



EMBRY-RIDDLE Aeronautical University

2021
Annual Security and Fire Safety Report
Daytona Beach Campus

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1. EMERGENCY NUMBERS

**ERAU Safety & Security Department:
1 Aerospace Blvd.
Daytona Beach, FL 32114**

(386) 226-7233
(SAFE)

Emergency

Non-emergency

(386) 226-6490

Director of Safety & Security

(386) 226-6490

Communications Center

(386) 226-6480

Fire-Life-Safety Officer

(386) 226-6009

ERAU Anonymous Tip Line

Eagle Guardian
Safety App

(download the free
Rave Guardian onto
your smart device
from App Store or
Google Play)

Daytona Beach Police Department

911

Emergency

Administrative

(386) 671-5100

Daytona Beach Fire Department:

Emergency

911

Administrative

(386) 671-4000

Volusia County Sheriff's Office:

Emergency

911

Administrative

(386) 254-1537

EVAC Ambulance Service:

Emergency

911

Administrative

(386) 252-4900

Halifax Hospital:

Emergency

911

Administrative

(386) 425-4000

THE JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS SAFETY & SECURITY STATISTICS ACT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, a federal consumer protection law passed in 1990, requires all colleges and universities, which receive federal funding to share information about crime on campus and their efforts to improve campus safety as well as inform the public of crime in or around campus. This information is publicly accessible through the Annual Security and Fire Safety Report.

The U.S. Department of Education and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Act require the publishing of this report by ¹October 1st for the prior calendar year for review by the public and campus community. The report is prepared by the Campus Safety & Security Department with the cooperation of the Dean of Students office and assistance from the Daytona Beach Police Department. Information sources include ARMS dispatch, and Maxient recordkeeping systems used by Safety & Security and Dean of Students, respectively.

The Campus Safety & Security Department contacts the Daytona Beach Police Department for crimes that occur in close proximity (adjacent to our campus), so our data may include crimes that occurred outside our required reporting area. We contact them each calendar year to determine if they are aware of any Clery reportable crimes that should be documented on our Annual Security and Fire Safety Report. The Daytona Beach Police Department does not report UCR crimes by geographical areas, but the information provided from the Daytona Beach Police Department is added to our Clery reportable statistics.

The Campus Safety & Security Department conducts a review of all incidents and confirms that proper classification has taken place before they are added to the Annual Security and Fire Safety Report. The annual crime statistics are kept for seven years. Persons can see the report and review that statistics for the past three years on the Campus Safety & Security Department website [Crime Reports & Safety Procedures](#) or by visiting the Campus Safety & Security Department in Building 175.

An E-mail will be sent to the Embry-Riddle Daytona Beach campus community providing a direct URL link to view the Annual Security and Fire Safety Report on or before the publishing date of October 1. This report will also be made available to all prospective students and employees at publicly accessible URL links.

Statistics included in the Annual Security and Fire Safety Report include:

Criminal Offenses

- Murder
 - Non-negligent Manslaughter
 - Negligent Manslaughter
 - Rape
 - Fondling
 - Incest
-

- Statutory Rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson

Hate Crimes

Any of the above-mentioned offenses, and any incidents of the following crimes, which were motivated by bias:

- Larceny-Theft
- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism of

Property Arrests

- Weapons Law Violations
- Drug Abuse Violations
- Liquor Law Violations

Referrals for Disciplinary Action

- Weapons Law Violations
- Drug Abuse Violations
- Liquor Law Violations

VAWA Amendments to Clery

- Domestic Violence
- Dating Violence
- Stalking

Fire Statistics for On-Campus Student Housing Facilities

- Fires
- Injuries
- Deaths
- Damage

1. GENERAL INTRODUCTION

Embry-Riddle Aeronautical University, Daytona Beach campus consists of approximately 6,000

students and some 1500 faculty and staff. We have an open campus and are not immune to the problems of modern society. Problems of personal safety, thefts and other crimes exist on, as well as off campus. Do not fall into the trap of considering the campus a sanctuary. Students are considered mature. They are expected to obey the law and take personal responsibility for their conduct. This report is intended to heighten your awareness of your responsibilities and to advise how to respond to unusual situations you may encounter.

Groups or individuals desiring additional information about Safety & Security are encouraged to contact the Embry-Riddle Aeronautical University Campus Safety & Security at (386) 226-6490.

Tenants of Embry-Riddle residence halls can contribute greatly to their own safety, the safety of others and the protection of personal and University property. Please take the time to read this Annual Security Report and follow its suggestions and directions.

By employing an attitude of personal responsibility, you will enhance the quality of life in your living area. Campus Safety & Security strongly suggests the implementation of these practices for your benefit and that of our community.

It should be stressed that the guidelines that follow are not guaranteed to shield and protect you in all situations. However, if you follow these guidelines you will greatly diminish the probability of being a victim, and substantially increase the possibility that you can handle unanticipated events in a sensible manner. An involved and empathetic citizenry; one in which each individual is willing to accept responsibility for his or her own safety, as well as willingness to contribute to the community's well-being, is the best guarantee of a safe and secure environment.

2. PERSONAL SAFETY EDUCATIONAL PROGRAMS AND CRIME PREVENTION AT THE UNIVERSITY

Embry-Riddle Aeronautical University believes that safety is everyone's responsibility and that "security begins at home." Our programs are designed to interact with all members of the University community at every level. Information and literature on crime prevention and personal safety is available at the Campus Safety & Security Office located in Building 175 (next to New Residence Hall -1).

The parent and student orientation programs include informational sessions on crime prevention, safety programs and services offered at the University. The Campus Safety & Security office offers services such as campus escorts and engravers for the marking of personal property.

Additionally, free seminars on personal safety topics are presented each semester and are available to the entire University community. The Department of Housing and Residence Life Resident Assistants also receives special training in safety, security and fire prevention.

In addition to our regular program of crime prevention services, the University carefully monitors crimes or other incidents, which are reported within the campus community. Incidents occurring on University property, which suggests a possible special concern for the safety of our community members, will result in a timely notice or emergency notification being distributed to the community.

Protecting Yourself

We strongly recommend keeping the door to your apartment or residence hall room locked at all times for your safety.

Do not open your door to strangers. Identify your visitor before allowing access. Report immediately, to the appropriate maintenance source any problems with your door's security devices.

Do not give your name, address or phone number to strangers.

Do not carry more cash with you than you anticipate needing in one trip. Also, do not flash large amounts of cash in public.

Whether traveling on foot, using public transportation, or operating a personal vehicle, have a friend go with you. It is more fun to travel with company, and there is extra safety in numbers. When going out, let your roommate, a friend or a staff member know where you are going and when you expect to return. This is extremely important when planning outdoor activities.

At night, travel in well-lit areas. Travel on the most direct and highly traveled path. Do not take shortcuts through dark or deserted areas.

Walk and jog facing traffic whenever possible. This increases awareness of potential traffic hazards and reduces the possibility of being followed unknowingly by someone in a vehicle. Be careful not to get too close to shadowed areas by buildings or shrubbery. Walk in the middle of the sidewalk, out of easy reach of potential attackers.

If you feel threatened, or suspect you are being followed, walk toward lighted areas where there are people. Look over your shoulder frequently. This lets the follower know you are aware of both their presence and your surroundings.

There are emergency phones located throughout this campus. They are designated by the word "emergency" and they have a blue light at the top of the call box. The phone has an emergency button that you can push. The phone call goes directly to our dispatcher who will immediately dispatch a Safety Officer. Use these phones to contact the Campus Safety & Security office for any reason.

When riding in a car, keep the doors locked. Park your car or motorcycle in a well-lit area. When you approach your car, have your keys ready. Look into the back and front seats to make sure the car is empty before you get in.

When traveling any considerable distance, put together a survival kit. Remember that Daytona Beach is located in a region in which the weather can change rapidly. Hurricanes, storms and lightning can occur.

Do not pick up hitchhikers and do not hitchhike!

If anything makes you look twice or feel uncomfortable on campus, call Campus Safety & Security. Report any suspicious activity to Campus Safety & Security.

Keep in mind that when you become intoxicated you are letting down your protective guard. Keep in mind thieves look for the easiest target, which often is someone who is intoxicated.

If you choose to drink alcohol, please do so responsibly. Always remember,

“If You See Something, Say Something!”

Protecting Your Possessions

Lock the door when you are away from your room or apartment. Most burglaries in student housing units occur in unlocked, unoccupied rooms or apartments. Lock your door to remove the easy opportunity for thieves. This applies even if you are just down the hall.

Remember that it takes less than thirty seconds to burglarize your room. Keep windows closed and locked when away from your room. This protects your belongings from both theft and surprise inclement weather.

Engrave all personal items of value with some identifying mark or number. Engraving tends to deter theft and assists in identifying possessions should they be stolen. An engraver is available at Campus Safety & Security.

Keep a record of the serial numbers of all your belongings. Items of value that do not have serial numbers should be photographed. Clothing can be marked on the inside label with an indelible laundry marker.

Do not advertise your valuables. Keep them out of sight. Arrange your room so those high-risk items such as cameras, stereos, and televisions are not visible from the outside when the door is open or from ground level windows.

Items of high monetary value and minimal use in a University environment (such as expensive jewelry) should be left at home. Very expensive items should be stored in a safety deposit box.

Do not keep large sums of cash in your room. A bank account is safer. Do not talk indiscriminately about receiving money. There is no need to advertise to potential thieves.

Do not leave your belongings unattended in public areas such as restrooms, hallways, laundry rooms, and dining rooms. If you want to keep it, keep it with you.

Carry your purse or backpack close to your body and keep a tight grip on it. Mark items you regularly take to class such as books, backpacks and calculators. Persons in laboratory classes should also mark all of their personal supplies with their name or some other identifying mark or number.

