to the individual affected by the misconduct and provide resources, information, and request a meeting. This meeting will go over resources, options of reporting and investigating, confidentiality, and medical attention if needed.
- 2. Facilitate supportive measures when needed and appropriate (including but not limited to: academic assistance, withdrawal, no contact orders, housing assistance, working assistance, safe ride/safe walk)
- 3. Take immediate and appropriate steps to investigate or otherwise determine what occurred.

Note: the reporter may not receive updated information after the report is made to maintain confidentiality.

Supportive Measures: Measures that are reasonably available where the university may take to protect the parties once a report of sexual misconduct is made and throughout the duration of any investigation. Supportive measures provided to students may vary from those provided to employees. A person does not need to go through a university investigation to receive some of these measures. Supportive Measures are meant for an interim period and if longer services are needed the Title IX coordinator will refer to the appropriate office.

Examples of supportive measures include, but are not limited to:

- Providing counseling and health services information
- Academic adjustments
- Housing arrangements
- A no contact order with individuals involved
- Employment arrangements
- Escort services

Investigative and Reporting Options: The person who has experienced the misconduct has the option (in most cases) to have the university investigate or not.

- University Administrative Process includes interviews with all parties and witnesses. There is a formal and informal resolution process available. The Title IX coordinator will go over all options available when an in-person meeting occurs. The standard used for these processes is a preponderance of the evidence.
  - Student Respondents will follow the procedures listed in the [Student Code of Conduct](#)
  - Employees, Vendors and Contractors will follow the procedures listed in the [Discrimination and Harassment Complaint Investigation Procedures](#)
  - If either fall under Title IX jurisdiction, additional procedures will be followed listed in the [Sexual Misconduct Policy](#)
  - Possible Sanctions following a Formal Investigation where there has been a finding of responsibilities may include:
    - Students
      - Expulsion
      - Suspension
      - Probation
      - Restrictions from areas/removal from classes
      - Educational Sanctions
    - Employees
      - Termination
      - Suspension
      - Written reprimand
      - Educational sanctions
- Police Department is another reporting options for people that want to pursue a criminal complaint. This may include interviews and court proceedings. The standard used is beyond a reasonable doubt.
  - The right to go to the courts and obtain order of protection, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.



## Mandatory Training

Florida Poly students and employees are required to complete Title IX training.

### **Students**

Each year, all new students are to attend Title IX training. The training is held in-person in during New Student Orientation. Online training is also required and sent to the students Florida Poly email account from our training partners Get Inclusive. The modules that are required consist of Alcohol & Other Drugs and Voices for Change – Consent.

### **Employees**

To ensure all employees are aware of and understand their responsibility to report any student disclosure of sexual misconduct to the university Title IX coordinator, Florida Poly is providing mandatory training on [Title IX](#) and how to report disclosures. This training fulfills the Federal Requirement for Sexual Harassment, Assault and Violence Prevention training.

The training includes information about:

- The impact of Title IX and the Educational Amendments of 1972 on colleges and universities, their employees, and their students.
- Becoming familiar with the responsibilities of campus employees as mandated reporters under Title IX.
- Developing a shared language around terms related to domestic violence, dating violence, sexual assault, stalking and consent.
- Becoming familiar with Florida Poly’s statement prohibiting domestic violence, dating violence, sexual assault, stalking and consent.

The online training module is self-paced and takes about 40 minutes to complete. All responses to quizzes and questionnaires in the course are confidential.

### **Anyone Involved in the Investigation or Decision-Making Procedure**

Training is provided yearly for any individual who is investigating or making a decision in a University process. The training involves information on dating violence, domestic violence, sexual assault and stalking. How to properly conduct an investigation or hearing process that promotes fairness and accountability.

## **RESOURCES**

### University

#### [BayCare’s Student Assistance Program](#)

1-800-878-5470

BayCare is a free self-referral and confidential services available to students, to help with issues that interfere with the successful management of the educational process. Services are available 24 hours a day, seven days a week by phone or online.

### [Employee Assistance Program](#)

1-800-878-5470

Florida Poly's [Employee Assistance Program](#) (EAP) (administered by Baycare) provides free and confidential access to a wide range of services to help employees and their family/household members. Services are available 24 hours a day, 7 days a week by phone or online.

