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Introduction
The Florida Tech Lake Nona Education Center offers the Bachelor of Science in Logistics Management degree completion program. The B.S. Logistics Management degree is available to students who hold an associate degree or a minimum of 51 transferable credit hours from a regionally accredited institution.

The Florida Tech Lake Nona Education Center campus is committed to providing a safe and secure environment by consistently seeking and finding ways to promote, preserve and deliver a feeling of security, safety and quality of service to its employees, students and the community to which it serves.

The Florida Tech Lake Nona Education Center campus encourages all individuals who attend, work or visit the campus to follow basic personal and property crime prevention procedures for yourself and for those around you. Please become familiar with the various services and procedures that are outlined in this report. If you have any questions, please feel free to contact the Lake Nona Education Center staff at 407-582-7133 or via email at orlando@fit.edu. The Florida Tech Lake Nona Education Center campus receives security services from the Valencia College, Lake Nona Campus Security and the Orlando Police Department. The Lake Nona Campus Security office phone number is 407-582-7000. The Orlando Police Department phone number is 321-235-5300.

Annual Security and Fire Safety Report Preparation
The university prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The Clery Compliance Coordinator takes several steps to ensure required statistics are compiled correctly. The Clery Compliance Coordinator will meet with members from Human Resources, Student Life, Student Housing, Residence Life, Student Conduct, Title IX, Risk Management and other university departments, to discuss incidents that occurred on campus during the previous calendar year on the Clery reportable geography. Statistics required for the Clery Act are compiled during these meetings. Additionally, the Clery Compliance Coordinator sends an email to all the “campus security authorities” requesting information for any crime statistics reported to them during the previous calendar year. Letters are sent to various law enforcement agencies located throughout the United States and abroad requesting crime statistics for all separate campus locations, noncampus locations that our students frequently used (more than one night) or used repetitively (same location every year) during the previous calendar year. All statistics gathered are reviewed to ensure none of them have been “double reported.”

This report list statistics for three previous years of reported crimes that occurred on the Lake Nona Education Center campus. Also included are reported crimes that occurred in off campus buildings owned or controlled by Florida Tech and crimes that occurred on any public property within or immediately adjacent to or accessible from the campus. The report describes institutional policies concerning campus security, alcohol and drug use, crime prevention, safety awareness, crime reporting, sexual assault and crime related issues.

All prospective employees may obtain a copy of the report from Human Resources at the Florida Tech main campus, Ray A. Work Building, or through a link on the Florida Tech employment website. The report is also available through a link on the admissions webpage for all prospective students or request a hard copy can be made through the mail or via the internet.

The 2020 Annual Security and Fire Safety Report contains important information regarding campus safety and security. The report provides information about reporting crimes and the Department of Security’s collaboration with local, county, state and federal law enforcement agencies. The report contains information on drug and alcohol abuse, sexual assault prevention and education and procedures regarding fire safety. The report encompasses three calendar years of reported crime statistics for all properties owned, leased, or controlled by Florida Tech and on public property immediately adjacent to and accessible from the campuses. This information complies with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. By October 1st of each year, or by December 31st of this year, the Department of Security sends out the Notice of Availability for the Annual Security and Fire Safety Report to students, faculty and staff. The Annual Security and Fire Safety reports are available through the Department’s website. The 2020 Annual Security and Fire Safety Report is available on the web at floridatech.edu/clery-2020.

Department of Security
Reporting Crimes and Other Emergencies Promptly
To help provide a safe and secure environment, all members of the Lake Nona Education Center community, including campus visitors, are expected, requested, and encouraged to report any criminal activity or emergency they observe, even if the victim of such crime elects or is unable (physically/mentally) to make such a report. Students, faculty, staff and guests are encouraged to report crimes and public safety related incidents by contacting the Lake Nona Education Center staff at 407-582-7133 or via email at orlando@fit.edu. The Florida Tech Lake Nona Education Center campus receives security services from the Lake Nona Campus Security and the Orlando Police Department. The Lake Nona Campus Security phone number is 407-582-7000. The Orlando Police Department phone number is 321-235-5300. Orlando Police Department is located at 1250 West South St., Orlando, FL 32805.

The Lake Nona Security Department believes that the dissemination of information is the key to educating our college community about the occurrence of crime on campus. Students and employees are encouraged to report all incidents of crime. Students and employees are reminded that our multcampus operation involves several legal jurisdictions. However, when reporting all emergencies, dial 911.

In addition, campus security needs to be notified in an effort to support and assist the responding emergency personnel. Our assistance can be critical when time is important and the responding emergency team is having difficulty locating the reported emergency. Students and employees may wish to contact the campus security office and request an emergency response, at which time this information will be relayed to the appropriate emergency response team.

All emergency situations involving:
• A crime in progress
• A medical emergency
• A fire

should be immediately reported to 911. All phones, both on and off campus, and including pay phones may be used to dial 911 at no charge. While on campus, persons should be aware that different telephone systems might require you to dial for an outside line before dialing 911.

“Blue Light” non-dial outdoor emergency telephones

As an added security measure, there are “Blue Light” non-dial outdoor emergency telephones located at strategic points on campus. These phones are easily identified by their column topped with blue lights. When the red button is pushed the caller is in immediate contact with the campus security department. In addition to providing voice contact with security, the dispatcher is also able to pinpoint the caller’s location. These phones are for emergency use only.

All elevators in educational buildings have emergency phones with direct contact to the monitoring station.

When calling for either emergency or nonemergency service, be prepared to:

• Clearly identify yourself.
• State where you are calling from.
• State briefly, the nature of your call.

If possible, the caller should stay on the line unless otherwise advised by the dispatcher. The dispatcher will summon the appropriate police, fire and/or medical service.

By promptly reporting all crimes, it will ensure inclusion in the annual crime statistics and will aid in providing timely campus safety alerts to the community, when appropriate. Emergency numbers:

• Lake Nona Education Center staff: 407-582-7133
• Lake Nona Campus Security Office emergency number (Police, Ambulance, Fire Emergencies): 407-582-7000
• Orlando Police Department: 911 or 321-235-5300

Lake Nona Education Center Statement on Campus Law Enforcement Authority

Campus security officers are not sworn law enforcement personnel and are not empowered as such. They do not have the authority to make arrests. Campus security has jurisdiction limited to buildings, facilities and/or property owned or under the control of Valencia College.

Security operations are supplemented with local law enforcement officers who are contracted during college hours of operation. When local law enforcement is not readily available on campus, security is directed to reach out to law enforcement in their vicinity.