Make a list of your credit cards, identification cards, and checking account numbers and keep the list in a safe place. If your purse or wallet is lost or stolen, you will then have a list of numbers to use when notifying the proper authorities. Remember you will need to contact not only the police, but also all credit card companies and banks with which you do business. Make

these notifications immediately. Insurance in housing units operated by Student Housing covers the institution's property only. Residents are encouraged to provide their own insurance against loss of or damage to personal possessions. If your family has homeowner's insurance, check with your family's agent about coverage.

Security begins with you. Never prop the door open in any building on campus.

Protecting Your Motor Vehicle

Lock your motor vehicle and take the keys. Many car burglaries and car thefts occur because the owner did not take the time to secure their car. Do not make your car a target of opportunity by leaving it open to all who care to enter.

Do not park in isolated, dark places if these areas can be avoided. Park where there are people and where the car will be well lit.

Do not leave items of value unattended in your car. Expensive cameras, stereo equipment, textbooks and clothing left on the seat of an unattended car are invitations to theft. If you must leave items in your car, store them in a locked trunk.

Specific parking areas are dedicated to residents at student residence halls. Familiarize yourself with parking rules for these areas and obey them. Campus Safety & Security will issue citations, boot vehicles and/or tow vehicles when appropriate.

Protecting Your Bicycle

Never leave your bicycle unlocked and unattended. Bicycles are to be secured to designated bicycle racks only.

Register your bicycle and obtain a decal. This helps protect your property by identifying you as the owner in the case of a theft or attempted theft. You can register your bike in person at the Campus Safety Communications Center, inside the Student Union, or go online with the Eagle Guardian safety app and register your bicycle – it's free! Download the RAVE Guardian app via the Apple App Store or Google Play. This will aid in theft prevention and recovery. Include your bike's serial number (located on the bottom bracket) when you register.

Lease-A-Lock Program

Protect your bicycle! We strongly recommend a U-lock type, high security lock for maximum protection. These high-security bicycle and motorcycle locks may be leased for an indefinite period from the Communications Center, Student Union, room 115. When used properly, these locks offer much more protection against theft than ordinary chain or cable locks. When the lock and key are returned in working condition, ***the full deposit will be refunded.***

3. GENERAL CRIME PREVENTION/SAFETY SERVICES INFORMATION

The following is a partial list of special services offered by the Campus Safety & Security Department:

Safety Escorts / Night Flight

Campus safety escort services are available on campus to everyone, especially at night. The Night Flight Program runs every night except Saturday night. However, a Safety & Security Department staff member will provide a safety escort for any member of our community from any location on campus to any other location on campus, day or night, rain or shine. Call (386) 226-6480 for more information or to request an escort.

Building Access

Access will be given to facilities for those individuals who are properly authorized. If a resident of a University-managed housing facility is locked out of their room, they should first seek assistance from a member of the Housing staff. If they are not available, Campus Safety & Security personnel will be happy to assist you. You will be granted access to your building or room upon proof of your identity and access privilege.

Extended Parking

If you need to leave your registered vehicle on campus overnight or for extended periods, call Campus Safety & Security and we will suggest the best place to leave it. The University cannot assume liability for loss or damage.

Special Events

We will provide and/or coordinate Safety & Security services for special events on University property.

Operation ID

Engravers are available for students to mark personal items and log serial numbers for their private records.

Lost and Found

Lost and found is located in Campus Safety & Security in our Communications Center, Student Union room 115. Property is held for a semester and then processed for disposal.

Anonymous Reporting

Everyone is encouraged to report all crimes to the Campus Safety & Security Department. Reporting can be anonymous by calling (386) 226-7233 (SAFE).

Students and employees can also utilize the Eagle Guardian app, on their phones or smart devices, which will enable them to text a tip, report an incident anonymously to Campus Safety & Security or take advantage of other safety features while using the app. The Eagle Guardian App by Rave can be downloaded in the Apple or Google Play stores by searching for "Rave Guardian."

You can also learn more at www.raveguardian.com.

Handicap/Injured Person Transport

Campus Safety & Security will try to accommodate any person that is mobility-impaired. Requests must come from Health Services for a temporary medical parking permit. We do not require a referral for escorts. People can simply call

4. BUILDING SECURITY, SAFETY AND ACCESS ISSUES

If you notice a condition that you consider a hazardous circumstance in your apartment, dorm or campus area, please notify the Department of Housing and Residence Life staff professional staff. You may also report a hazardous situation to Campus Safety & Security.

Because of concerns for personal safety and the protection of property, University facilities are locked after business hours according to established schedules set by Campus Safety and the University department that controls the location. Any entry into a secured area after hours requires written approval from the controlling department head and notification to Campus Safety & Security. Students, faculty, and staff shall carry their University identification with them at all times and present it upon request of any University official.

University housing facilities are restricted to residents and invited guests. Resident Assistants (RAs) check for propped open doors and remind residents of the importance to keep doors locked to help prevent crime. Residents are strongly encouraged to keep their individual doors and windows locked at all times. If a resident of a University-managed housing facility is locked out of their building or their room, they should first seek assistance from a member of the **Housing & Residence Life** staff by calling **(386) 323-8000**.

The University is committed to providing a safe and secure environment throughout its facilities. Safety officers patrol the campus on a regular basis and pay close attention to maintaining the physical security of the University. Students, faculty and staff are encouraged to report any lock problems, lighting problems, safety or security concerns, unauthorized persons, or suspicious conditions to Campus Safety & Security as soon as possible.

5. LAW ENFORCEMENT ON CAMPUS

The Campus Safety & Security Department is not a public law enforcement agency. There is a Memorandum of Understanding (MOU) between ERAU and Daytona Beach Police Department to share radio communications when warranted for emergencies on campus. Our officers work very closely with the Daytona Beach Police Department and will assist you in making notifications of criminal activity or notify them direct in cases of serious or in-progress crimes.

Both armed and unarmed Safety & Security Officers are responsible for maintaining a safe and secure environment. We conduct frequent patrols throughout the University, enforce University rules and regulations, emergency response, providing routine and specialized security services, conduct incident investigation, and facilitate the response of community emergency services as required. All armed officers are licensed by the State under Chapter 493 § of Florida statutes. Our officers receive regular training and qualification in various aspects of campus safety, security,

and emergency response.

6. REPORTING CRIMES ON CAMPUS

Embry-Riddle Aeronautical University encourages all members of the University community to report any criminal or suspicious activity as soon as possible. The prompt and accurate reporting will help Campus Safety & Security to investigate the incident and initiate appropriate actions, including notification and coordination with the local police department and other community agencies as appropriate.

Safety Officers assist in facilitating police service for individuals on campus as appropriate. The University encourages all victims of crime to report the incident to Campus Safety & Security and the Police Department as soon as possible. A Safety Officer will be happy to assist you to complete this process. To report a crime on campus, call (386) 226-SAFE (7233), and you will speak directly to a dispatcher. To report a crime to the Daytona Beach Police Department please call 911.

7. DAILY CRIME LOG

The Campus Safety & Security Department uses an Automated Record Management System (ARMS), as its case management system. Campus Safety & Security also maintains a daily crime log for Clery compliance purposes. This log can be viewed upon request in the Safety & Security office. The log lists all crimes that have been reported over the prior 60 days and includes crime type, date reported, date of incident, location and disposition if available.

The crime will appear on the log within two days after reporting. After receiving a crime report, the disposition cannot be changed to “Unfounded” unless reviewed and approved by the Daytona Beach Police Department. If Campus Safety & Security investigates the case and believes the case is a false report or unfounded, Campus Safety & Security will contact the Daytona Beach Police Department to review the disposition. If the case is deemed unfounded by the Daytona Beach Police Department it will be documented on the original case report.

8. LIMITED CONFIDENTIAL REPORTING PROCESS

Campus Safety & Security encourages anyone who is a victim of a crime or a witness to a crime to report the incident. As our incident reports may be subject to discovery by subpoena Campus Safety & Security cannot guarantee absolute privacy. Anonymous reports may be made through our anonymous reporting process. If you wish make a report anonymously you may call (386) 226-SAFE (7233) and advise that you wish to remain anonymous; or use the anonymous reporting feature on Eagle Guardian, mobile safety app.

[Eagle Guardian Mobile Safety App](#)

The Eagle Guardian app, when downloaded onto phones or smart devices, will enable you to text a tip, report an incident anonymously to Campus Safety & Security or take advantage of other safety features while using the app. The Eagle Guardian App by Rave Mobile Safety can be downloaded in the Apple or Google Play stores by searching for “Rave Guardian.” You can also learn more at www.raveguardian.com.

9. COUNSELOR REPORTING PROCESS

The University does not require Counselors to report crimes to the Campus Safety & Security. We do encourage our counseling professionals to inform their clients of the procedure to report a crime to Campus Safety & Security or the Daytona Beach Police Department. In the event a Counselor becomes aware of a Clery reportable offense, they will share the fact for statistical purposes without violating their client confidentiality.

10. HATE CRIMES REPORTING

This University takes hate crimes very seriously and encourages the campus community to report any incident that may fall into this category. A hate crime is a criminal offense (as defined for Clery purposes²) committed against a person or property, which is motivated, in whole or in part, by the offender's bias. Bias is a performed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation, or ethnicity/national origin. The Higher Education Opportunity Act specifies four additional crimes that should be reported under the Clery Act if they are committed as part of a hate crime. These crimes are Larceny-theft, Simple Assault, Intimidation, and Vandalism.

11. REPORTING OFF-CAMPUS CRIME

Campus Safety & Security encourages all students and all other members of the campus community to report off campus crimes to the Daytona Beach Police Department or their appropriate jurisdiction. We also encourage victims of crimes on campus to report crimes to Daytona Beach Police Department. Persons can call 911 if it is an emergency and/or (386) 226-7233 (SAFE) for on campus emergencies and (386) 226-6480 for non-emergency situations.