### **Title IX Coordinator**

863-874-8484

### [University Police Department](#)

863-874-8472, prompt 2

[Community](#)

### [Peace River Center](#)

600 El Paseo, Lakeland, Florida, 33805 | 863-413-2708 office | 863-413-2700-24/7 crisis line

### [Lakeland Police Department](#)

228 S. Massachusetts Ave., Lakeland, Florida, 33801 | 863-834-6000

### [Polk County Sheriff's Office](#)

1891 Kim Keene Blvd., Winter Haven, Florida, 33880 | 863-298-6200 (non-emergency) or 911

### [Lakeland Regional Health](#)

1324 Lakeland Hills Blvd., Lakeland, Florida, 33805 | 863-687-1100

[National](#)

### [Rape, Abuse and Incest National Network \(RAINN\)](#)

1-800-656-4673

### [National Domestic Violence Hotline](#)

1-800-799-7233

### [National Suicide Prevention Lifeline](#)

Phone: 1-800-273-8255

Related Links

- [Office of Civil Rights](#)
- [Sexual Misconduct Policy](#)
- [Resources](#)

## INFORMATION ABOUT REGISTERED SEX OFFENDERS

Under Florida Statutes, Section 1006.695, the university is required to inform new students and employees of the existence of the Florida Department of Law Enforcement Sexual Predator and Sexual Offender Registry website and the tollfree telephone number that gives access to sexual predator and sexual offender public information.

This information is as follows:

### **Florida Department of Law Enforcement**

Florida Sexual Offenders and Predators

Website: <https://offender.fdle.state.fl.us/offender/sops/offenderSearch.jsf>

Toll-free number: 1-888-357-7332

For TTY Accessibility: 1-877-414-7234

### Victims' Rights

Florida Polytechnic University affords all students and employees who report an incident of sexual violence – covering sexual assault, domestic violence, dating violence and stalking – specific rights whether or not they pursue any formal complaint or not. Additionally, written notice of these rights are provided to a student or employee when they report their victimization.

Florida Polytechnic University affords all students or employees who reports that they have been the victim of an incident of sexual violence, either on or off-campus, with the following information and rights:

- Possible sanctions or protective measures that may result from an institutional disciplinary proceeding (see Conduct Proceedings).
- Procedures that should be followed in the event of an incident of sexual violence including –
  1. The importance of preserving evidence for proof in criminal proceedings;
  2. To whom the offense should be reported;
  3. Options for reporting to law enforcement including the right to be assisted by campus authorities;
  4. The right to decline to report to law enforcement; and
  5. Information about no contact orders issued by a court.
- Notification about existing counseling, health, mental health, victim advocacy, legal assistance and other services available on and off-campus.
- Florida Poly will make changes to the academic, living, transportation and working situations of any victim if requested and reasonably available whether or not a formal report is made.
- Conduct Proceedings In addition to reporting to law enforcement, victims also have the option to seek protective or disciplinary action directly with Florida Polytechnic University. Florida Polytechnic University has adopted and will disclose policies that –
- Florida Polytechnic University will advise the victim of the standard of evidence (which under current Title IX guidelines is “preponderance of the evidence” or more likely than not);
- Florida Polytechnic University will Provide a “prompt, fair, and impartial investigation and resolution”;
- Florida Polytechnic University’s proceedings are conducted by officials who receive annual sexual violence training, including on how to conduct an investigation, protect the safety of victims and promotes accountability;

- Florida Polytechnic University will ensure that both accuser and accused are entitled to the same opportunities to have others present, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice (Florida Polytechnic University will not meet this requirement by denying both parties the right to an advisor);
- Florida Polytechnic University will ensure that both the accuser and accused shall be simultaneously informed, in writing, of –
  1. The outcome of any institutional disciplinary proceeding;
  2. The procedures for the accused and the victim to appeal the results of the proceeding;
  3. Any change to the results; and
  4. When such results become final.

## EDUCATION PROGRAMS

Florida Polytechnic University provides primary prevention and awareness programs for all incoming students and new employees, along with ongoing prevention and awareness campaigns, that contains the following information:

- Florida Polytechnic University prohibits sexual violence;
- Contained within the Florida Polytechnic University Annual Safety Report are the definitions of domestic violence, dating violence, sexual assault, and stalking in their jurisdiction (the institution must still follow the federal definitions when collecting statistics, offering victims assistance and conducting disciplinary proceedings);
- Florida Polytechnic University will provide definition of consent for sexual activity in our jurisdiction;
- Alcohol and Other Drugs laws
- Florida Polytechnic University will provide information on bystander intervention;
- Risk reduction tips are contained within this Annual Report;
- Information about disciplinary proceedings and victims’ rights as required by SaVE.

Bystander Intervention is pivotal to the safety of our campus. We want all of our students to feel empowered to step up and help each other out safely. The goal is to get students to notice an event, recognize there is a problem, assume personal responsibility, know how to help and safely implement the help. We encourage our students to find their own way as an active bystander by being direct, distraction or delegating.