The college does maintain a cooperative working relationship with the Orlando Police Department, Kissimmee Police Department, Winter Park Police Department, Orange County Sheriff’s Office and Osceola County Sheriff’s Office. These agencies will promptly respond to our campuses within their jurisdiction for emergencies, to complete police reports and to conduct criminal investigations. Although Valencia College does not have a formal memorandum of understanding with any law enforcement agency, the college encourages accurate and prompt reporting of all crimes and other emergencies which occur on or near our campuses, whether the victim elects to, or is unable to, make such a report.

Crime Report, Arrest and Referral Statistics

The Orlando Police Department, Kissimmee Police Department, Winter Park Police Department, Orange County Sheriff’s Office and Osceola County Sheriff’s Office make arrest reports. These agencies will promptly respond to our campuses within their jurisdiction for emergencies, to complete police reports and to conduct criminal investigations. Although Valencia College does not have a formal memorandum of understanding with any law enforcement agency, the college encourages accurate and prompt reporting of all crimes and other emergencies which occur on or near our campuses, whether the victim elects to, or is unable to, make such a report.

Each member of the university community receives notification that describes the report and provides information concerning how to access the report. For more information, please feel free to contact the Department of Security at 321-674-8112.

Daily Crime Log

In accordance with the Clery Act, Florida Tech maintains an electronic daily crime log in the Department of Security. The crime log can also be accessed at ft.edu/security/crime-awareness-and-campus-security.

The crime log for the most recent 60-day period may be inspected during normal university business hours. Any person may have supervised access to the crime log, whether or not they are associated with Florida Tech. Any portion of the log older than 60 days will be made available within two business days of a request.

Please note that Florida Tech may temporarily withhold inspection or copying of any crime log containing confidential information, or in cases where there is clear and convincing evidence that release of the information would jeopardize an ongoing investigation, jeopardize the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence.

Pastoral and Professional Counselors (Crime Reporting)

Because of the negotiated rule-making process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Pastoral Counselors” and campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for the inclusion into the annual disclosure of crime statistics. The university encourages its pastoral and professional counselors, if and when they deem appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary, confidential basis to the Department of Security for inclusion into the annual crime statistics. It should be noted that an
institution is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

The rule-making committee defines counselors as:

**Pastoral Counselor:** An employee of the institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

**Professional Counselor:** An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

**Confidential Reporting—Anonymous Caller Procedure**

If you are a victim of or a witness to a crime and do not want to pursue action within the university or the criminal justice system, you can consider making a confidential report. With your approval, the Department of Security can report the details of the incident without revealing your identity in the public crime log or on a Campus Security Incident Report. The report will reflect your wish to keep the matter confidential, while taking action to ensure your safety and the safety of others.

This information helps the Florida Tech Department of Security keep an accurate record of the number of incidents involving students, employees and visitors to determine where there may be a pattern of crime relating to a specific location, method or assailant. This allows for timely alerting of the campus community to potential danger.

**Security and Access**

The Lake Nona campus is equipped with an Active Alarm System (Signature System) that is activated after hours of operations and deactivated during hours of operations. Security personnel and those with full access to the facility can activate and deactivate the system when required.

Video surveillance is conducted and monitored at the security office in Room 150. (X-protect) is the current operating video system used to conduct daily surveillance, track video recordings and store historical information.

The system operates 24 hours a day. The system covers several main areas of the internal structure, the main parking lots and the CEP building. The responsibility of the system is by the security department and can be monitored from all of our campus locations.

**Security Awareness Programs**

**Staying Safe on Campus**

Both students and the general public are welcome at any of Valencia College campuses during normal hours of operation: 7 a.m. to 10 p.m., Monday through Friday (hours may vary slightly during the weekends, holidays and during the summer). Although college campuses are among the safest places in our society, like any other public place, there is a need to remain aware and alert. Suggestions for staying safe while on campus include the following:

- Walk in groups.
- Call security for an escort anytime you feel uncomfortable walking on campus.
- Stay in areas that are well lit.
- Remain alert and report suspicious activity to campus security, Campus Security Authority and staff, and/or law enforcement.
- If you suspect an imminent threat from someone you see on campus, notify security immediately and do not approach the person who concerns you.
- Call 911.

**Lighting, Locks, Patrols and Other Safety Measures**

Valencia College continually looks at ways to improve safety. We have allocated substantial resources to improve lighting, alarms, communications, staffing and other important safety measures. When warranted, we have the capacity to remotely lock down the exterior doors to every building on every campus within moments of a notification of an event, reducing the possibility of a “moving threat.” To meet safety and security regulations, the college also performs the following:

- Campus maintenance teams regularly inspect the campuses and facilities for safety and security issues.
- All reported safety and security related issues are acknowledged immediately.
- The college operations team (plant operations, grounds, compliance) and security work closely together to ensure a safe and secure campus environment.

The Valencia College Safety and Security department employs 120 officers under the auspices of the office of the managing director for Safety and Security. All officers are trained and licensed under the State of Florida Statutes Chapter 493. Officers also receive training in the following areas:

- CPR
- AED
- C.E.R.T training
- Emergency evacuation procedures
- Run, Hide, Fight

**Timely Warnings**

At Florida Tech, there is a commitment to ensure that our community is informed of all incidents that may impact safety and security. A timely warning will be released to the campus community for any incident “that represents a serious or continuing threat to the students and employees” of the university.

1. When to Release a Timely Warning

The timely warning requirement applies to the Clery Act crimes and all require a case-by-case assessment as to whether the report presents a serious or continuing threat to the campus community. Additionally, hate crimes involving bodily injury or any of the Clery Act crimes, if they represent a continuing threat to the Florida Tech community, require a timely warning. Any other incidents that represent a serious or continuing threat to the community should also have
a timely warning issued for them. Timely warnings do not necessarily need to be issued immediately but will be released as soon as reason-
ably possible when the facts of the incident have been established
and correct information is being disseminated. Only in rare exigent
circumstances would a timely warning be released immediately. The
release may cause additional problems that can compound the initial
event; therefore, careful examination of the timing of a release is
critical. If it is an active criminal investigation that involves the local
law enforcement agency, that office needs to be consulted before any
release is disseminated.

2. Method for Collecting Timely Warning Information
Information for a timely warning may be received from different
sources, including the Department of Security, local Police,
County Sheriff, or any other law enforcement agency. Additionally,
crimes or incidents may be reported to university officials as enumer-
ated under the sexual assault policy, and even though the crime or
incident may not be investigated due to the victim’s wishes, a timely
warning may still be required.