12. TIMELY WARNING PROCESS

The purpose of a timely warning is to notify the campus community when a threat may exist on University property and it is considered an ongoing hazard. Campus Safety & Security may consult with campus leadership, university General Counsel, the Dean of Students office, and local law enforcement agencies will determine if the situation at hand is a reportable Clery crime that requires a timely warning. Campus Safety & Security will then be responsible for notification. Notification may take the form of campus-wide email, fliers, posters, Eagle Guardian notices, or group meetings. Anyone with information that may warrant community notification and a timely warning is encouraged to call Campus Safety & Security at (386) 226-7433 (SAFE).

13. EMERGENCY NOTIFICATION PROCESS

Campus Safety & Security is responsible for all campus-wide emergency notifications. Any Dispatcher, Communications Manager, Safety Officer or Safety & Security management

² For Clery purposes, hate crimes include any of the following offenses that is motivated by bias: Murder and Non-negligent manslaughter, Forcible sex offenses, Non-forcible sex offenses, Robbery, Aggravated assault, Burglary, Motor Vehicle Theft, Arson, Larceny-theft, Simple assault, Intimidation, and Destruction/damage/vandalism of property.

representative may initiate the RAVE emergency notification process and activation is accomplished by logging in to the RAVE application. If necessary, RAVE messages may also be initiated by the Dispatch office at our sister campus.

The RAVE emergency mass notification system can send email, voice and text messages to smartphones, messages to campus computers, and siren. Emergency notifications go to all students, faculty and staff, on and off campus, who have set up their notifications for this service. Additional notifications may include public address messages made from patrol vehicle loudspeakers. Notifications will be made promptly and will describe the emergency and recommend action to take. Depending on the nature of the emergency, a siren may or may not be used. There will be a full test of the RAVE emergency notification - email, text, voicemail, siren, computer screens, and Eagle Guardian, – at the beginning of each semester. An email describing the purpose of the drill and the means by which members of the campus community may opt-in to additional notification methods is sent to the entire campus prior to the drill.

14. ACTIONS IN EMERGENCY SITUATIONS

Safety & Security personnel, as well as the Emergency Operations Team (EOT) coordinate emergency responses.

Emergency procedures are published on the Daytona Beach Campus Safety & Security Department webpages [Campus Safety & Security](#), in brochures and are communicated in UNIV 101 classes. The following outline consists of emergency conditions that can occur on campus. Not every type of emergency condition can be covered, but the following can be used on any similar emergency or hazardous event. Please familiarize yourself to be prepared in the event of an emergency. It is Campus Safety & Security's responsibility to make notifications, respond, assist victims, mitigate, and contain the emergency.

Fire Alarm

When you hear a fire alarm please immediately, leave the building in an orderly fashion. Cooperation is imperative with all staff members and other authorities. Permission will be given by Campus Safety & Security of a Building Liaison to reenter the building when it is safe to do so.

Medical Emergencies

For any situation requiring emergency medical assistance on campus, call 911 then ERAU Campus Safety & Security at 386-226-7233 (SAFE) or 67233 from an internal phone. Both numbers will result in an ambulance response if the emergency warrants.

Hostile Person on Campus

How you respond to a hostile intruder or an active shooter will be dictated by the specific circumstances of the encounter. You are encouraged to view the "Run, Hide, Fight" video and others located on the University Safety Office webpage – Active Threat – Violence on Campus.

[Run, Hide, Fight video](#)

Other Emergencies

The University also has a Disaster and Emergency Management Plan available on line internally. This plan outlines a variety of emergency response procedures.

15. ALCOHOL POLICIES

The University has established policies regarding the possession, use, and abuse of alcohol on the campus.

Alcohol

University Managed Housing Policies

- Alcohol –only individuals who are 21 years of age or older are permitted to possess and/or consume alcoholic beverages and must follow these guidelines
- Alcohol is only permitted in the residence halls by persons over the age of 21
- Alcohol is not permitted in the common areas and/or around the residence halls.
- Alcohol may not be consumed in the presence of any individual under the age of 21 who does not live in the suite/apartment.
- Only certain types of alcohol permitted in the halls. Hard liquor and spirits are not allowed.

Please take a moment to review the [Honor Codes and Student Policies](#).

17. SUBSTANCE ABUSE POLICY

It is the policy of the University to maintain a work and educational environment that is safe for our employees and students and conducive to high work standards. The University complies with the Drug Free Workplace Act of 1988, the Drug Free Schools & Communities Act Amendments of 1989, all University drug policies, and all other pertinent federal, state and local regulations regarding drug and alcohol possession, use and abuse. The following policy statements are drawn from the Student Handbook.

Drugs

A. The sale, manufacture, distribution, possession and use of illegal drugs on or off campus is strictly prohibited. This includes, but is not limited to: misuse of over-the-counter drugs; misuse or sharing of prescription drugs; possessing, using, being under

the influence of, distributing, or manufacturing any form of illegal drug; possessing paraphernalia (i.e., rolling papers, pipes, bongs, etc.) for intended or implied use of any form of illegal drug. Possessing paraphernalia that contains or appears to contain illegal drug residue purchasing or passing illegal drugs from one person to another and using mail services to purchase, pass or distribute illegal drugs is prohibited. Illegal drugs include but are not limited to recreational drugs, marijuana, synthetic/novelty powders and any substance designed/used to alter a person's state of mind (such as Spice, K-2, Salvia and Bath Salts), cocaine, methamphetamines, heroin, or materials to create an illegal drug.

B. Drug paraphernalia or other paraphernalia used to facilitate illegal use of a legal substance, stimulants, hallucinogens, or other similar non-prescribed agents known to be harmful or habit forming drugs or chemicals (such as those used in huffing), and attempting to manufacture or sell counterfeit drugs.

Medicinal Marijuana is not permitted on campus or at University sponsored events. This includes, but is not limited to, the possession of the substance in any form (edibles or other forms) as well as paraphernalia including pipes with or without residue, rolling papers, bongs, etc. *Embry-Riddle does not permit the use or possession of medicinal marijuana or paraphernalia on campus (see Medicinal Marijuana policy)

C. Medical Marijuana Policy

On June 16, 2014, Florida became the 22nd state to legalize access to medical marijuana when Governor Rick Scott signed the *Compassionate Medical Cannabis Act*.

Notwithstanding the passage of this Act, because of the University's obligations under Federal law, marijuana, including medical marijuana, will continue to be banned on campus. Additionally, campus health care providers, in accordance with Federal law as well as University policies and regulations, will not prescribe medical marijuana. Under Federal legislation entitled The Drug Free Workplace Act of 1988, and The Drug Free Schools and Communities Act of 1989, "no institution of higher education shall be eligible to receive funds or any other form of financial assistance under any Federal program, including participation in any Federally funded or guaranteed student loan program, unless it has adopted and has implemented a program to prevent the use of illicit drugs and abuse of alcohol by students and employees." Federal law entitled The Controlled Substances Act prohibits the use, manufacture, distribution, dispensing, or possession of marijuana; it also classifies marijuana as a controlled substance and makes no exception for medical use. Marijuana remains illegal under Federal law; the University will therefore continue to enforce its current policies prohibiting the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance, including medical marijuana, on its property or as part of any of its activities. In summary, despite popular misconception, it did not generally legalize marijuana possession and use.

The University promotes substance abuse awareness by sponsoring educational programs and distributing literature on the subject. The University is additionally committed to assisting students in the resolution of problems associated with substance abuse. We encourage students to seek additional help through referrals from University Health Services at (386)226-7917 or Counseling Center at (386) 226-6035. The

Department of Housing and Residence Life also provides Programming and literature at (386) 323-8000. Information on substance abuse is also covered in the Student's Rights and Responsibility section of the Student Handbook.

18. MISSING STUDENT PROCESS

The Higher Education Opportunity Act requires this university to make a policy statement on the campus missing student policy. This policy originates from the Dean of Students office, but is included in this Annual Campus Security and fire Report.

Reporting Requirements

On campus students: All Faculty, staff and students have a responsibility to report any student living on campus that may be missing from the campus community for more than 24 hours. You are required to make your report to the Campus Safety & Security Department.

Off campus students: All faculty, staff and students have a responsibility to report any students living off campus that may show signs of being missing from the campus community. Failure, to attend classes, campus functions and missed appointments, may be signs of a possible problem. We encourage reporting under these circumstances. There is no 24-hour reporting requirement under the Higher Education Opportunity Act for Off Campus Students, although you are encouraged to report your concerns to the Campus Safety & Security Department.

Emergency Information

It is the university's responsibility to collect and maintain confidential student contact information in case an on campus student is reported missing. The Department of Housing and Resident Life will collect this information during the regular check in process at the beginning of fall and spring semester. This confidential information will be filed in a secured location within the Department of Housing and Resident Life and be reviewed only by authorized individuals if the information is required. If a student is under 18 years of age, his or her custodial parent or guardian will be notified as well.

Notification process

The Campus Safety & Security Department through the Dean of Students Office is responsible for reporting missing students to local law enforcement within 24 hours of completing a preliminary investigation.

The Campus Safety & Security Department through the Dean of Students Office is also responsible for notifying students registered contacts and the custodial parents or guardian if the student is under the age of 18 years in addition to any confidential emergency contact (if different).

If the student is an off campus student it is the responsibility of the student's custodial parents or guardian. They in turn are responsible for contacting local law enforcement.

Investigative Process

A university incident report will be completed by the Safety Department. The Safety &

Security Department will include, but not be limited to, the following investigative procedures:

- Contact suitemates and friends
- Contact instructors and advisors
- Contact Campus Health Services
- Contact Campus Student Employment
- Contact Campus Post Office
- Contact Department of Housing and Resident Life for room search
- Check class schedules and attendance
- Check parking lots for students registered vehicle
- Check social media; access records on campus
- Campus wide notification if required

Once the internal investigative process is complete and if the student cannot be located, all information will be turned over to the local law enforcement agency with jurisdictional responsibility.