Florida Polytechnic University offered the following primary prevention and awareness programs for all incoming students in 2021:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Which Prohibited Behavior Covered?</b>
Voices for Change – Get Inclusive	Year around training for all incoming undergraduate and graduate students	Online	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship Violence, Hate Crimes, Alcohol and Other Drugs
New Student Orientation	2/19, 2/23, 8/22 (3)	Virtual – Microsoft Teams, IST 1002/1003, Aula Magna	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship

			Violence, Sexual Harassment, Bystander Intervention, Alcohol, Drugs
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Florida Polytechnic University offered the following primary prevention and awareness programs for all new employees in 2021:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Which Prohibited Behavior Covered?</b>
Title IX - Employees	Year around training Mandatory for all new employees	Online	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship Violence, Sexual Harassment
New Faculty Orientation	8/18	IST 1067/1068	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship Violence, Sexual Harassment

Florida Polytechnic University offered the following ongoing awareness and prevention programs for students in 2021:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Which Prohibited Behavior Covered?</b>
Healthy Relationships for Valentine's Day	2/10	Wellness Center - Outdoor Patio	Dating Violence, Domestic Violence, Relationship Violence, Consent
Support Resources and Positivity Rock Painting	3/15	Wellness Center - Outdoor Patio	Consent, Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship Violence, Trauma
Panel Discussion Sexual Misconduct in the Workplace	3/17	Online	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship Violence, Sexual Harassment
Sexual Assault Awareness Month Tabling	4/5	Wellness Center - Outdoor Patio	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship Violence, Sexual Harassment

Sexual Violence Discussion Panel	4/6	IST 1015	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship Violence, Sexual Harassment
OneLove: Escalation	4/14, 10/12	IST Aula Magna/ Residence Hall Phase II	Dating Violence, Relationship Violence
Bystander Intervention Tabling	4/21	Wellness Center – Outdoor Patio	Bystander Intervention
Residential Life Event: Pot Day	4/23	Field between IST and Residence Hall Phase I	Drugs
Denim Day	4/28	Everywhere	Sexual Assault, Consent
It's On Us Tabling	9/9	Wellness Center – Outdoor Patio	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship Violence, Sexual Harassment, Consent
TiPS: Alcohol Education	9/18	IST 1046	Alcohol, Bystander Intervention
Consent and Sexual Violence Tabling	9/23	IST South Patio	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship Violence, Sexual Harassment, Consent
RSO Orientation – Sexual Misconduct	9/26	Aula Manga	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship Violence, Sexual Harassment, Consent, Bystander Intervention
Sexual Harassment in the Workplace	10/20	Aula Magna	Sexual Harassment, Consent, Bystander Intervention
Domestic and Dating Violence Awareness Month (Purple)	10/21	Wellness Center – Outdoor Patio	Domestic Violence, Dating Violence, Relationship Violence
That's Not Love	10/26	Wellness Center – Student Center	Consent, Sexual Assault, Relationship Violence, Sexual

			Harassment, Stalking
Sexual Harassment 101	10/26	IST 1028	Sexual Harassment, Consent, Bystander Intervention
Safe Zone	11/2	IST 1046	Hate Crimes (Sexual Orientation, Gender Identity, Gender Expression, Gender, Sex)
Inclusive Environment	11/9	Aula Magna	Hate Crimes (Sexual Orientation, Gender Identity, Gender Expression, Gender, Sex)
The Mask You Live In	11/9	Aula Magna	Sexual Assault, Sexual Harassment, Relationship Violence, Consent
Coloring with Support	12/7	Wellness Center - Outdoor Patio	Consent, Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship Violence, Trauma
Resources and Information	Online	Online	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship Violence, Sexual Harassment

Florida Polytechnic University offered the following ongoing awareness and prevention programs for employees in 2021:

<b>Name of Program</b>	<b>Date Held</b>	<b>Location Held</b>	<b>Which Prohibited Behavior Covered?</b>
Resident Assistants Title IX/ Sexual Misconduct	2/1	Residential Hall Phase II	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship Violence, Sexual Harassment, Bystander Intervention, Consent
Denim Day	4/28	Everywhere	Sexual Assault, Consent
SGA Retreat	4/14	IST 1068	Sexual Assault, Stalking, Domestic Violence, Dating Violence,

			Relationship Violence, Sexual Harassment, Bystander Intervention, Consent
ULead - Sexual Misconduct	8/17	IST 1002/1003	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship Violence, Sexual Harassment, Bystander Intervention, Consent
ULead – Alcohol and Drugs	8/17	IST 1002/1003	Alcohol, Drug
Student Conduct & Sexual Misconduct/Title IX Hearing Officer Training	9/30, 10/25, 11/3, 12/3	IST 1046	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship Violence, Sexual Harassment, Consent
Safe Zone	10/25	IST 1046	Hate Crimes (Sexual Orientation, Gender Identity, Gender Expression, Gender, Sex)
Resources and Information	Online	Online	Sexual Assault, Stalking, Domestic Violence, Dating Violence, Relationship Violence, Sexual Harassment

## CONCLUSION

When the Campus SaVE Act takes full effect beginning with the 2020-2021 academic year students and employees will have many important, additional rights and options to seek if they have been the victim of an act of sexual violence. The U.S. Department of Education’s Clery Act Compliance Division that has the power to investigate alleged violations and issue findings will enforce these provisions. If an institution is found to be in violation of the Clery Act they may face a warning, civil penalties per violation, the limitation or suspension of federal student aid eligibility, or the loss of eligibility to participate in federal student aid programs.