3. Who is Authorized to Issue a Timely Warning
Timely warnings should be released in most instances by the university
public information officer (PIO) after consultation with the Department
of Security, senior vice president for operations and executive vice
president of academics. The university designates that the PIO is the
individual(s) responsible for community notices; therefore, any timely
warning should come from that office. Only in exigent circumstances
should a release come from any other location on campus, i.e., the
Department of Security. If the Officer in Charge (OIC) of Security
believes that a timely warning should be issued, he/she will contact
the Director of Security before doing so.

4. How a Timely Warning is Released
A timely warning may be issued in many ways, including but not limited to: Florida Tech team members communicate via:

- Work phone
- Cell phone
- Microsoft Teams and various social media apps
- Email
- Text

To communicate with students, signs are posted in classrooms,
offices, and announcements are posted in the Canvas courses (all
courses have a Canvas component).

Depending on the release, all or several of the communication sys-
tems may be employed as determined by the PIO in consultation with
other relevant officials. The intention of a timely warning is to aid in
the prevention of similar type incidents.

Emergency Notification Methods

Valencia College initiates emergency notifications primarily through
Blackboard Alerts and the Valencia College Safety app. These noti-
fication methods are tested throughout the year. They provide timely
and accurate information about emergency situations which could
impact personal safety or college operations. The goal is to help keep
the individuals safe and be informed during incidents. Generally,
emails and text messages will be used only for events that present an
imminent danger to the campus community or that will significantly
impact college operations. Examples of situations in which text mes-
sges and emails might be sent include, but are not limited to, bomb
threats, chemical spills and facility failures, threats of violence, a
dangerous suspect at-large and extreme weather alerts. The Valencia
College Safety app allows students and staff to simultaneously call
and send their location to the security department in an emergency. It
also offers a variety of other features, such as:

- Emergency Contacts
- Virtual Walk Home
- Campus Maps
- Notification History
- Friend Walk
- Report a Tip
- Safety Toolbox
- Emergency Plans
- Security Website
- Emergency Guidelines for Study Abroad
- Mobile Blue Light
- Chat with Security
- FDLE Sexual Offenders/ Predators Search

Supplemental messages will be issued through Valencia College Alert,
and the above site will be updated during an emergency as information
becomes available. For questions about Valencia College Alert and how
it is used, contact your campus safety and security department.

Emergency Notification

Valencia College will make reasonable efforts to provide notification
about emergencies and natural or man-made disasters affecting
the college. Each Valencia College employee who is authorized and
trained to activate the Valencia College Alert system has the responsi-
bility of ensuring that it is activated primarily for life safety situations.
It is not typically used for routine notifications.

The Valencia College Safety and Security department will, upon con-
firmation of a significant or dangerous situation occurring on or near
campus, promptly and without delay, taking into account the safety of
the community, determine the content of the notification and initiate
the notification system, unless issuing a notification will, in the profes-
ional judgment of responsible authorities, compromise efforts to assist
a victim or to contain, respond to or otherwise mitigate the emergency.
The Valencia College Safety and Security department will be primarily
responsible for confirming a significant or dangerous public safety situa-
tion on campus, via an independent source, victim, and witness or officer
observation on campus based on available information at the time.

The entire campus community will be notified when there is the poten-
tial any member could be affected by an incident, or when a situation
threatens the operation of the campus as a whole. Notification outside
of the campus community could be disseminated through the college’s
public affairs and marketing department. Security will continuously
assess the incident and provide additional information as necessary.

Valencia College Alert is a multimedia communications system that
provides timely and accurate information about emergency situations
that could impact the college. The goal is to help keep the campus
safe and informed during an emergency. Valencia College Alert fea-
tures several communication tools, including emails, text messages,
web updates, social media, PA speakers, digital flat screens and more.
Evacuations
Buildings on all campuses have a notification system for evacuations. In most buildings, this is the fire alarm system. Some of those systems only sound an alarm, while others give voice evacuation directions. Upon the sounding of the alarm, if time permits, the Campus Emergency Response Team (CERT) members will go to predetermined areas to direct individuals to walk quickly out of the building by way of the closest available exit in a calm, orderly manner to the evacuation area. CERT members and security will provide assistance to physically challenged individuals as needed or requested.
Routine testing of the evacuation plans will be under the control of the college’s compliance team, executed with the assistance of the college’s safety and security department.

Disclosure of Crime Statistics
In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics, the Department of Security prepares an annual report in cooperation with local law enforcement agencies surrounding the main campus. The report is published on the university’s website and publicized to enrolled students and members of the faculty and staff. In addition, these statistics can also be found on the U.S. Department of Education website at ope.ed.gov/security.

Definitions of Crimes and the Statistics to be Disclosed to Comply with the Clery Act

MURDER AND NON-NEGLECTOUS MANSLAUGHTER: The willful (non-negligent) killing of one human being by another.

NEGLIGENCE MANSLAUGHTER: The killing of another person through gross negligence.

SEXUAL ASSAULT: An offense that meets the definition of any type of sexual contact or behavior that occurs by force or without consent of the recipient of the unwanted sexual activity. Falling under the definition of sexual assault is sexual activity such as forced sexual intercourse, sodomy, child molestation, incest, fondling, rape or attempted rape. It includes sexual acts against people who are unable to consent either due to age or incapable of giving consent.

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

PONDING: Defined as the touching of the private 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.

INCEST: Defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

STATUTORY RAPe: Defined as non-forcible sexual intercourse with a person who is under the statutory age of consent.

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

AGGRAVATED ASSAULT: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by a means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used that could and probably would result in serious personal injury if the crime were successfully completed.)

BURGLARY: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes unlawful entry to commit any of the aforementioned acts (entry into a dorm room without permission/removing private property).

MOTOR VEHICLE THEFT: The theft or attempted theft of a motor vehicle. Motor vehicle theft is classified as any case where an automobile is taken by a person not having lawful access, even if the vehicle is later abandoned, including joy riding.

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

DOMESTIC VIOLENCE: Any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.

DATING VIOLENCE: Means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type and frequency of interaction.

STALKING: Stalking is defined in the State of Florida as “willfully, maliciously and repeatedly following, harassing or cyberstalking” another. Stalking behaviors can consist of many things: actual physical following of a person, continuously calling or texting, emailing, leaving notes or sending letters, leaving or sending objects or “gifts” … essentially, a pattern of unwanted behavior with malicious intent. Stalking involves a pattern of behavior that causes substantial emotional distress to a specific person with no legitimate purpose.

LIQUOR LAW VIOLATIONS: The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing or possession of intoxicating liquor; maintaining unlawful drinking places; furnishing liquor to a minor or interminable person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned activities. (Drunkenness and driving under the influence are not included in this definition.)