The Safety & Security Department will monitor local law enforcement and keep the Dean of Students Office updated on any developments. Dean of Students Office will be responsible to notify all other campus authorities to include the Chief Operating Officer, the Records Office and the Chief Academic Official.

19. VIOLENCE AGAINST WOMEN ACT (VAWA)

Sexual assault is unacceptable and will not be tolerated at Embry-Riddle Aeronautical University. It is a criminal act under Florida State Law and will be treated as such. The University urges an individual who has been sexually assaulted to file an official report. We encourage any member of the campus community that has information about a sexual assault to report the incident to Campus Safety & Security or the Title IX Office. Campus Safety & Security and the Title IX Office will also encourage anyone reporting a crime to report it the Daytona Beach Police Department or other appropriate law enforcement agency.

Information on the prevention and response to a sexual assault on campus can be found in the University's Civil Rights Equity and Sex/Gender-based Harassment, Discrimination, and Sexual Misconduct policy at [Sexual Misconduct Policy](#).

Embry-Riddle Aeronautical University Daytona Beach Campus prohibits acts, termed "Sexual Misconduct" by the Embry-Riddle Aeronautical University Daytona Beach Campus, which can be crimes as well. Sexual misconduct includes, but is not limited to, non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, interpersonal/relationship violence, sex/gender-based stalking, and sexual harassment.

While Embry-Riddle Aeronautical University Daytona Beach utilizes different standards and definitions than the State of Florida Revised Statutes, sexual misconduct often overlaps with the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence. Victims of these behaviors are protected by federal laws, specifically Title IX.

Please review the Title IX Sexual Harassment Policy [Title IX Sexual Harassment Policy](#)

It is the policy of Embry-Riddle Aeronautical University Daytona Beach Campus to notify Campus Safety & Security when sexual misconduct occurs, typically without providing identifying information about the incident, unless a victim wishes that information to be shared, or an emergency requires disclosure. Victims have the option to notify law enforcement directly, or be assisted by campus security authorities. If requested, campus officials can facilitate reporting to campus or local law enforcement, but may also respect a victim's request not to do so.

In an effort to reduce the risk of sexual misconduct as well as the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, and domestic violence occurring among its students, the Embry-Riddle Aeronautical University Daytona Beach Campus utilizes a range of campaigns, strategies and initiatives to promote awareness, educational, risk reduction, and prevention programming.

It is the policy of the Embry-Riddle Aeronautical University Daytona Beach Campus to offer programming to identify and prevent domestic violence, dating violence, sexual assault (including stranger and known offender assaults), and stalking each year. Educational programs to raise awareness for all incoming students and employees are conducted during new student and new employee orientation and throughout an incoming student's first semester. Programs and educational information are offered to all students and employees that include, but are not limited to, messages to increase awareness, but also primary prevention (including normative messaging, environmental management and bystander intervention, institutional policies on sexual misconduct, and State of Florida definitions of domestic violence, dating violence, sexual assault, stalking, and consent in reference to sexual activity).

Programs also offer information on risk reduction that strives to empower victims, how to recognize warning signals and how to avoid potential attacks, and do so without victim blaming approaches. Programs are informed by evidence-based research and/or are assessed for their effectiveness.

Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention-based apps, identifying allies, and/or creating distractions. Bystander empowerment training highlights the need for those who intervene to ensure their own safety in the intervention techniques they choose, and motivates them to intervene as stakeholders in the safety of the community when others might choose to be bystanders.

In the event that sexual misconduct, gender-based violence or the crimes of sexual assault, stalking, dating violence, or domestic violence do occur, the Embry-Riddle Aeronautical University Daytona Beach Campus takes the matter very seriously. The Embry-Riddle Aeronautical University Daytona Beach Campus employs interim protection measures such as interim suspensions and/or no contact orders in any case where a student's behavior represents a risk of violence, threat, pattern, or predation. If a student is accused of sexual misconduct, other gender-based violence, or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence, s/he is subject to action in accordance with the University's Nondiscrimination Policy in the student handbook. A student wishing to officially report such an incident may do so by contacting Campus Safety & Security at 386-226-7233 (SAFE) or the Title IX Coordinator at (386) 226-7971. Anyone with knowledge about sexual misconduct, gender-based violence, or the crimes of rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence is encouraged to report it immediately. Protective measures for victims are available from the campus whether or not a victim chooses to report to

local and/or campus law enforcement, and irrespective of whether a victim pursues a formal complaint through the Embry-Riddle Aeronautical University Daytona Beach Campus resolution process.

If you are the victim of sexual misconduct, gender-based violence, or the crimes of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence, some or all of these safety suggestions may guide you after an incident has occurred:

1. Go to a safe place and speak with someone you trust. Tell this person what happened. If there is any immediate danger, contact Campus Safety & Security at 386-226-7233 (SAFE) if you are on campus or call 911 if you are off campus.
2. Consider securing immediate professional support (e.g., counseling, victim advocacy, medical services, etc.) to assist you in the crisis.
3. If you are on campus during regular business hours, you may go to the ERAU Counseling Center for counseling services, support and guidance. The ERAU Counseling Center can provide confidential resources <https://ernie.erau.edu/Departments/counseling-center-daytona/Pages/Default.aspx>.

After regular business hours, or in any situation where a victim wishes, local resources, such as Suicide Prevention Lifeline (800) 273.TALK (8255) and National Sexual Assault Hotline (800) 656-4673 are also available and may be able to provide confidential assistance.

4. For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible is important in the case of rape or sexual assault. The hospital will arrange for a specific medical examination at no charge or can work with you to arrange state reimbursement.
 - To preserve evidence, it is recommended that you do not bathe, shower, douche, eat, drink, smoke, brush your teeth, urinate, defecate, or change clothes before receiving medical attention. Even if you have already taken any of these actions, you are still encouraged to have prompt medical care, and evidence may still be recoverable.
 - Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing, and any other pertinent articles that may be used for evidence. It is best to allow police to secure items in evidence containers, but if you are involved in transmission of items of evidence, such as to the hospital, secure them in a clean paper bag or clean sheet to avoid contamination.
 - If you have physical injuries, photograph or have them photographed, with a date stamp on the photo.
 - Record the names of any witnesses and their contact information. This information may be helpful as proof of a crime, to obtain an order of protection, or to offer proof of a campus policy violation.

- Try to memorize details (e.g., physical description, names, license plate number, car description, etc.), or even better, write notes to remind you of details, if you have time and the ability to do so.
 - If you obtain external orders of protection (e.g., Orders of Protection or an Injunction against Harassment), please notify and provide a copy to Campus Safety & Security or the campus Title IX Coordinator so that those orders can be observed on campus.
5. Even after the immediate crisis has passed, consider seeking support from ERAU Counseling Services,
 6. Contact Campus Safety & Security at (386) 226-7233 (SAFE) if you need assistance with Embry- Riddle Aeronautical University Daytona Beach campus concerns, such as no-contact orders or other protective measures. The Title IX Coordinator or the Title IX Investigator can also assist in any needed advice for students who wish to obtain protective or restraining orders from local authorities.
 7. The Embry-Riddle Aeronautical University Daytona Beach Campus is able to offer reasonable academic support, changes to living arrangements, security escorts, no contact orders, counseling services access, and other support and resources as needed by a victim. The Embry-Riddle Aeronautical University Daytona Beach Campus is able to offer information about legal assistance, visa/immigration assistance, and student financial aid considerations for involved parties.

Legal Definitions

Rape is generally defined by states as forced sexual intercourse. It may also include situations where the victim is incapable of giving consent due to incapacitation by means of disability or alcohol or other drugs. Many rapes are committed by someone the victim knows, such as a date or friend.

Under Florida law, rape is defined as sexual intercourse against the will of the victim that can occur under a variety of circumstances, including:

- Where the victim is prevented from resisting due to alcohol or drugs.
- Where the assailant uses physical force or the threat of force to overpower and control the victim.
- Where the victim fears that s/he or another will be injured if the victim does not submit.
- Where the victim is at the time unconscious of the nature of the act, and this is known to the assailant.
- Where the victim is incapable of giving legal consent due to a mental disorder or developmental or physical disability, and this is known or reasonably should be known to the assailant.
- Where the act is accomplished by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another person.
- Where the assailant uses duress, such as a direct or implied threat of hardship or retribution, to coerce the victim.
- Where the assailant uses force, fear or threats to accomplish sexual intercourse against the will of the spouse. This provision of the law is known as the “spousal rape law.”

The complete Florida rape and sexual assault offense definitions can be found in accordance to the Florida Statutes under Title XLVI Sexual Battery, Florida §794 [2021 Florida Statutes](#).

Other Sexual Offenses

Other sexual offenses associated with the crime of rape (sexual battery) include the following: sodomy (forced anal intercourse); oral copulation (forced oral-genital contact); rape by a foreign object (forced penetration by a foreign object, including a finger); and sexual battery (the unwanted touching of an intimate part of another person for the purpose of sexual arousal).

For further information regarding Embry-Riddle's Daytona Beach campus Nondiscrimination Policy and Procedures go to <https://Daytona Beach.erau.edu/title-ix/>

Sex/Gender Based Harassment, Discrimination, and Sexual Misconduct

Any violation of the Civil Rights Equity & Sex/Gender Based Harassment, Discrimination, and Sexual Misconduct Resolution policy will fall under Title IX. It will be handled in accordance with the Civil Rights Equity & Sex/Gender Based Harassment, Discrimination and Sexual Misconduct Resolution Process.

a. Consent: Consent is an explicitly communicated, reversible mutual agreement in which all parties are capable of making a decision. Consent is informed, voluntary, and actively given. Consent exists when all parties exchange mutually understandable affirmative words or behavior indicating their agreement to participate voluntarily in sexual activity.

1. Consent is active, not passive.
2. Silence, in and of itself, cannot be interpreted as consent.
3. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding willingness to engage in (and the conditions of) sexual activity.
4. Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
5. Previous relationships or prior consent cannot imply consent to future sexual acts
6. Consent can be withdrawn once given, as long as that withdrawal is clearly communicated.
7. In order to give consent, one must be of legal age. Sexual activity with someone you know to be or should know to be incapacitated constitutes a violation of this policy.