## **UNIVERSITY DISCIPLINARY ACTION**

The Office of Student Affairs in conjunction with the Title IX Office coordinates all disciplinary proceedings involving sexual misconduct by students, as defined in The Student Handbook.

Victims of sexual misconduct may report these incidents to the Title IX Coordinator Michelle Disson at 863-874-8484, University Police at 863-874-8472 - prompt 2, or to Lakeland Police Department Victim Services at 863-834-6914.

Students charged with violations of the Student Code of Conduct as stated in The Student Handbook will be given notice of the charges and complaints against them and will be provided an opportunity to respond to these charges in a disciplinary hearing. A victim of sexual misconduct will be given the opportunity to offer comments regarding the sanctions imposed upon the charged student, should that student be found to have been in violation of university policies.

When an alleged offender's behavior poses a threat to the university community, the Vice Provost of Student Affairs or his or her designee may immediately suspend the student from the university on an interim basis until a hearing can be convened to either confirm or cancel that immediate interim suspension. The alleged victim and the alleged offender will be given the opportunity to be accompanied by an adviser of their choice at the disciplinary hearing.

Students found to have been in violation of Student Code of Conduct regarding sexual misconduct will be sanctioned in accordance with the alternatives as stated in the Disciplinary Sanctions section of The Student Handbook. These alternatives include disciplinary warning, disciplinary probation, or suspension or expulsion from the university.

University disciplinary proceedings may be held in instances involving alleged sexual misconduct, even when formal charges under state law are not brought in the state courts.

By offering a wide range of services designed to assist as well as educate students in resolving their disputes, The Office of Student Affairs combines Student Legal Services, and Dispute Resolution Services. Student Development provides growth and development of the student's knowledge of community responsibility, due process, conflict resolution skills, and university conduct rules.

Our resources are more effectively used by combining and referring within the judicial knowledge base that exists within these three services.

Complete information on the student disciplinary process can be found in The Student Handbook.

## **ALCOHOL AND OTHER DRUG PREVENTION AND INTERVENTION**

The Office of Student Affairs offers a variety of health promotion services, including education, prevention, alcohol and other drug assessments/evaluations, short-term interventions, and referrals. The department partners with other campus and community programs to create a healthy environment for students to study, work, and play. Health promotion programs, activities, and support services encourage individuals and groups to make low-risk, responsible choices that will enhance their personal and academic success at Florida Polytechnic University.

- The State of Florida statutes declare it is unlawful for any person under the age of 21 to possess 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 statute 562.13. Please read the statute for more information.
- 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 civilly liable for damage caused by underage drinkers to whom they provided alcoholic beverages.
- 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 Affairs. Students found liable are subject not only to criminal prosecution, but also to administrative sanctions, including permanent expulsion from the university.

## **ALCOHOL AND OTHER DRUGS (AOD) PEER EDUCATION**

Confidential screening and assessment is available for students who are interested in feedback regarding risk and protective factors associated with their self-reported AOD use. 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 deferred to the Office of Rights and Responsibilities, Care Manager, and Counseling.

### Alcohol Affects

Alcohol is a depressant that progressively affects different brain areas. Alcohol first affects the part of the brain that controls inhibitions. When people lose their inhibitions, they may talk more, get rowdy, and do things that they would have otherwise not done. After several drinks, they may feel "high," but really, their nervous system is slowing down. Alcohol acts fast because it moves directly into the bloodstream from the small intestine. It takes approximately one hour for the liver to process the alcohol in one standard drink.

### Drug Abuse Affects

Learning to recognize the physical or behavioral signs of drug abuse can aid in preventing the problem from getting worse. Changes in appearance, such as bloodshot or glazed eyes, dilated or constricted pupils, abrupt weight changes, bruises, infections, or other physical signs at the drug's entrance site on the body, can be clues to possible drug abuse. Other clues include increased irritability, lethargy, and depression, sudden changes in a social network, dramatic changes in habits, financial problems, and involvement in criminal activity. Drugs can affect almost every organ in your body and if you already have health issues it can make them worse.

## Controlled Substances

The university strictly prohibits the illegal use, sale or possession of any controlled substance. University Police Department fully enforces both federal and state drug laws. The illegal use of controlled substances is incompatible with the goals of an academic community. Students found guilty of possessing, using, distributing, or selling controlled substances will face serious disciplinary action that may include suspension and / or dismissal from the university, for the first offense.