DRUG ABUSE VIOLATIONS: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
Weapons law violations: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

Offense Definitions Relating to Hate/Bias-Related Crime (as per the UCR Hate Crime Reporting Guidelines)

A hate crime is a criminal offense committed against a person or property that is motivated, in whole or in part, by the offender’s bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation or ethnicity/national origin.

In addition to the offenses mentioned above, there are also four additional criminal offenses related to Hate Crimes, they are: larceny-theft, simple assault, intimidation and destruction/damage/vandalism of property. Definitions follow:

Larceny: Theft is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. (Larceny and theft mean the same thing in the UCR.) Constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion or control over a thing.

Simple assault: An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious, severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

Intimidation: To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/damage/vandalism of property: To willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Geography Definitions from the Clery Act

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

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

The noncampus geography definition includes buildings or properties under temporary control during institutionally sponsored short-stay-away domestic or international trips for students of more than one night or buildings or properties under temporary control during institutionally sponsored domestic or international trips for students to repeated locations:

For example, students in the debate club take a trip to Washington, D.C. and stay at the same hotel every year. In this example, the institution must include in their Clery Act crime statistics any Clery Act crimes that occur in the rooms used by the students and any common areas used to access those rooms; including the lobby, elevator and staircases.

Public Property: All public property, including thoroughfares, streets, sidewalks and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus or on-campus property/facilities. The Florida Tech crime statistics do not include crimes that occur in privately-owned homes or businesses within or adjacent to the campus boundaries.

On-campus Student Housing Facility: Any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility. This category is considered a subset of the On-Campus category.

Reasonably Contiguous: defined in the 2016 Handbook for Campus Safety and Security Report as follows: Refers to a building or property an institution owns or controls that is in a location that students consider to be, and treat as, part of the “campus.” Generally speaking, it is reasonable to consider locations within one mile from the core or main campus border to be reasonably contiguous with the campus.

NOTE: There are no Residential Housing facilities located at this location.

Unfounded Crimes

If a crime is reported as occurring on campus, in on-campus residential facilities, in or on noncampus buildings or property, on public property, and the reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is considered to be “unfounded.” Only sworn or commissioned law enforcement personnel may mark a crime unfounded after a thorough investigative process.
Adam Walsh Child Protection and Safety Act—Sexual Predator and Sexual Offender Notification

The Florida Legislature recently passed a new law (as an amendment to the Ryce Act dealing with sexual predators and offenders) that will require Florida educational institutions, both private and public, to include sex offender registry information in new student and employee orientation and on the institution’s website.

Section 3. Section 1005.10, Florida Statutes, reads:

1005.10 Sexual predator and sexual offender notification; nonpublic colleges, universities and schools. Each nonpublic college, university and school shall inform students and employees at orientation and on its website of the existence of the Department of Law Enforcement sexual predator and sexual offender registry website and the toll-free telephone number that gives access to sexual predator and sexual offender public information pursuant to s. 943.043.

Section 4. Section 1006.695, Florida Statutes, is created to read:

1006.695 Sexual predator and sexual offender notification; Florida College System institutions, state universities and career centers.—Each Florida College System institution as defined in s. 1000.21, state university as defined in s. 1000.21, and career center as provided in s. 1001.44 shall inform students and employees at orientation and on its website of the existence of the Department of Law Enforcement sexual predator and sexual offender registry website and the toll-free telephone number that gives access to sexual predator and sexual offender public information pursuant to s. 943.043.

The web site can be located at offender.fdle.state.fl.us/offender/sops/home.jsf. Their toll-free number is 1-888-357-7332.
## Crime Statistics 2017, 2018 & 2019—Lake Nona Education Center Campus

This chart includes offenses/incidents that were reported to local law enforcement agencies, campus security and other campus authorities.

<table>
<thead>
<tr>
<th>Offense Type</th>
<th>Calendar Year</th>
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<th>Public Property</th>
<th>Totals</th>
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No residential housing at this location.
## Crime Statistics 2017, 2018 & 2019—Lake Nona Education Center Campus

This chart includes offenses/incidents that were reported to local law enforcement agencies, campus security and other campus authorities.

<table>
<thead>
<tr>
<th>Offense Type</th>
<th>Calendar Year</th>
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<th>Noncampus</th>
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<th>Totals</th>
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<td>Drug Law Violations</td>
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<td>Weapons Law Violations</td>
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<td><strong>Referred for Disciplinary Action</strong></td>
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<td>2019</td>
<td>Zero (0) hate crimes, as defined by applicable federal law, were reported in 2019.</td>
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<td>2018</td>
<td>Zero (0) hate crimes, as defined by applicable federal law, were reported in 2018.</td>
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<td>2017</td>
<td>Zero (0) hate crimes, as defined by applicable federal law, were reported in 2017.</td>
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<td><strong>Unfounded Crimes</strong></td>
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<td>Zero (0) unfounded crimes for 2019.</td>
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<td>2017</td>
<td>Zero (0) unfounded crimes for 2017.</td>
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Policies, Procedures and Programs Related to Dating Violence, Domestic Violence, Sexual Assault and Stalking

Consistent with applicable laws, the university prohibits dating violence, domestic violence, sexual assault and stalking. The University’s policy used to address complaints of this nature, as well as the procedures for filing, investigating and resolving complaints, may be found in the Title IX Policy at fit.edu/policies/title-ix and the Nondiscrimination Policy found at fit.edu/policies/title-ix-sexual-harassment-policy.

The following sections of this report discuss the university’s educational programs to promote the awareness of dating violence, domestic violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses; and advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

Primary Prevention and Awareness Program

The university conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. The PPAP advises campus community members that the university prohibits the offenses of dating violence, domestic violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses; and advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

Crime Definitions

Sexual Assault: Sexual battery (sometimes also called “sexual assault, or rape”) is illegal in Florida and punished as a felony. “Sexual battery” means oral, anal or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.

Domestic Violence: “Domestic violence” means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.

“Family or household member” means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

Dating Violence: “Dating violence” means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:

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

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

Stalking: Stalking is defined by the State of Florida as “willfully, maliciously and repeatedly following, harassing or cyberstalking” another. Stalking behaviors can consist of many things: actual physical following of a person, continuously calling or texting, emailing, leaving notes or sending letters, leaving or sending objects or “gifts”... Essentially, a pattern of unwanted behavior with malicious intent. Stalking involves a pattern of behavior that causes substantial emotional distress to a specific person with no legitimate purpose.

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

The Florida legal age of consent for sexual contact is 18 years old. There is a total of 11 states that have set their age of consent at 18 years old, the highest legal age of consent in any state.