- a. Force/Manipulation: Force is the use of physical violence and/or imposing on someone physically or verbally to gain sexual access. It includes, but is not limited to coercion, intimidation, and physical violence.

NOTE: *There is no requirement for a party to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the*

absence of resistance. Sexual activity that is forced is by definition non- consensual, but nonconsensual sexual activity is not by definition forced.

b. Incapacitation: An individual is incapacitated when they are not able to make rational, reasonable judgments and therefore is incapable of giving consent. Incapacitation is the inability, temporarily or permanently, to give consent, because the individual is mentally and/or physically impaired, from developmental disability, by alcohol or other drug consumption, either voluntarily or involuntarily, or the individual is unconscious, asleep, involuntarily physically restrained, or otherwise unaware that the sexual activity is occurring.

c. Non-Consensual Sexual Intercourse (NCSI): Any sexual penetration or intercourse, however slight, with any object, by a person upon another person that is without consent and/or by force.

d. Non-Consensual Sexual Contact (NCSC): Any intentional sexual touching, however slight, with any object, by a person upon another person that is without consent and/or by force.

e. Sexual exploitation: Sexual exploitation is an act that involves taking non-consensual, unjust, humiliating, or abusive sexual advantage of another, for their own advantage or to benefit anyone other than the Reporting Party. Examples of sexual exploitation include, but are not limited to:

1. Creating picture(s), movie(s), webcam, tape recording(s), graphic written narrative(s), or other means of memorializing sexual behavior, or a state of undress, of another person without the other's knowledge and consent;
2. Sharing picture(s), movie(s), webcam, tape recording(s), graphic written narrative(s), or other means of memorializing sexual behavior, or a state of undress, of another person without the other's knowledge and consent;
3. Observing, or assisting others, with the observation of sexual behavior or a state of undress of another person without the knowledge and consent of that person;
4. "Peeping Tom" or voyeuristic behaviors;
5. Engaging in sexual behavior with knowledge of an illness or disease (HIV, STD, or STI) that could be transmitted by the behavior without full and appropriate disclosure to the partner(s) of all health and safety concerns;
6. Engaging in or attempting to engage others in "escort services" or "dating services", which include or encourage sexual behavior in exchange for money or other benefit or reward;
7. Purposefully providing drugs or alcohol to a person for personal gain;
8. Exposing another person to pornographic material without the person's advance knowledge or consent.

9. Intentionally or recklessly exposing one's genitals in nonconsensual circumstances, this would include using a camera to take pictures or video under the skirt of a person.

10. Sexually based stalking and/orbullying.

f. Harassment: The University's harassment policy explicitly prohibits any form of harassment, defined as unwelcome conduct on the basis of actual or perceived membership in a protected class, by any member or group of the community.

1. Quid Pro Quo Harassment: A University employee or someone in an authoritative role explicitly or implicitly conditions a student's/employee's participation in an education program or activity or bases an educational decision on the student's/employee's submission to unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Quid pro quo harassment will not be tolerated whether the student/employee resists and suffers the threatened harm or submits and thus avoids the threatened harm.

2. Sexual Harassment: Unwelcome sexual advances, requests for sexual favors and other sex-based and/or gender-based physical, written, visual, or verbal conduct of a sexual nature where:

a. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; or

b. submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting the individual; or

c. such conduct has the purpose or effect of:

1. unreasonably interfering with an individual's academic, social or professional performance; or

2. creating an intimidating, hostile, or demeaning employment or educational environment.

g. Hostile Environment: A hostile environment is created when the offense is sufficiently severe, persistent, or pervasive. For example, actions that unreasonably interferes with, denies or limits someone's ability to participate in or benefit from the University's educational [and/or employment], social and/or residential program. A hostile environment may be created by oral, written, graphic, and physical conduct that is sufficiently severe, persistent, or pervasive that it interferes with, limits, or denies the ability of an individual to participate in or benefit from educational programs, or activities or employment access, benefits, or opportunities.

Sex Offenders

In accordance to the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the Embry-Riddle Aeronautical University Daytona Beach Campus is providing a link to the Florida State Sex Offender Registry [FDLE Sex Offender Search](#). All sex offenders are required to register in the state of Florida and to provide notice of each institution of higher education in Florida at which the person is employed, carries out a vocation, or is a student.

In addition to the above notice to the State of Florida, all sex offenders are required to deliver written notice of their status as a sex offender to Embry-Riddle Aeronautical University Daytona Beach Campus no later than three (3) business days prior to their enrollment in, employment with, volunteering at, or residence in the Embry-Riddle Aeronautical University Daytona Beach Campus. Such notification may be disseminated by Embry-Riddle Aeronautical University Daytona Beach Campus to, and for the safety and well-being of, the Embry-Riddle community, and may be considered by the Embry-Riddle for enrollment and discipline purposes.

[Campus Procedures for Addressing Sexual Misconduct, Dating Violence, Domestic Violence, Stalking, Sexual Harassment, and Other Acts of Sex and Gender Discrimination](#)

For offenses including sexual misconduct or other gender-based violence, which typically include the crimes of domestic violence, dating violence, sexual harassment, sexual misconduct, and stalking, sanctions options include warning, suspension, expulsion or termination of employment. Serious and violent incidents and acts of non-consensual sexual intercourse (the policy equivalent to the crime of rape) usually result in suspension, expulsion, or termination of employment.

Procedurally, when Embry-Riddle Aeronautical University Daytona Beach Campus receives a report of sexual misconduct, gender-based violence, or other sex or gender discrimination, the campus Title IX Coordinator is notified. If the victim wishes to access local community agencies and/or law enforcement for support, Embry-Riddle Aeronautical University Daytona Beach Campus will assist the victim in making these contacts. The Title IX Coordinator will assist victims in the form of interim or long-term measures such as:

- a. opportunities for academic accommodations;
- b. changes in housing for the victim or the responding student;
- c. visa and immigration assistance; changes in working situations; and
- d. other assistance as may be appropriate and available on campus or in the community (such as no contact orders, campus escorts, targeted intervention, etc.).

If the victim so desires, that individual will be connected with a counselor on- or off-campus, as well as an on- or off-campus victim's advisor. No victim is required to take advantage of these services and resources, but Embry-Riddle Aeronautical University (ERAU) Daytona Beach Campus provides them in the hopes of offering help and support without condition or qualification. A summary of rights, options, supports, and procedures, in the form of this document, is provided to all victims, whether they are students, employees, guests, or visitors.

When appropriate upon receipt of notice, the Title IX Coordinator will cause a prompt, fair, and

impartial process to be initiated, commencing with an investigation, which may lead to the imposition of sanctions based upon a preponderance of evidence (what is more likely than not), upon a responding student or other accused individual. Procedures detailing the investigation and resolution processes of Embry-Riddle Aeronautical University (ERAU) can be found online here: [Resolution Process](#). The Coordinator is ultimately responsible for assuring in all cases that the behavior is brought to an end, ERAU Daytona Beach Campus acts to reasonably prevent its recurrence, and the effects on the victim and the community are remedied. The Coordinator is also responsible for assuring that training is conducted annually for all advocates, investigators, hearing officers, panelists, and appeals officers that encompass a hearing process that protects the safety of victims and promotes accountability. Training will focus on sexual misconduct, domestic violence, dating violence, sexual assault, stalking, sexual harassment, retaliation, and other behaviors that can be forms of sex or gender discrimination covered by Title IX and Clery Act. Training will help those decision-makers in the process of protecting the safety of victims and promoting accountability for those who commit offenses.

The investigation and records of the resolution conducted by Embry-Riddle Aeronautical University (ERAU) Daytona Beach Campus are maintained confidentially. Information is shared internally between administrators who need to know, but a tight circle is kept. Where information must be shared to permit the investigation to move forward, the person bringing the accusation will be informed. Privacy of the records specific to the investigation is maintained in accordance with Florida law and the federal FERPA statute. Any public release of information needed to comply with the open crime logs or timely warning provisions of the Clery Act will not include the names of victim or information that could easily lead to a victim's identification. Additionally, ERAU Daytona Beach Campus maintains privacy in relation to any accommodations or protective measures afforded to a victim, except to the extent necessary to provide the accommodations and/or protective measures. Typically, if faculty members or administrators are asked to provide accommodations for a specific student, they are told that such accommodations are necessary under Title IX or the Clery Act, but they are not given any details of the incident, or what kind of incident it is. Irrespective of state law or public records access provisions, information about victims is maintained privately in accordance with Title IX and FERPA.

In any complaint of sexual misconduct, sexual assault, stalking, dating violence, domestic violence, or other sex or gender-based discrimination covered under the federal law, Title IX; the person bringing the accusation; and the responding party are entitled to the same opportunities to have a support person of their choice throughout and to fully participate in the process, including any meeting, conference, hearing, appeal, or other procedural action. The role of advisors is described in detail here <https://Daytona Beach.erau.edu/title-ix/> . Once complete, the parties will be informed, in writing, of the outcome, including the finding, the sanctions (if any), and the rationale. Delivery of this outcome to the parties will occur without undue delay between notifications. All parties will be informed of Embry-Riddle Aeronautical University Daytona Beach Campus' process for a Request for Reconsideration.

Should any change in outcome occur prior to finalization, all parties will be timely informed in writing, and will be notified when the results of the resolution process become final.