## 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

All campuses and affiliated housing 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, certain non-campus properties, and certain public property areas that reported to local police and campus security authorities must be disclosed for the most recent three calendar years.

- Homicide: murder and non-negligent manslaughter, negligent manslaughter
- Rape
- Fondling
- Incest
- Statutory Rape
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property and any other crime involving bodily injury (effective July 1, 2010)
- Domestic Violence
- Dating Violence
- Stalking

Hate Crimes Must Also be reported by Category of Prejudice:

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

For the last three years, the following hate crimes were reported: **None**

## **MISSING PERSONS FROM ON-CAMPUS AND OFF-CAMPUS HOUSING**

It is the policy of Florida Polytechnic University to comply with the requirements of the Clery Act in regards to providing notice to an emergency contact or a parent or guardian when a student living in on-campus or off-campus housing is missing.

If any member of the university community has reason to believe a student residing on campus is missing, they should contact the University Police within 24 hours. The department will generate a missing person report and initiate an investigation.

Students residing in on-campus housing will be informed on how to register their contact person(s) by the residence hall staff by calling 863-874-8779.

Students have the opportunity to submit revised emergency contact information at any time through the Pulse intranet portal. The Pulse provides faculty and staff members, and students with a personalized gateway to information and applications from one secure, centralized location.

Students will have their contact information registered confidentially. This information is only accessible to authorized campus officials. It will not be disclosed to anyone, except to law enforcement personnel, in order to further a missing person investigation.

Persons under 18 years of age and who are not emancipated, the university will notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person(s) designated by the student.

The residence hall staff will notify the department within 24 hours of the determination that a student is missing unless the department or other law enforcement agency made the initial missing person determination.

If a student has designated a contact person, university officials will notify that contact person within 24 hours after it has been determined that the student is missing.

Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, the residence hall staff will inform the University Police Department of a missing student within 24 hours.

## RESIDENCE HALL SAFETY AND FIRE PROTECTION

The mission of the residence hall staff is to provide students living in on-campus housing with a safe and secure environment that is conducive to academic and personal achievement. In addition to providing supervision, structure and resident services in our communities, our department promotes the personal growth and development of each resident through intentional programming efforts and outreach. In our partnership with other units within Florida Polytechnic University, the University Police Department strives to foster scholarship as a fundamental purpose, instill a sense of community, and support individual responsibility, creativity, integrity, and excellence.

### INSTITUTIONAL FIRE SAFETY POLICIES

**Accidental Fire Alarms:** Any campus resident who activates the building fire alarm, accidentally or without a true emergency, is responsible for any related costs from the fire department response. This includes, but is not limited to, errors in cooking, smoking, vandalism, pranks and policy violations.

Any additional costs beyond this and any applicable policy violation charges will also be assessed to the responsible resident(s).

Neither students nor staff can interrupt fire department units once they have been dispatched to the campus community. If an alarm is activated, the residence hall duty station or police should be contacted to help residents better respond to protecting themselves and others in the community.

**Residence Hall Rooms:** For safety and sanitation reasons, the following items are prohibited: two-sided, open-faced, or indoor electric grills (e.g. George Foreman Grill); deep fryers; toaster ovens; toasters; electric skillets; hot plates; and any appliance with exposed heating coils. A review of the resident's housing agreement may be considered if he or she is found violating this policy.

**Building Fire Alarms:** If the alarm has sounded in a Residence Hall facility, all residents and their guests must immediately evacuate the building and proceed to the evacuation location (at least 300 feet from the building), our Emergency Assembly areas are in parking lot 3 and 4. If a fire is observed, activate the nearest pull station, call 911, and continue to proceed to the building's evacuation location. Staff will respond to the sounding alarm and will direct residents accordingly. Always follow the direction of university staff, the University Police Department and the fire department.

**Candles and Incense:** Due to the potential fire hazard, the use or possession of candles, incense, or other related items is strictly prohibited in all residence hall facilities.

This restriction includes unlit, unburned and unused products.

Cooking and safety:

- Always turn on the vent above the stove.
- Remember to use caution when cooking and never leave food that is cooking unattended.
- Remember that the stove may heat differently than other stoves, so residents should check what they're cooking frequently.
- Check the stove before turning it on to ensure it is empty and has been properly cleaned.

If your smoke detector sounds from cooking in your apartment, and there is no Fire:

- Call your Resident Assistant or community duty station.
- Identify who is calling, the location, and that a smoke detector is sounding.
- Turn on the vent or fan and open windows, if possible, to clear any smoke.
- Residence Hall, University Police or Facilities Operations will respond to the scene.

**Circuit Breakers:** If an electrical circuit is overloaded, it will trip the circuit. This is a safety feature to prevent electrical fires. If a circuit is tripped, electrical appliances should be unplugged and relocated to different outlets. The resident should then notify his or her Resident Assistant.