Close in age exemptions to the Florida legal age of consent permit a person 23 years of age or younger to engage in legal sexual activity with a minor aged 16 or 17. A person 24 years of age or older who engages in sexual activity with a person 16 or 17 years of age commits a felony of the second-degree.

University Definition of Consent

The university uses the following definition of consent in its Title IX policy:

“Consent” is an affirmative and willing agreement to engage in specific forms of sexual contact with another person. Consent requires an outward demonstration, through mutually understandable words, conduct, or action, indicating that an individual has freely chosen to engage in sexual activity or contact. Consent cannot be obtained through (1) the use of coercion or force; or (2) by taking advantage of the incapacitation of another individual. Silence, passivity, or the absence of resistance does not imply consent. Consent can be
withdrawn at any time. When consent is withdrawn, sexual activity must immediately stop. Prior consent does not imply current or future consent; even in the context of an ongoing relationship, consent must be sought and freely given for each instance of sexual activity or contact.

Lack of consent is a critical factor in determining whether Sexual Harassment has occurred. As defined above, consent is a mutual, voluntary, and informed agreement to participate in specific sexual acts with another person that is not achieved through unreasonable manipulation or coercion—or any kind of physical force or weapon—and requires having cognitive ability to agree to participate. Consent requires an outward demonstration, through mutually understandable words, conduct, or action, indicating that an individual has freely chosen to engage in the specific sexual acts. A verbal “no” constitutes a lack of consent, even if it sounds insincere or indefinite.

Impairment or incapacitation due to alcohol and/or drug use, permanent/temporary psychological or physical disability, and being below the age of consent in the applicable jurisdiction are factors that detract from or make consent impossible.

Silence or an absence of resistance does not imply consent, and consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Even in the context of an ongoing relationship, consent must be sought and freely given for each specific sexual act. Consent may be withdrawn at any time. When consent is withdrawn, sexual activity must immediately stop.

**Risk Reduction**

If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

- Make your limits known before going too far.
- You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor “NO” clearly and loudly.
- Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
- Grab someone nearby and ask them for help.
- Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
- Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.
- Be aware of someone trying to slip you an incapacitating “rape drug” like Rohypnol or GHB.
- If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:
  - Remember that you owe sexual respect to the other person.
  - Don’t make assumptions about the other person’s consent or about how far they are willing to go.
  - Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
  - If your partner expresses a withdrawal of consent, stop immediately.
  - Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you their intentions.
  - Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
  - Don’t take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don’t be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.
  - Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.
  - It is also important to be aware of the warning signs of an abusive person. Some examples include: past abuse; threats of violence or abuse; breaking objects; using force during an argument; jealousy; controlling behavior; quick involvement; unrealistic expectations; isolation; blames others for problems; hypersensitivity; cruelty to animals or children; “playful” use of force during sex; Jekyll-and-Hyde personality.

**Bystander Intervention**

In addition to reporting incidents to appropriate authorities, below are some ways in which individuals can take safe and positive steps to prevent harm and intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking against another person.

- Look out for those around you.
- Realize that it is important to intervene to help others.
- Treat everyone respectfully. Do not be hostile or an antagonist.
- Be confident when intervening.
- Recruit help from others if necessary.
- Be honest and direct.
- Keep yourself safe.
- If things get out of hand, don’t hesitate to contact the police.

**Other Information Covered by the PPAP**

The PPAP also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of dating violence, domestic violence, sexual assault, or stalking has occurred, an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged, the rights of the parties in such a proceeding, available resources and other pertinent information. Much of this information is set forth in the upcoming sections of this security report.

**Ongoing Prevention and Awareness Campaign**

The university also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP but is intended to increase the understanding of students and employees on
these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault and stalking.

**PPAP and OPAC Programming Methods**

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies and, as appropriate, targeting specific audiences throughout the university. Methods include, but are not limited to: presentations, online training modules, distribution of written materials, periodic email blasts and guest speakers. A summary of this programming is provided below.

New students receive education on the prevention of dating violence, domestic violence, sexual assault and stalking through a presentation by the Office of Student Life and the Campus Security Department during orientation. All new employees are required to complete an online training module on these topics upon hire and are required to retake the online training each year.

As part of its ongoing campaign, the university uses a variety of strategies, such as in-person presentations by sexual assault organizations. While programming occurs throughout the year, the university also offers educational sessions and literature in coordination with nationally recognized observances such as Sexual Assault Awareness Month and Domestic Violence Awareness Month.

**Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault or Stalking**

If you are a victim of dating violence, domestic violence, sexual assault, or stalking, go to a safe place and call 911 or the Orlando Police Dept. 321-235-5300. You may also contact the University’s Title IX Coordinator at 321-674-8885.

Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported (contact the Title IX coordinator or refer to the other resources listed in this report)
2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order.
3. The victim’s options regarding notification to law enforcement, which are: (a) the option to notify local police; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
4. Where applicable, the rights of victims and the institution’s responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

**Preservation of Evidence & Forensic Examinations**

Victims of physical assault are advised to not remove clothing items worn during or following an assault, as they contain valuable fiber, hair, and fluid evidence. Don’t bathe or wash, or otherwise clean the environment in which the assault occurred. You can obtain a forensic examination at Advent Health East Orlando, 7727 Lake Underhill Rd., Orlando FL 32822; 407-303-8110.

Completing a forensic examination does not require you to file a police report but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.

Victims are also advised to retain evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.). Such evidence is valuable in all situations, and it may be the only type of evidence available in instances of stalking.

**Security/Law Enforcement & How to Make a Police Report**

- Orlando Police Department: 321-235-5300 or 911

To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address and when and what occurred, to the best of the victim’s ability. Florida Tech Campus Security is available to assist victims with filing police reports with the appropriate law enforcement agency. (Florida Tech Campus Security 321-674-8112).

**Information about Legal Protection Orders**

Injunctions for protection may be obtained through the Orange County Courts for domestic violence, repeat violence, dating violence, sexual violence and stalking. Information about injunctions for protection may be found at brevardclerk.us/injunctions-for-protection.

Any person who is a member of a family or household that is the victim of domestic violence or has reasonable cause to believe he or she is in imminent danger of becoming a victim of domestic violence may file for a *domestic violence injunction*.

Any person who is the victim of repeat violence (two incidents of violence or stalking committed by the perpetrator, one of which occurred within six months of the application) may file for a *repeat violence injunction*.

Any person who is the victim of dating violence and has reasonable cause to believe he or she is in imminent danger of becoming the victim of another act of dating violence, or any person who has reasonable cause to believe he or she is in imminent danger of becoming the victim of an act of dating violence may file for a *dating violence injunction*.