Both Title IX and the Clery Act provide protections for whistleblowers who bring allegations of non-compliance with the Clery Act and/or Title IX to the attention of appropriate campus administrators. Embry-Riddle Aeronautical University Daytona Beach Campus does not retaliate against those who raise concerns of non-compliance. Any concerns should be brought to the immediate attention of the campus Title IX Coordinator at (386) 226-7971

Reporting of statistics under the Clery Act uses federal offense definitions that allow comparability across campuses, regardless of the state in which the campus is located. These definitions are as follows:

Sex Offenses

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

- a. Rape — Vaginal or anal penetration by a penis, object, tongue or finger, and oral copulation (mouth to genital contact), no matter how slight the penetration or contact, without consent.
- b. Fondling — The 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 of his/her age or because of his/her temporary or permanent mental incapacity.
- c. Incest — Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- d. Statutory Rape — Sexual intercourse with a person who is under the statutory age of consent.

Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- a. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- b. For the purposes of this definition:
 1. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 2. Dating violence does not include acts covered under the definition of domestic violence.
- c. For the purposes of complying with the requirements of this section, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

Domestic Violence

A felony or misdemeanor crime of violence committed:

1. By a current or former spouse or intimate partner of the victim;
2. By a person with whom the victim shares a child in common;
3. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
4. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or

5. By any other person against an adult or youth victim who is protected.

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- a. Fear for the person's safety or the safety of others; or
- b. Suffer substantial emotional distress.
- c. For the purposes of this definition, *course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

20. TITLE IX

On May 19, 2020, the U.S. Department of Education issued its final rule on Title IX of the Education Amendments of 1972 regulations. These are the first comprehensive regulations issued under Title IX since 1975. The final rule, which applies to school districts, colleges and universities, including all institutions of higher education receiving Title IV funding, contains a number of significant changes, such as: a definition for sexual harassment, publication of Title IX materials, triggers for an institution's legal obligation to respond and investigate, and a requirement that institutions conduct courtroom like hearings.

The final regulations modify Title IX regulatory requirements regarding remedies the Department may impose on recipients for Title IX violations, the intersection between Title IX, constitutional protections, and other laws, the designation by each recipient of a Title IX coordinator to address sex discrimination including sexual harassment, the dissemination of a recipient's nondiscrimination policy and contact information for a Title IX coordinator, the adoption by recipients of grievance procedures and a grievance process, how a recipient may claim a religious exemption and prohibition of retaliation for exercise of rights under Title IX.

In the preamble to the rule, the Department notes that the "final regulations leave recipients the flexibility to choose to follow best practices and recommendations contained in the Department's guidance or, similarly, best practices and recommendations made by non-Department sources, such as Title IX consultancy firms, legal and social science scholars, victim advocacy organizations, civil libertarians and due process advocates, and other experts." 85 Fed. Reg. 30026, 30030. With this initial flexibility, institutions have an obligation to strictly adhere to their published policies and procedures.

The new rule was effective on August 14, 2020.

Key Provisions of the Department of Education's New Title IX Regulation

- Defines sexual harassment to include sexual assault, dating violence, domestic violence and stalking, as unlawful discrimination on the basis of sex.
- Provides a consistent, legally sound framework on which survivors, the accused and schools

can rely.

- Requires schools to offer clear, accessible options for any person to report sexual harassment.
- Requires the school to offer survivors supportive measures, such as class or dorm reassignments or no-contact orders.
- Protects K-12 students by requiring elementary and secondary schools to respond promptly when *any* school employee has notice of sexual harassment.
- Holds colleges and universities responsible for off-campus sexual harassment at houses owned or under the control of school-sanctioned fraternities and sororities.
- Requires colleges and universities to provide students the right to written notice of allegations, the right to an adviser and the right to submit, cross-examine and challenge evidence at a live hearing.
- Shields survivors from having to come face to face with the accused during a hearing and from answering questions posed personally by the accused.
- Requires schools to select one of two standards of evidence, the preponderance of the evidence standard or the clear and convincing evidence standard—and to apply the selected standard evenly to proceedings for all students and employees, including faculty.
- Provides “rape shield” protections and ensures survivors are not required to divulge any medical, psychological or similar privileged records.
- Requires schools to offer an equal right of appeal for both parties to a Title IX proceeding.
- Gives schools flexibility to use technology to conduct Title IX investigations and hearings remotely.
- Protects students and faculty by prohibiting schools from using Title IX in a manner that deprives students and faculty of rights guaranteed by the First Amendment.

Defining Sexual Harassment

Title IX protects students’ rights to educational opportunities free from sex discrimination. While courts have previously interpreted Title IX to include sexual harassment as a form of sex discrimination, the newly published regulations establish in law that sexual harassment, including sexual assault, is unlawful sex discrimination. Section 34 CFR 106.30 considers the following forms of sexual harassment *actionable* under Title IX:

1. An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual’s participation in unwelcome sexual conduct (*quid pro quo*);
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity; or
3. “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8) or “stalking” as defined in 34 U.S.C. 12291(a)(30).

In these final regulations, the Department retains reference to sexual assault under the Clery Act, and additionally incorporates the definitions of dating violence, domestic violence and stalking in the Clery Act as amended by the Violence Against Women Act. The final rule also provides definitions for “complainant,” “respondent,” formal complaint” and “supportive measures.”

The University's approach to Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., is described in its Civil Rights Equity & Sex/Gender-based Harassment, Discrimination and Sexual Misconduct Policy. Please review [University Sexual Misconduct Policy](#).

Reporting Options

Victims are not required to file a report with Law Enforcement, but are encouraged to do so and will be assisted by campus authorities in notifying law enforcement if the victim chooses regardless of whether a victim opts to report the crime, accommodations or protective measures may be provided if the victim requests.

Embry– Riddle will take steps to keep your information private to the extent allowed by law.

Filing a Complaint with Embry-Riddle

In addition to, or in lieu of filing a criminal complaint, those who feel they have been the victim of the University's Civil Rights Equity and Sex/Gender-Based Harassment, Discrimination and Sexual Misconduct Policy have the right to file a complaint with the University at any time even if police conclude they do not have sufficient evidence for a criminal charge.

Filing a Criminal Complaint

Victims of sexual assault, domestic violence, dating violence and stalking can file a criminal complaint by contacting the local law enforcement agency having jurisdiction over the location of the incident.

The Process

Embry-Riddle guarantees a prompt, fair and impartial process from the initial investigation to the result. Investigations will be conducted by officials who receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking; how to conduct an investigation; and resolution processes that protect the safety of victims and promote accountability.

If the complainant wishes to pursue a resolution or if the University based on the alleged policy violation, wishes to pursue a resolution, then the Title IX Coordinator appoints trained investigators to conduct the investigation, usually within two business days of determining that a resolution should proceed. The Title IX Coordinator completes investigations expeditiously, normally within 10-14 business days of the completion of the preliminary inquiry.

Investigations may take longer when, for example, initial reports fail to provide direct first-hand information or in complex situations.

The University's resolution will not typically be altered or precluded because civil or criminal charges involving the same incident have been filed or that charges have been dismissed or reduced. However, the University may undertake a short delay (several days to weeks) in its investigation or resolution process, to comply with a law enforcement request for cooperation (e.g.: to allow for criminal evidence collection) when criminal charges on the basis of the same behaviors that invoke this process are being investigated. The University will promptly resume its

investigation and processes once notified by law enforcement that the initial evidence collection process is complete.

All investigations will be thorough, reliable and impartial and will entail interviews with all relevant parties and witnesses, obtaining available evidence and identifying sources of expert information, if necessary.

The investigator will take the following steps (not necessarily in this order):

1. In coordination with campus partners (e.g.: the campus Title IX Coordinator), initiate any necessary remedial actions;
2. Determine the identity and contact information of the complainant and respondent;
3. Identify the exact policies allegedly violated;
4. Conduct an immediate initial inquiry to determine if there is reasonable cause to charge the respondent, and what policy violations should be alleged as part of the charge;
5. If there is insufficient evidence to support reasonable cause, the report should be closed with no further action;
6. Meet with the complainant and respondent to finalize their statement, and
7. Prepare the notice of charges on the basis of the initial inquiry;
8. Commence a thorough, reliable and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended timeframe, and order of interviews for all witnesses and the respondent, who may be given notice prior to or at the time of the interview;
9. Complete the investigation promptly, and without unreasonable delay;
10. Provide regular updates to both the complainant and respondent, as appropriate, throughout the investigation;
11. Make a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not);
12. Share a draft report with the parties and allowing them a period of comment before a report is finalized;
13. Once the report is finalized, the parties will be allowed to review and provide final commentary, which will accompany the report.

At any point during the investigation, if it is determined there is no reasonable cause to believe that University policy has been violated, the Title IX Coordinator has authority to terminate the investigation and end resolution proceedings.

Where the respondent is found not responsible for the alleged violation(s), the investigation will be closed. Where a violation is found, the University will act to end the discrimination, prevent its recurrence, and remedy its effects on the reporting party and the University community.

The Title IX Coordinator will make written notification to all parties of the outcome, to the extent permitted by or mandated by law. In cases involving sexual misconduct, sexual harassment, stalking and/or intimate partner violence, the written notification includes the finding, any resulting responsive actions, and the rationale for the decision. This written notification of final decision will be provided in person and/or emailed to the parties' university-issued email accounts, without undue delay between the notifications. Once received in person or emailed, the notice of decision will be deemed presumptively delivered. Within the written notifications, there will be an explanation of the request for reconsideration process along with any changes

to the results that could occur before the decision is finalized, and when it is finalized, if it is not, such as when subject to grievance procedures, appeal, tenure revocation proceedings, mandatory arbitration, union proceedings, etc.