**Curtains and Draperies:** Curtains and draperies are prohibited in all Resident Hall facilities. Curtains being used in hallways, closets, or as partitions in rooms or apartments are also prohibited. If a bedroom does not have doors on the closet, the resident may put up a curtain using a tension rod; however, the rod must be 20 inches from the ceiling in order to allow the sprinkler full coverage in the event of a fire. Failing to follow these policies may result in a sanction or citation.

**Electrical Cord Guidelines:** Extension cords are prohibited in university housing facilities. Only 120v, UL-approved, electrical power outlet strips (surge protectors) with a built-in manual reset 15-amp circuit breaker are permissible. The maximum allowable length of the cord is six feet, with a maximum of six outlets at the end of the cord.

Only one outlet strip may be used per wall outlet, and power strips may not be plugged into one another (daisy-chaining).

In addition, non-circuited multi-socket cords, multi-plug adapters, anything with a frayed or damaged cord, and air fresheners or fans with an outlet are strictly prohibited, as they can cause a fire. Be very cautious and ask Resident Assistants any questions. These policies are in accordance with the Florida state fire marshal.

**Emergency Evacuation Procedures:** Residents and their guests are required to participate in all alarms or announced evacuations, whether it is a drill, an active fire, or other threat-related incident. Failure to evacuate a building when an alarm has sounded, or as directed by university staff, University Police, or Lakeland Fire Department personnel, is strictly prohibited. Failure to cooperate in any evacuation may result in housing agreement and student conduct violations.

**Evacuate Immediately:** All persons are required to evacuate for every alarm, unless previously directed by Residence Hall staff that it is only a test. Failure to evacuate immediately may result in student conduct action and termination of the resident's housing agreement.

**Evacuation Locations:** Each individual building will have its own evacuation location. All resident assistants will cover this information in their first residence hall meeting. Each evacuation location will be at least 300 feet from the building. Parking lots 3 and 4 are the assembly areas for the residence halls, Wellness Centers, Admissions Building, Innovation Science and Technology Building, Facilities and Safety Services, University Police, Student Development Center, Campus Control Center, and procurement and finance locations.

**Failure to Comply:** All residents must comply with all written and verbal requests and instructions from university officials. Failure to do so is a violation of the Rules of Conduct.

**Fire Drills:** Residence Hall staff and Environmental Health and Safety personnel conduct fire drills each semester. Residents will be notified in advance of all fire drills.

**Fire Extinguishers:** All residents should know how to use a fire extinguisher. If a resident does not know how to use one, he or she should contact a resident assistant. In addition to the extinguishers provided, Residence Hall staff recommends that every resident also have their own multipurpose or multi-class extinguisher in the event of an emergency. All fire extinguishers are due for inspection one year from the date of the last inspection. If residents are concerned about the status of fire safety equipment, they can submit a maintenance work order and they will check the equipment.

**Fire, Health and Safety Inspections:** For the safety of all community residents, room inspections are completed throughout the year to conduct specific fire, health, and safety checks. Any violations found during these checks will need to be corrected in a specified time period (as directed by a Resident Assistant). Failure to correct violations may result in housing and student conduct sanctions and a review of the resident's housing agreement. Some violations are subject to immediate contract review.

**Fire Safety, Alarms and Related Information:** Fire safety is a top priority in Florida Polytechnic University residence halls. It is vital that all members of the community understand and follow all rules and regulations.

**Fire Safety Equipment:** Tampering with any part of a fire protection system or equipment, including false alarms from pull stations; obstructing or tampering with doors, smoke detectors, stove top extinguishers, sprinkler heads, evacuation signs, pipes, hydrants or exit signs; and illegal use of a fire extinguisher are violations of the law and are punishable by a mandatory \$5,000 fine and/or six months' jail time. The resident will also be held responsible for fire department fines, related cleanup costs, and student conduct violations for instances that occur as a result of accidental or intentional acts of endangerment. The resident may also face immediate housing agreement termination.

**Hazardous Materials:** Explosives, flammable or hazardous substances, or any items of a dangerous nature are strictly prohibited within residential hall facilities.

**Prohibited Items:** Live cut trees (such as Christmas trees) are prohibited inside all facilities. In addition, flammable or hazardous materials including, but not limited to, bug bombs, gases, gasoline, solvents, lighter fluid, propane, dive tanks, and welding tanks are also prohibited (full or empty). *Also see appliances, candles and incense, electrical cord guidelines, hazardous materials, smoking, and weapons in this guide for other prohibited items.*

**Reentry to Building:** Do not reenter the building until you are instructed to do so. This order will be given by Resident Hall staff, the Lakeland Fire Department, or the University Police Department. Failure to adhere to this may result in student conduct action and possible termination of the resident's housing agreement.