Any person who is the victim of sexual violence may file for a *sexual violence injunction*.

Any person who is the victim of stalking may file for a *stalking injunction*.

Orange County Campus students and staff should file petitions for injunctions with the Office of the Clerk of Court. The Clerk’s Offices are located at: 450 N. Lakemont Ave., Winter Park; 425 N Orange Ave., Orlando; 684 S. Goldenrod Rd., Orlando; and 2500 Discovery Dr., Orlando. The petition filing cutoff time is 4 p.m.
The clerk will assist you in the preparation of the petition, which must include a brief statement of the reason for your request for the injunction for protection. There is no filing fee for an injunction for protection.

When the petition is completed, the clerk will present it to a judge for consideration. The judge will either deny the petition without further hearing, schedule a hearing without issuing a temporary injunction, or issue a temporary injunction and schedule a hearing to determine if a final judgment should be entered. If the judge issues a temporary injunction or an order setting hearing, you will be able to pick up certified copies of the order in person and MUST have a valid ID to present to the clerk. The clerk’s office will provide the appropriate documents to the sheriff’s office for local service. If the respondent is located out of state, you are required to provide the clerk’s office with the law enforcement agency address and payment for service of process associated with the out of state service on the respondent.

If a hearing is scheduled, YOU MUST APPEAR AT THE HEARING. The respondent will be directed to appear at the hearing also. The judge will take testimony from you and from the respondent.

If the respondent commits another act of violence against you or returns to your property after being restrained from doing so, you should call 911. If the respondent violates any other provisions of the injunction for protection, you should go to the Clerk of Court’s Office during regular business hours to file a Motion for Contempt.

The university will also assist in enforcing any injunction or restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court. Any student or employee who has a protection order or no contact order should notify the Title IX coordinator and provide a copy of the restraining order so that it may be kept on file with the institution and can be enforced on campus, if necessary. Upon learning of any orders, the university will take all reasonable and legal action to implement the order.

The university does not issue legal orders of protection. However, as a matter of institutional policy, the university may impose a no-contact order between individuals in appropriate circumstances. The university may also request a “no trespass warning” be issued by the appropriate local law enforcement authority if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a no trespass warning may be arrested and criminally charged.

Available Victim Services

Vicims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available to them, both within the university and in the surrounding community. Those services include:

University Resources

- Student Health Center: 321-674-8078; fit.edu/health
- Counseling and Psychological Services: 321-674-8050; fit.edu/caps
- Campus Chaplain-Catholic: 321-674-8045; fit.edu/ccm
- Employee Assistance Program (Staff and Faculty): 877-398-5816; resourcesforliving.com
- Student Financial Aid: Sometimes a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence based upon the circumstances of a complaint, he/she should understand there might be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX coordinator can assist in facilitating this conversation if desired. The university’s financial aid website can be found at fit.edu/financialaid.

State/Local Resources

- Advent Health East Orlando: 7727 Lake Underhill Rd., Orlando, FL 32822 407-303-8110
- Victim Service Center of Central Florida: 2111 E. Michigan Street, Ste. 210, Orlando, FL 32806 407-254-9415

- Harbor House of Central Florida: 708 E. Colonial Dr. #201, Orlando, FL 32803 407-886-2856
- Central Florida Behavioral Hospital: 6601 Central Florida Pkwy., Orlando, FL 32821 407-370-0111

National Resources

- National Domestic Violence Hotline: 800-799-7233
- National Sexual Assault Hotline: 800-656-4673
- Rape, Abuse and Incest National Network (RAINN): rainn.org
- US Dept. of Justice Office on Violence Against Women: justice.gov/ovw
- National Coalition Against Domestic Violence: ncadv.org
- National Sexual Violence Resource Center: nsvrc.org
- U.S. Citizenship and Immigration Services: uscis.gov
- Immigration Advocates Network: immigrationadvocates.org

Accommodations and Protective Measures

The university will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the university is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

Requests for accommodations or protective measures should be made to the Title IX coordinator at Miller Building, Room 137, 321-674-8885, and the Title IX coordinator is responsible for deciding what, if any, accommodations or protective measures will be implemented.

When determining the reasonableness of such a request, the university may consider, among other factors, the following:

- The specific need expressed by the complainant
Procedures for Disciplinary Action

Title IX Policy: Formal Resolution

Allegations of domestic violence, dating violence, sexual assault or stalking will be processed through the university’s Title IX Policy and the related complaint resolution procedures, as well as the university’s Nondiscrimination Policy and Complaint Procedures. The procedures are utilized whenever or wherever a complaint is made, regardless of the status of the complainant and the respondent.

The complaint resolution procedures are invoked once a complaint is made to one of the following individuals:

Title IX Coordinator

• Fanak Baarmand: 321-647-8885
  Miller Building, Room 137
  fbaarmand@fit.edu

Deputy Title IX Coordinators

• Rodney Bowers, Dean of Students
  321-674-8080; rbowers@fit.edu
• Jacqueline Heatherington, Director of Residence Life
  321-674-7742; jhetherington@fit.edu
• Jennifer Mercurio, Associate Athletic Director
  321-674-8931; jmercurio@fit.edu
• Dr. Brian Lail, Ph.D., Professor
  321-674-8121; blail@fit.edu

An electronic form available on the Title IX webpage at fit.edu/title-ix can also be used to file a report.

Pursuant to the Title IX Policy, once a complaint is made, the Title IX Coordinator conduct a preliminary assessment to determine whether the Title IX Policy applies. If so, the Title IX will contact the Complainant promptly to explain the process for filing a formal complaint. If the Complainant files a formal complaint, the Title IX Coordinator will evaluate it to determine if it must be dismissed according to the standards outlined in the Policy. The Title IX Coordinator may choose to file a formal complaint if the Complainant chooses not to.

Both the Complainant and the Respondent will be notified within five (5) days of filing a formal complaint and initiation of an investigation.

During the investigation, the Complainant and Respondent will each have an equal opportunity to describe the situation and present witnesses and other supporting evidence. The investigator(s) will review the statements and evidence presented and may, depending on the circumstances, interview others with relevant knowledge, review documentary materials, and take any other appropriate action to gather and consider information relevant to the complaint. Upon completion of the investigation, the university strives to complete within thirty (30) to forty-five (45) days of transmittal of the formal complaint, the investigator(s) will issue a written report and share it with the parties and their advisors.