Statement of the Rights of the Reporting Party

1. The right to investigation and appropriate resolution of all credible reports or notice of sexual misconduct, harassment, or discrimination made in good faith to University officials.
2. The right to be informed in advance of any public release of information regarding the incident.
3. The right of the reporting party not to have any personally identifiable information released to the public, without his or her consent.
4. The right to be treated with respect by University officials.
5. The right to have University policies and procedures followed without material deviation.
6. The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
7. The right not to be discouraged by University officials from reporting sexual misconduct, harassment, or discrimination to both on-campus and off-campus authorities.
8. The right to be informed by University officials of options to notify proper law enforcement authorities, including local police, and the option to be assisted by campus authorities in notifying such authorities, if the student, faculty or staff so chooses. This also includes the right not to report, if this is the Reporting party's desire.
9. The right to have reports of sexual misconduct, harassment, or discrimination responded to promptly and with sensitivity by University officials.
10. The right to be notified of available counseling, mental health, victim advocacy, health, legal assistance, student financial aid, visa and immigration assistance, or other student services for victims of sexual assault, both on campus and in the community.
11. The right to a campus no contact order (or a trespass order against a non-affiliated 3rd party) when someone has engaged in or threatens to engage in stalking, threatening, harassing or other improper behavior that presents a danger to the welfare of the reporting party or others.
12. The right to notification of and options for, and available assistance in, changing work, academic and living situations after an alleged sexual misconduct incident, if so requested by the reporting party and if such changes are reasonably available (no formal report, or investigation, campus or criminal, need occur before this option is available).

Accommodations for students may include:

- a. Change of University owned or operated housing to a different location;
- b. Assistance from University support staff in completing the relocation;
- c. Arranging to dissolve a housing contract and pro-rating a refund;
- d. Exam (paper, assignment) rescheduling;
- e. Taking an incomplete in a class;
- f. Transferring class sections;
- g. Temporary withdrawal;
- h. Alternative course completion options.

Accommodations for employees may include:

- a. Change of an office or other work location;
 - b. Rescheduling or reassigning work tasks or committee assignments;
 - c. Alternative parking assignment;
 - d. Leave with pay.
1. The right to have the University maintain such accommodations for as long as is necessary, and for protective measures to remain confidential, provided confidentiality does not impair the University's ability to provide the accommodations or protective measures.
 2. The right to be fully informed of campus policies and procedures as well as the nature and extent of all alleged violations contained within the report.
 3. The right to ask the investigators to identify and question relevant witnesses, including expert witnesses.
 4. The right to be informed of all evidence available regarding the allegation(s), and the responding party and witness statements, subject to the privacy limitations imposed by state and federal law.
 5. The right to be informed of the names of all witnesses who will be interviewed, except in cases where a witness' identity will not be revealed to the responding party for compelling safety reasons (this does not include the name of the reporting party, which will always be revealed).
 6. The right not to have irrelevant prior sexual history considered in determining responsibility; (Note- exceptions may be made when the reporting party's sexual history with others may be relevant to the allegation – largely because the reporting party may raise the issue by claiming they would never engage in certain behaviors when evidence indicates otherwise).
 7. The right to regular updates on the status of the investigation and/or resolution;
 8. The right to have reports heard by investigators who have received at least eight hours of annual Civil Rights training.
 9. The right to preservation of privacy, to the extent possible and permitted bylaw.
 10. The right to petition that any Investigator or Title IX Coordinator be recused based on demonstrated bias.
 11. The right to bring an advisor of the reporting party's choosing to all phases of the investigation and resolution proceeding.
 12. The right to provide evidence by means other than being in the same room with the responding party.
 13. The right to have the University compel the participation of student, faculty, staff, and administrator witnesses, during an investigation.
 14. The right to make or provide an impact statement in person or in writing to the Investigator prior to the completion of the investigation.
 15. The right to be informed of the outcome, sanctions, and the right to make a request for reconsideration of the resolution process in writing, without undue delay between the notifications to the parties, and usually within 2 business days of the end of the process for any sexual misconduct/sexual harassment violation.
 16. The right to be informed in writing when a decision by the University is considered final.

Statement of the Rights of the Responding Party

1. The right to investigation and appropriate resolution of all credible reports of sexual

- misconduct, harassment, or discrimination made in good faith to University administrators.
2. The right to be informed in advance, when possible, of any public release of information regarding the incident.
 3. The right to be treated with respect by University officials.
 4. The right to have University policies and procedures followed without material deviation.
 5. The right to be informed of and have access to resources for medical, health, counseling, and advisory services.
 6. The right to be fully informed of the nature, policies and procedures of the campus resolution process and to timely written notice of all alleged violations within the report.
 7. The right to ask the investigators to identify and question relevant witnesses, including expert witnesses.
 8. The right to be informed of all evidence available regarding the allegation(s), and the reporting party and witness statements, subject to the privacy limitations imposed by state and federal law.
 9. The right to be informed of the names of all witnesses who will be interviewed, except in cases where a witness' identity will not be revealed to the responding party for compelling safety reasons (this does not include the name of the reporting party, which will always be revealed).
 10. The right not to have irrelevant prior sexual history considered in a campus resolution process; (Note- exceptions may be made when the reporting party's sexual history with
 11. Others may be relevant to the allegation – largely because the reporting party may raise the issue by claiming they would never engage in certain behaviors when evidence indicates otherwise).
 12. The right to have reports heard by investigators who have received at least eight hours of annual Civil Rights training.
 13. The right to petition that any Investigator or Title IX Coordinator be recused based on demonstrated bias.
 14. The right to have the University compel the participation of student, faculty, staff, and administrator witnesses and the right to challenge documentary evidence.
 15. The right to have an advisor of their choice to accompany and assist in the campus resolution process.
 16. The right to provide evidence by means other than being in the same room with the reporting party.
 17. The right to a fundamentally fair resolution, as defined in these procedures.
 18. The right to make or provide an impact statement in person or in writing to the Investigator prior to the completion of the investigation.
 19. The right to a decision based solely on evidence presented during the resolution process. Such evidence shall be credible, relevant, based in fact, and without prejudice.
 20. The right to be informed of the outcome, sanctions and the right to make a request for reconsideration of the resolution process in writing, without undue delay between the notifications to the parties, and usually within 2 business days of the end of the process for any sexual misconduct/sexual harassment violation.
 21. The right to be informed in writing of when a decision of the University is considered final.

Campus-wide Communication of the Embry-Riddle Civil Rights Equity & Sex/Gender-based Harassment, Discrimination and Sexual Misconduct Policy Communications are made:

Embry-Riddle Aeronautical University continually strives to recognize, respect and celebrate the differences and cultural identities among individuals as we recruit, support, and embrace our diverse community. We work to provide a safe environment where self-expression is welcome. We strive to create a campus climate free of discrimination, so that networks, partnerships, and cultural competency continue to be fostered through leadership, integrity, care and respect. In doing so, Embry-Riddle does not permit discrimination or harassment in its programs and activities based on race, color, national origin, sex, gender identity, gender expression, sexual orientation, disability, veteran status, predisposing genetic characteristic, age, religion, pregnancy status or any other characteristic protected by University policy or state, local, or federal law.

If you would like to report a concern of harassment, discrimination (including sexual misconduct), or retaliation [please click here](#).

If you would like to discuss your situation or concerns in a confidential manner, please contact Counseling Center at (386) 226-6035. By talking with a Counseling professional staff member, information shared will not be released without your consent unless there is a perceived threat to self or someone else.

The University is obligated by Florida State Law to report any sexual misconduct or abuse of anyone under the age of 18 to local law enforcement.

On Campus Title IX Resources

Campus Safety & Security Building 175

Emergency 911

Emergency on campus
(386) 226-SAFE (7233)

Non-emergency on campus
(386) 226-6480

Health Services

(386) 226-7917

Counseling Center

(386) 226-6035

Center for Faith & Spirituality

(386) 226-6580

Housing and Residence Life

(386) 323-8000

Title IX Coordinator

(386) 226-7971

Off Campus Resources

Law Enforcement

Daytona Beach Police Department

(386) 671-5100

129 Valor Blvd.

Daytona Beach, FL 32114

Volusia County Sheriff's Department

(386) 254-1537

1330 Indian Lake Rd.

Daytona Beach, FL 32124

Confidential Support and Advocacy

National Sexual Assault Hotline

(800) 656-4673

Volusia County Rape Crisis Center

(800) 503-7621

Medical

Halifax Hospital

(386) 425-4000

303 N. Clyde Morris Blvd.

Daytona Beach, FL 32114

Suicide Prevention Hotline

(800) 273-TALK (8255)

21. DAYTONA BEACH CAMPUS SAFETY & SECURITY CRIME STATISTICS FOR 2019

CATEGORY	VENUE	2018	2019	2020
Murder /Non-Negligent Manslaughter	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Negligent Manslaughter	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Rape	On Campus	0	1	4
	In dormitories or other residential facilities	0	1	4
	In or on a non-campus building or property	0	2	2
	On public property	0	1	0
Fondling	On Campus	0	0	1
	In dormitories or other residential facilities	0	0	1
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Incest	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Statutory Rape	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Robbery	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Aggravated Assault	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	1
	On public property	0	0	0
Burglary	On Campus	1	1	0
	In dormitories or other residential facilities	1	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Arson	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Motor Vehicle Theft	On Campus	1	0	3

In dormitories or other residential facilities	0	0	0
In or on a non-campus building or property	1	0	0
On public property	1	0	0

ARRESTS

CATEGORY	VENUE	2018	2019	2020
Liquor Law Violations	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Drug-related Violations	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	1	0	0
	On public property	0	0	0
Weapons Possession Violations	On Campus	0	0	1
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0

DISCIPLINARY REFERRALS

CATEGORY	VENUE	2018	2019	2020
Liquor Law Violations	On Campus	24	71	116
	In dormitories or other residential facilities	24	70	116
	In or on a non-campus building or property	1	1	0
	On public property	0	0	0
Drug-related Violations	On Campus	5	7	3
	In dormitories or other residential facilities	5	7	3
	In or on a non-campus building or property	1	0	0
	On public property	0	0	0
Weapons Possession Violations	On Campus	2	1	1 ³
	In dormitories or other residential facilities	1	1 ⁴	1
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0

HATE CRIMES

CATEGORY	VENUE	2018	2019	2020
Murder	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Non-Negligent Manslaughter	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Negligent Manslaughter	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0

³ BB gun violation

⁴ BB gun violation

	On public property	0	0	0
Rape	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Fondling	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Incest	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Statutory Rape	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Robbery	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Aggravated Assault	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Burglary	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Arson	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Motor Vehicle Theft	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Larceny-theft	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Simple assault	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Intimidation	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0

	In or on a non-campus building or property	0	0	0
	On public property	0	0	0
Destruction/damage/ vandalism of property	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	0
	On public property	0	0	0

VAWA OFFENSES

CATEGORY	VENUE	2018	2019	2020
Domestic Violence	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	0	1
	On public property	0	0	0
Dating Violence	On Campus	0	0	0
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	2	0
	On public property	0	0	0
Stalking	On Campus	1	0	2
	In dormitories or other residential facilities	0	0	0
	In or on a non-campus building or property	0	3	0
	On public property	0	0	0

22. FIRE SAFETY REPORT FOR ON-CAMPUS STUDENT HOUSING FACILITIES

This institution is required to collect fire statistics and publish these statistics. We are also responsible to keep an active fire log that list the nature, date, time, and location. These annual fire statistics are published in this document.