**Smoking:** In compliance with the Florida Clean Air Act of 1992, smoking is not permitted in any residence hall, apartment room, hallway, lounge, laundry room, community center, common house space, classroom, or enclosed stairway of any building on the Florida Polytechnic University campus. Smoking outside is permitted, as long as persons are at least 15 feet from any building.

**Smoke Detectors:** All rooms are equipped with smoke detectors. Some of these detectors are connected to the main alarm system, and to the alarm monitoring company if the units are tampered with in any way, the police will respond to the alarm. Do not tamper with or cover any fire safety device, as it puts everyone in the community in danger. If a detector or alarm beeps or sounds for an unknown reason, notify residence hall staff immediately.

**Sprinklers:** Residence Hall facilities are equipped with sprinklers. Sprinklers are there to protect residents and their belongings and are not to be tampered with or used to hang items. Tampering or damaging these devices, regardless of intent, will result in student conduct action and immediate housing agreement termination.

**Staff and Emergency Personnel:** Stand out of the way of staff and other personnel as they work to manage the incident.

**Weapons:** Possession or use of firearms, fireworks (including sparklers and smoke bombs), explosives, or dangerous or flammable chemicals of any kind are strictly prohibited in any Residential facility or any University owned buildings. This includes, but is not limited to, firearms, ammunition, BB or pellet guns, airsoft guns, weapons for sport (including paintball guns, bow and arrows, diving knives, hunting weapons), stun guns, swords, switchblades, knives, slingshots, martial arts or medieval weapons, and flammables (liquids, solvents, gases). In the case of weapons, the possession or use of certain items may violate state or federal law and cause violators to be subject to arrest. This includes toys that look like actual weapons.

## RESIDENT HALL FIRE SAFETY EQUIPMENT

Facility	Smoke Detectors	Fire Extinguishers	Full Fire Alarm System	Sprinklers	Stove top Extinguishers
Residence Hall	YES	YES	YES	YES	YES

## RESIDENCE HALL FIRE DRILLS

Facility	Spring 2021	Fall 2021
Residence Halls	None None	10-11-21

## FLORIDA POLY FIRE REPORT-RESIDENTIAL PROPERTY CLASSIFICATIONS FOR INCIDENTS OCCURRING JANUARY 2021-DECEMBER 2021

### DEFINITIONS OF LOCATIONS AND CRIMES

Nature (Classification)	Location	Date/Time Reported	Date/Time Occurred	Disposition
Panel Alarm	Phase 2 rm 2403	1-1-2021/1150am	same	False Alarm
Panel Alarm	Phase 1	1-20-2021/0152am	1-20-2021/0150am	False Alarm
Elevator Alarm	Phase 1 elevator 2	9-15-2021/0902am	9-15-2021/0858am	LFD responded/Malfunction
2 students stuck in elevator	Phase 2	10-8-21/1530pm	10-8-21/1530pm	LFD responded
Fire alarm	IST	10-10-21/1905pm	10-10-21/1905pm	Power surge activation/no LFD response
Fire drill	Phase 1	10-11-21/1500pm	10-11-21/1500pm	Evacuation was excellent



Fire drill	Phase 2	10-11-21/1525pm	10-11-21/1525pm	Evacuation was excellent
Fire drill	IST	10-18-21/0950am	10-18-21/1000am	No issues
Fire drill	FIPR	11-22-21/0936am	11-22-21/0936am	Exit sign in west hallway did not work
False Alarm	IST	12-13-21/2030pm	12-13-21/0600am	Multi malfunctioning alarms (fire watch completed between 2337-0600).

Crime statistics are reported according to the following geographical categories: total campus (total) and campus residential (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 institution's educational 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:** The willful killing of one human being by another.

**Manslaughter:** The killing of another person through negligence or non-negligence.

**Sexual Assault:** Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape:** 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. This offense includes the rape of both males and females.
- **Fondling:** Touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because his/her age or because his/her temporary or permanent mental capacity.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Sexual intercourse with a person who is under the age of consent (18 years old).

Rape and sexual battery (sexual assault): are all defined under Florida law as the oral, anal, or vaginal penetration by, or union with (touching), the sexual organ of another or the anal or vaginal penetration of another by any other object, without consent.

Consent: Consent to sexual activity must be: knowing, intelligent, unambiguous, and voluntary. Consent is active, not passive. This means there must be clear and willing participation, through words or actions, for each sexual act. Submission to sexual activity that is the result of force, coercion, or threats is not valid consent.

- i. Consent to one type of sexual activity does not imply consent to other types of sexual contact. There must be consent at every stage of the sexual encounter.
- ii. Past consent to sexual activity does not imply consent to future sexual activity.
- iii. Consent can be withdrawn at any time, including in the middle of a sexual encounter, if the withdrawal of consent is clearly indicated by words or actions.