The university will then assign a hearing officer to adjudicate the complaint. The hearing officer will notify the parties of his/her appointment, set a deadline for the parties to submit a response to the written report, setting a date and time for the hearing (no sooner than ten (10) days from transmittal of the notice), and providing a written explanation of the procedures for the hearing. At a minimum, the hearing will include:

• Opportunity for each party to address the hearing officer directly and to respond to questions posed by the hearing officer;
• Opportunity for each party’s advisor to ask directly, orally, and in real time, relevant questions, and follow up questions of the other party and any witnesses, including questions that support or challenge credibility;
• Opportunity for each party to raise contemporaneous objections to testimonial or non-testimonial evidence and to have such objections ruled on by the hearing officer and a reason for the ruling provided;
• Opportunity for each party to submit evidence that the party did not present during the investigation due to mistake, inadvertence, surprise, or excusable neglect;
• Opportunity for each party to make a brief closing argument.

After the hearing is complete, the hearing officer will make a determination based on the preponderance of the evidence regarding whether a violation of Title IX has occurred. If so, prior to issuing a written decision, the hearing officer will consult with an appropriate university official with disciplinary authority over the Respondent, and such official will determine any discipline to be imposed. A written decision will then be issued.

Both parties have an equal opportunity to appeal the determination by filing a written appeal with the Title IX Coordinator within seven (7) days of being notified of the outcome of the investigation, or within three (3) days of the other party appealing, whichever is later. The appeals officer will evaluate the appeal to determine if it is timely filed and involves a permitted ground for appeal. If not, the appeals officer will dismiss the appeal. If so, the appeals officer will notify the other party that an appeal has been filed and that the other party has seven (7) days to submit an opposition to the appeal. The appeals officer will render a decision that is the final determination of the university. The university strives to issue the appeal officer’s written decision within twenty-one (21) days of an appeal being filed.
Informal Resolution

After the Complainant and Respondent receive written notice of the filing of a formal complaint, the parties may voluntarily consent, with Title IX Coordinator approval, to voluntarily participate in an informal resolution process instead of a formal investigation and hearing. The informal resolution process will not be used to resolve an allegation of sexual assault or allegations that a non-student employee sexually harassed a student. The parties may agree to attempt an informal resolution of the complaint at any time during the investigation, hearing, and appeal process prior to issuance of the final determination regarding responsibility. If the parties agree to attempt informal resolution, the Title IX Coordinator shall act as an impartial mediator assisting the parties to attempt to reach a mutual agreement that satisfactorily addresses their individual concerns and ensures their ability to participate without harassment in the University’s educational programs and activities. Prior to commencing the informal resolution process agreed upon, the Title IX Coordinator will transmit a written notice to the parties that describe the parameters and requirements of the informal resolution process to be used, identifies the individual responsible for facilitating the informal resolution (who may be the Title IX Coordinator, another University Official, or a suitable third party), explains the effect or participating in informal resolution and/or reaching a final resolution will have on a party’s ability to resume the investigation and adjudication of the allegations in the formal complaint and explains any other consequence result from participation in the informal resolution process.

After receiving this notice, each party must voluntarily provide written consent to the Title IX Coordinator before the informal resolution may commence.

If the parties reach a resolution, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, it will be documented in writing signed by the parties and the Title IX Coordinator. Once both parties and the Title IX Coordinator sign the resolution, the resolution is final. The allegations addressed by the resolution are considered resolved. They will not be subject to further investigation, adjudication, remediation, or discipline by the University, except as otherwise provided in the resolution itself, absent a showing that a party induced the resolution by fraud, misrepresentation, or other misconduct or where required to avoid a manifest injustice to either party or to the University.

The Title IX Coordinator will implement any actions required of the University by the terms of the resolution. If either or both parties request to withdraw from the informal resolution or discontinue the informal resolution process, it will be terminated, and the formal grievance process will be initiated or resumed.

Absent extension by the Title IX Coordinator, any informal resolution process must be completed within twenty-one (21) days. If an informal resolution process does not result in a resolution within twenty-one (21) days, and absent an extension, abeyance, or other contrary rulings by the Title IX Coordinator, the informal resolution process will be deemed terminated, and the formal complaint will be resolved pursuant to the investigation and adjudication procedures. The Title IX Coordinator may adjust any time periods or deadlines in the investigation and/or adjudication process that were suspended due to the informal resolution.

An informal resolution is not subject to appeal.

Nondiscrimination Policy

If the Title IX Coordinator determines that an allegation of dating violence, domestic violence, sexual assault, or stalking does not fall within the University’s Nondiscrimination Policy, the allegation will be examined under the university’s Title IX Policy. If it is determined that a complaint falls withing the Nondiscrimination Policy, the university will reach out to the Complainant to determine whether the informal resolution (not an option for cases involving sexual violence) or the formal resolution process will be used.

Informal Resolution

If the informal procedure is used, the appropriate university official will notify the parties and meet with the Complainant and Respondent separately. The appropriate administrator will take the steps necessary to gather additional information from the parties or others perceived to have knowledge of the allegations. The appropriate administrator will make all reasonable attempts to resolve the matter within thirty (30) days. If the process fails to resolve the matter to the satisfaction of both parties, or the terms of the informal resolution are subsequently broken, either party may request a formal resolution/investigation of the charge within ten (10) calendar days of concluding the information resolution process.

Formal Resolution

Normally, a signed incident complaint form containing a written statement of allegations initiates the formal process. Once filed, the appropriate administrator will notify the Respondent in writing and provide the Respondent with a copy of the complaint and offer to schedule a preliminary meeting to discuss information regarding rights and responsibilities and potential sanctions. The Respondent will have ten (10) business days after receipt of the complaint to file a formal written response.

The university will then appoint an investigator to analyze and document available evidence to support reliable decisions, synthesize all available evidence, and take into account the unique and complex circumstances of each case. The investigator is neutral and does not advocate for either party.

The investigator will provide the opportunity for both the Complainant and the Respondent to present witnesses and evidence. The investigator will interview the Complainant, the Respondent, and any relevant witnesses. The investigator is authorized to contact all persons who may have information relevant to the complaint and shall have access to all relevant University records. The investigator shall also collect and evaluate other available records and information relevant to the complaint and investigation (e.g. email communications, medical test results, photographs), as appropriate. The investigator will determine, in the investigator’s sole discretion, what information is relevant.

At the conclusion of the investigation, the investigator will prepare a preliminary written report. Both parties will be provided a copy of the preliminary report and have three (3) business days to respond to it in writing.

If, after receiving the written responses from the Complainant and the Respondent regarding the preliminary report, the investigator determines that no further inquiry is required, the investigation will be deemed complete and final. If, in the sole discretion of the investigator, further inquiry is necessary, the investigator will follow up on
the information and ask any clarifying questions of the parties and witnesses before finalizing and completing the investigation. Any additional relevant information received and/or answers to clarifying questions will be included in the final investigation report.