This campus has eight (8) on-campus student housing facilities and one (1) off-campus student housing facility. All buildings are equipped with smoke detectors, pull stations and fire alarm systems. These alarm systems are linked to an alarm company that monitors our facilities 24/7.

The alarm company has direct contact with Campus Safety & Security who will dispatch safety officers to all fire alarms. In addition, they contact the local fire department to dispatch firefighters to campus. Campus Safety & Security and the Department of Housing and Residence Life conduct fire drills in each residence hall two (2) times a year.

Fire safety issues are covered in the Student Handbook. Smoking, open flames, certain electrical devices, certain chemicals, and gas-type products are prohibited at all times. Students are required to read their student handbook that describes all violations of housing policy and violations of the student Code of Conduct. The following policy statements are drawn from the Student Handbook:

Weapons and Other Dangerous Materials

- A. Possession or use of a perceived or actual explosive or incendiary device/materials including but not limited to fireworks, chemical or combination of chemicals, compounds, and/or materials, manufactured for the purpose of rupturing or bursting (i.e. dry ice or "toilet cleaning chemical" bomb). Having knowledge of the above or being in the presence of a chemical violation may constitute equal responsibility and involvement under the Standards of Conduct.
- B. Possession of hazardous materials in undesignated areas is strictly prohibited. These items include, but are not limited to, flammable substances, flammable solvents, paint thinner, vehicle fluids (gas, jet fuel, and oil), and more than a reasonable amount of spray paint.
- C. Other pyrotechnic equipment including, but not limited to, fog, smoke, or fire machines may not be used in or around campus buildings.
- D. Having knowledge of the above Weapons and Other Dangerous Materials Policy or being in the presence of a chemical violation may constitute equal responsibility and involvement under the Standards of Conduct.

University Managed Housing Policies

Prohibited Items in Residence Halls

1. Halogen lamps/ultraviolet or sun lamps
2. Candles (with wicks)
3. Flammable liquids, flammable vapors, and other dangerous substances. Reasonable provisions will be made for aerosol hairsprays, deodorants and such; however, these are potentially

- hazardous and should not be stored in the halls in large quantities.
4. Portable heaters not provided by the University Department of Safety and Security.
 5. Unsafe extension cords. Extension cords must be UL approved; three pronged, and not contain any cuts, tears or splices. Extension cords and power strips must be plugged directly into a wall outlet; they cannot be plugged into one another (“daisy chaining”).

Please take a moment to review the [Honor Codes and Student Policies](#).

The Department of Housing and Residence Life is responsible for conducting health and safety inspection in the resident halls and to take action to correct any violations that occur within the housing environment.

Housing and Residence Life conduct training for all residential students on evacuation procedures. Department of Housing and Residence Life as well as Campus Safety & Security monitor adherence to policy. Evacuation procedures are described in the Student Handbook.

It is the duty of all persons to report a possible fire to the Department of Housing and Residence Life or Campus Safety & Security. It is the responsibility of Housing and Residence Life and Campus Safety & Security to investigate and take action if required. Campus Safety & Security is responsible for responding to all fire alarms and conducts an investigation with Department of Housing and Residence Life assistance. Campus Safety & Security is also responsible to coordinate with the local fire services as needed. It is Campus Safety & Security’s responsibility to document and report all fires in on campus student housing to the Department of Education in the annual Clery report.

Facilities in conjunction with Campus Safety & Security monitors and employs a Fire Life Safety Officer whose responsibilities include safety training and routine fire inspections. Annual Fire Statistics are available to the entire campus community on the Campus Safety & Security website in addition to this document. The Campus Annual Safe and Secure Environment report that lists all Clery requirements as to crime and fire safety, is available on the Campus Safety & Security website. Campus Safety & Security is also responsible for completing the annual campus safety and security survey.

Fire Evacuation Procedures

All windows, doorways, hallways, and stairwells are to remain unobstructed at all times. To block such areas is a violation of local fire codes. Fire codes require that the University conduct two fire drills each year in every on campus student housing facility. These drills are conducted during the first few weeks of the fall and spring semesters. Students must evacuate their buildings during all fire alarms. The fire code does not allow for any exceptions to this requirement.

Fire Alarm Evacuation Procedures:

Exit the building immediately.

If in your room, close your door and take your key.

Use stairways, not elevators.

Once outside move 100 feet away from the building to the designated assembly point.

Notify staff of the possible location of the fire, if known, or the possible cause of the alarm, and of any residents remaining in the building.

Do not re-enter an evacuated building until a University Official indicates the residents may return to the building. Silencing of an alarm does not indicate the building is safe to reenter.

Failure to evacuate the building in a timely manner during any fire alarm may result in a fine for violation of the fire code.

Fire Safety Equipment

Any costs associated with a false alarm that is caused by negligence or malicious actions may result in the financial responsibility of the responsible party. To ensure that the smoke detectors and sprinklers are appropriately used and serve their designed function, dismantling, covering or otherwise altering them is prohibited. Tampering with any fire safety equipment (including smoke detectors, heat detectors, pull stations, sprinklers, fire extinguishers, or any other fire safety device) is a violation of Florida Statutes, municipal code and University policy. This could result in criminal charges, fines, and disciplinary action.

Hallway and community areas contain smoke and heat detectors. Activation of these devices will result in an evacuation of the building. There are smoke alarms within the suites/apartments that are not connected to the fire alarm system and therefore, will not cause a building evacuation. In a non-fire related alarm (e.g. overcooked food) open the window and close the door to clear the room. Fan away from the detector, preferably with a damp towel to shut the detector off. Opening the suite/apartment door to the main hallway will activate the alarm for the entire hall. Fire extinguishers are located in hallways.

Smoke detectors are located in bedrooms. Heat detectors are located in lounges / kitchenettes. Fire extinguishers are located on the exterior walkways/balconies. Activation of a detector will sound the alarm in the entire building. Residents are advised to close bedroom doors when cooking or showering to avoid possible non-fire related alarms. All housing facilities are equipped with smoke detectors inside all rooms. Heat detectors are located in kitchens. Fire extinguishers are located in hallways. Activation of a detector will sound the alarm in the entire building.

All housing facilities are equipped with fire sprinkler systems. The sprinkler heads are heat and touch sensitive. Do not hang, touch or disrupt the sprinkler heads at any time. If a sprinkler head is activated due to negligence the resident(s) in the room will be held accountable for damage costs.

If the sprinkler head is activated in a common area due to negligence, the residents of the building will be held accountable for damages unless the person who activated the sprinkler head is identified. Sprinkler system discharge can result in \$10,000 or more in damages plus personal property loss.

Smoking is prohibited on the Daytona Beach Campus at all times.

On-Campus Student Housing Facility Fire Safety System Details

	On-Site Fire Monitoring At Safety Dispatch	Off-Site Fire Monitoring At U.L. Central Station	Smoke Detection	Evacuation Alarm	Sprinkler	Fire Extinguisher	Evacuation Plans & Placards	Evacuation Drills Each Calendar Year
Adams	x	x	x	x	x	x	x	2
Wood	x	x	x	x	x	x	x	2
O'Connor	x	x	x	x	x	x	x	2
Stimpson	x	x	x	x	x	x	x	2
New Res 1	x	x	x	x	x	x	x	2
New Res 2	x	x	x	x	x	x	x	2
New Res 3	x	x	x	x	x	x	x	2
Apollo	x	x	x	x	x	x	x	2
Doolittle	X	X	X	X	X	X	X	2

Legend: X indicates the Fire Safety System or prevention activity is present at this location.

23. ON CAMPUS RESIDENTIAL HOUSING FIRE STATISTICS FOR 2018-2020

	2018				2019				2020			
	Fires	Injuries	Deaths	Damage	Fires	Injuries	Deaths	Damage	Fires	Injuries	Deaths	Damage
Adams	0	0	0	0	0	0	0	0	0	0	0	0
Wood	0	0	0	0	0	0	0	0	0	0	0	0
O'Connor	0	0	0	0	0	0	0	0	0	0	0	0
Stimpson	0	0	0	0	0	0	0	0	0	0	0	0
New Res 1	0	0	0	0	0	0	0	0	0	0	0	0
New Res 2 ⁵	0	0	0	0	0	0	0	0	1	0	0	\$260
New Res 3	New residence hall opened August, 2021											
Apollo	0	0	0	0	0	0	0	0	0	0	0	0
Doolittle	0	0	0	0	0	0	0	0	0	0	0	0

24. OFF-CAMPUS RESIDENTIAL HOUSING FIRE STATISTICS FOR 2018-2020

Chanute	2018				2019				2020			
	Fires	Injuries	Deaths	Damage	Fires	Injuries	Deaths	Damage	Fires	Injuries	Deaths	Damage
	0	0	0	0	0	0	0	0	0	0	0	0

End of Report

⁵New Residence Hall -2; 10/31/2020 skateboard batteries exploded