Individuals who are incapacitated by voluntary or involuntary alcohol or drug use (legal, illegal, or prescription); asleep; unconscious; mentally impaired by disease or illness; or under 18 years old cannot give consent to sex (no matter what they say or do). If there is any question regarding whether a person may be incapacitated, do not engage in any type of sexual activity with that person.

**Non-forcible sex Offenses:** Unlawful, non-forcible sexual intercourse (male or female)

- Non-forcible sex offenses include:
  - Incest
  - Statutory rape

**Robbery:** The taking, or attempting to take, anything of value under confrontational circumstances from the control, custody, or care of another 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 where either the offender displays a weapon, or the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

**Burglary:** The unlawful entry into a building or other structure with the intent to commit a felony or a theft—includes attempted acts.

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

**Arson:** To unlawfully and intentionally damage, or attempt to damage, any real or personal property by fire or incendiary device.

**Liquor Law Violations:** The violation of laws prohibiting the manufacture, sale, purchase, transportation, or possession of intoxicating alcoholic beverages.

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

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

**Dating Violence:** F.S. 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:

A dating relationship must have existed within the past 6 months.

The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties.

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

### Stalking: F.S. 784.048

(1): Stalking

(a) "Harass" means to engage in a course of conduct directed at a specific person which causes substantial emotional distress to that person and serves no legitimate purpose.

(b) "Course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, which evidences a continuity of purpose. The term does not include constitutionally protected activity such as picketing or other organized protests.

(c) "Credible threat" means a verbal or nonverbal threat, or a combination of the two, including threats delivered by electronic communication or implied by a pattern of conduct, which places the person who is the target of the threat in reasonable fear for his or her safety or the safety of his or her family members or individuals closely associated with the person, and which is made with the apparent ability to carry out the threat to cause such harm. It is not necessary to prove that the person making the threat had the intent to actually carry out the threat. The present incarceration of the person making the threat is not a bar to prosecution under this section.

(d) "Cyberstalk" means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

(2) Any person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of stalking.

(3) Any person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person, and makes a credible threat with the intent to place that person in reasonable fear of death or bodily injury of the person, or the person's child, sibling, spouse, parent, or dependent, commits the offense of aggravated stalking.

**Hate Crimes:** A hate crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Categories of bias are race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability. Hate crimes include all Criminal Offenses listed above as well as Larceny-Theft, Simple Assault, Intimidation, Destruction/Damage/Vandalism of Property.

## **FLORIDA POLY LOCATIONS AND CAMPUSES**

The University Police Department encourages students and employees to visit with our partners in security and safety at our branch campuses

### **Main Campus**

4700 Research Way, Lakeland, Florida 33805  
863-583-9050

### **Florida Poly South at Polk State College**

3425 Winter Lake Road, Lakeland, FL 33803  
863-874-8422

### **Florida Industrial and Phosphate Research Institute**

1855 W. Main Street, Bartow, FL 33830  
863-534-7160



## **YOUR SAFETY IS OUR CONCERN**

The Florida Polytechnic University Police 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 keep 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.

### WHY AN OFFICER MIGHT STOP YOU

There are various reasons why an officer may stop you. You may have committed a traffic violation or your vehicle and/or the people in your vehicle may match the description of a suspect or suspect vehicle.

Traffic stops are stressful for you and the officer. While you may feel anxious, angry, or confused, to ensure your safety, your passenger's safety and the officer's safety, please cooperate and comply with all instructions.

### PREVENT CAMPUS THEFT

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

Bicycles are a good 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 rear tire, and put a cable or chain through your frame and front tire.

The University Police Department offers another property registration program called Operation I.D. An officer will engrave your student identification number on your property, free of charge.

## **10 KEYS TO PREVENT AUTO BURGLARY AND THEFT**

University 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:

- Always roll your windows up and lock your car.
- Don't leave valuables in plain view. Items left in the open attract thieves. Store them in your trunk if necessary.
- Engrave expensive accessories, such as car stereos and speaker systems, with your driver's license number. This aids the police in tracing the stolen items.

- Never leave your vehicle running and unattended
- Install an antitheft device that is highly visible, hard to defeat and renders the car inoperable.
- Drop a business card or address label in the map pockets of your doors.
- Don't hide a spare key
- Don't leave important papers such as bank statements, credit card statements, or other important documents in your car.
- Photocopy your registration and insurance information and keep it in a safe place other than your vehicle.

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 University Police Department immediately and try not to touch the vehicle. The more you touch your vehicle, the more you contaminate the crime scene.

## **HAVE YOU SEEN SPOC?**

A SPOC is a suspicious person on campus. The University Police Department recommends reporting any suspicious activity or person to help reduce crime.

You don't have to give your name. Just provide the information that suggests what you are observing is suspicious. It may be nothing at all, but it might be a crime about to happen.

## **DON'T TAKE CHANCES ON CAMPUS**

Sincerely yours,

The proud members of the Florida Polytechnic University Police Department.