The final investigative report shall normally be issued within ninety (90) calendar days after the complaint is filed. When more than ninety (90) days is needed to complete the investigation, the appropriate administrator shall notify the parties and direct the investigator to proceed as expeditiously as possible.

Upon receipt of the final investigation report, the appropriate administrator will refer the matter to the appropriate institutional official to reach a determination regarding whether the preponderance of the evidence supports a finding that the Policy has been violated. In reaching a decision, the institutional official will review the final investigation report and meet separately with the parties to provide them with an opportunity to discuss whether any of the allegations are supported by a preponderance of the evidence and constitute a violation of Policy. In advance of the meeting, the parties will be permitted to submit relevant questions to the institutional official to be asked of the other party. The institutional official will have sole discretion to determine whether the questions submitted are appropriate and relevant to the issues in dispute.

After reaching a determination, the institutional official will prepare a written decision that will include a statement of, and rationale for, each allegation that constitutes a separate potential violation of this Policy, including a determination regarding responsibility for each separate potential incident. The written decision shall also articulate findings of fact, made under a preponderance of the evidence standard, that support the determination.

Unless otherwise indicated in the report, the date of the report shall be considered the date upon which the results of the investigation become final. The University Designated Official or designee will simultaneously provide copies of the written decision to the Complainant and the Respondent. The Complainant and Respondent will also be advised of the appeal process at that time.

Either party may appeal the investigation finding. Such appeals shall be filed with the university appeals officer. Parties wishing to file an appeal must do so within ten (10) days after receiving the final report.

Appeal decisions (which shall include a statement of the rationale for the decision) shall be rendered within thirty (30) days after the request for appeal is received unless extended for good cause as reasonably determined by the appeals officer. Copies of the appeal decision shall be simultaneously provided to the parties, with a copy also to be sent to the appropriate Vice President and/or Provost.

### Rights of the Parties in an Institutional Proceeding

During the course of the process described in the previous section, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result; a prompt, fair and impartial process is one that is:
   - Completed within reasonably prompt timeframes designated by the institution’s policy, including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
   - Conducted in a manner that:
     - Is consistent with the institution’s policies and transparent to the accuser and the accused.
     - Includes timely notice of hearings; and
     - Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the hearings.
   - Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.

2. Investigations and hearings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

### Possible Sanctions or Protective Measures

that the University May Impose for Dating Violence, Domestic Violence, Sexual Assault or Stalking Offenses

Following a final determination in the institution’s disciplinary proceeding that dating violence, domestic violence, sexual assault, or stalking has been committed, the institution may impose a sanction depending on the
mitigating and aggravating circumstances involved. The possible sanctions are warning; reprimand; probation; restitution; fine; loss of privileges; housing probation; suspension or expulsion/termination; restriction on eligibility to represent the university at any official function or in any intercollegiate competition. If a suspension is imposed on a student, it may be for part of a semester, a full semester, or an entire academic year. An employee may be suspended for any length of time determined appropriate by the director of human resources. Following a suspension, the individual will be required to meet with the dean of students (student) or director of human resources (employee) to discuss re-entry and expectations going forward.

In addition, the university can make available to the victim a range of protective measures. They include forbidding the accused of entering the victim's residence hall and from communicating with the victim, other institutional no-contact orders, security escorts, modifications to academic requirements or class schedules, housing assignments, changes in working situations, etc.

Upon written request, the university will disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the university against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of the paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.

Publicly Available Recordkeeping

The university will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of dating violence, domestic violence, sexual assault and stalking who make reports of such to the university to the extent permitted by law.

Victims to Receive Written Notification of Rights

When a student or employee reports to the university that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the university will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

Drug, Alcohol and Substance Abuse Policy Statement

When students enter Florida Tech, it is assumed that they have a serious purpose and a sincere interest in their own social and intellectual development. It is also assumed that they are familiar with the regulations, procedures and policies set for the students at the university and that they have them as a way of life during their stay at the university. Students are expected to learn to cope with problems with intelligence, reasonableness and consideration for the rights of others; to obey laws and ordinances of the nation, state and community in which they, as well as the university, are a part; and to conduct themselves peaceably in espousing changes. As they prize rights and freedoms for themselves, they are expected to respect the rights and freedoms of others.

The university is committed to creating and maintaining an environment that is free of alcohol abuse. The university prohibits the possession, use, and sale of alcohol beverage on campus or as any part of the university’s activities, unless it is done in accordance with applicable university policies, and it also enforces the state’s underage drinking laws. The university also enforces federal and state drug laws. The possession, sale, manufacture or distribution of illegal drugs is prohibited on campus or as any part of the university’s activities. Violators of the university’s policies or federal and state laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

The university’s Drug and Alcohol policy outlines the practice and procedure designed to correct instances of identified alcohol or illegal drug use in the workplace. The link to the university’s Drug and Alcohol Policy is fit.edu/policies/human-resources-policies/discipline-and-rules/drug-and-alcohol-policy.

In compliance with the Drug Free Schools and Communities Act (DFSCA), the university has a drug and alcohol abuse and prevention program, which includes an annual notification to students and employees regarding certain drug/alcohol-related information (such as legal sanctions for violations of applicable laws, health risks, etc.) and a biennial review of this program to evaluate its effectiveness and assess whether sanctions are being consistently enforced. For more information, see below.

To receive a copy of the biennial review report, visit fit.edu/student-involvement/office-of-student-affairs.

The annual notification can be found at fit.edu/policies/consumer-information-disclosures.

- The Alcohol eCheckUp To Go (e-CHUG) is an evidence-based, personalized online alcohol intervention designed by the university counseling center and psychologists.
- The Cannabis eCheckUp To Go is an evidence-based, online prevention and intervention program designed to reduce cannabis use among college students. It is designed to help motivate students to reduce their level of cannabis use using personalized information about their behavior and risk factors.
- Safe Colleges Training on Alcohol and Drug Abuse Prevention are powerful, evidence-based courses that stimulate change in students’ attitudes and behavior by presenting students with the many risks of abusing alcohol or drugs and detrimental effects that these can have on their lives.

To receive a copy of the biennial review report, visit fit.edu/student-involvement/office-of-student-affairs.

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• Safe Colleges Training on Alcohol and Drug Abuse Prevention are powerful, evidence-based courses that stimulate change in students’ attitudes and behavior by presenting students with the many risks of abusing alcohol or drugs and detrimental effects that these can have on their lives.

The list of courses are as follows:

- Alcohol and Other Drugs
- Marijuana: What You Should Know
- Prescription Addiction Suite: Opioids, Stimulants and Depressants