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Annual Security Report

October 2018

Introduction

Florida Coastal School of Law (Coastal Law) is committed to providing a safe and secure environment for all faculty, staff, students, and visitors. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) requires an institution to publish specific crime-related information on an annual basis. This report includes information about Florida Coastal School of Law’s security policy and procedures, crime prevention programs, and campus crime statistics. The school must distribute this information to all students and employees.

The policies and procedures outlined within this report are available online at https://www.fcs�.edu/userfiles/files/Annual%20Security%20Report%20-%202018%282%29.pdf. The website also contains a link to the Annual Security Report. The statistical data is compiled and the Annual Security Report is prepared annually by the Director of Security and Facilities.

For more information contact:

Florida Coastal School of Law
Director of Security and Facilities
878 Baypine Road
Jacksonville, Florida  32256
904-516-8761
Campus Location – Jacksonville, Florida

The School is located in Jacksonville, Florida, which over the last few years has been rated among the top ten communities to live in Florida. With more than one million people on the northeast coast of Florida, and geographically the largest city in the United States, Jacksonville offers an abundance of convenient yet affordable lifestyle options in either urban, rural, river, or beach settings.

Historically an insurance, banking, and transportation center, Jacksonville has become a magnet for major corporations, international trade, and technology-driven enterprises. In the field of medicine, the University of Florida and the Mayo Clinic have established a significant presence in the community. Cultural offerings are diverse and numerous, ranging from art museums to symphonies in the park. Nestled in and around the St. Johns River and stretching to the Atlantic Ocean, Jacksonville's recreational opportunities abound with expansive beaches, numerous golf courses, parks and wildlife areas, fresh and salt water sports, boating, and fishing. Jacksonville is home to the NFL’s Jacksonville Jaguars. In 2005, Jacksonville was in the international spotlight when it hosted the Super Bowl.

Already home of the Professional Golfers Association (PGA) and the prestigious Tournament Players Club (TPC) Championship, the area cemented its status as the center of the golfing world with the establishment of the World Golf Village and the Golf Hall of Fame. Consistent with demographic trends and the community's dynamism, Jacksonville has evolved into a significant legal center comprised of large national firms, smaller local firms, government agencies, and private companies.

As northeast Florida's only law school, Florida Coastal School of Law draws from and enhances a vibrant, diverse, and rapidly growing community that has positioned itself to be one of the leading cities of the next century.

The Coastal Law campus is housed in an ADA compliant building in the Southside area of Jacksonville. The building, occupying a total of 218,088 square feet, is located at 8787 Baypine Road and is just blocks from I-95 and a short drive to John Turner Butler Boulevard and Phillips Highway (US 1). This location provides easy access to major arteries for Jacksonville and is only 20 minutes from downtown and the beaches. Coastal Law does not provide residential accommodations for students, however, the location provides students the availability of convenient access to housing.
The building was built in 1990 and was completely remodeled starting in late 2005 to house Coastal Law in 2006. Coastal Law is committed to providing adequate space for our students’ needs. Since 2006, portions of the building have been remodeled to better accommodate the use and educational needs of our students.

Coastal Law has a seven floor parking garage located directly attached to the building. There are 1,360 parking spaces and an additional 29 handicapped parking spaces in the garage that are open for all students and employees. The building has additional parking on the street and visitors parking steps away from the entrance.

**Campus Security and Facility**

Under the direction of the Director of Security and Facilities, the School’s Facilities Department maintains the building and grounds with a concern for safety and security. The staff regularly inspects and evaluates the campus and makes repairs affecting safety and security hazards such as broken windows, lights, and locks. Coastal Law has implemented a variety of security measures to protect the campus community. These measures include trained security officers that are stationed in shifts strategically throughout campus, and a network of video cameras in numerous locations throughout the school and parking garage. The cameras are under surveillance by a security officer and they have recording capability. All persons who come to campus are expected to obey all laws and department rules related to the use of the school. Those who fail to comply are subject to arrest and/or disciplinary action.

The Security and Facilities Team monitors and regularly checks, via safety walks, to ensure pathways are well lit and egress lighting is working in hallways and stairwells.

The Coastal Law Security Department is located in the front lobby of the building. The department is open from 7:00 am to 10:00 pm seven days a week unless special hours are notified in advance to the community for holiday closures, etc. Special operating hours are communicated to the Coastal Community via email, posted on the plasmas throughout the building, and posted on the outside doors.

**Access to Campus**

Coastal Law employs a variety of security measures to protect the campus community. One such measure is required ID badge/access card.

**Students, Staff and Faculty**

All students and employees are required to wear an ID badge/access card at all times. Students must show their ID badge/access card when entering the building through the front doors. Or they can use their access card to swipe in at any other access point to the building. Each access card is
tied directly to a student recording a log of who comes and goes from the school at what time. If a student loses an access card, they can be turned off immediately preventing unauthorized access.

Visitors
All visitors must enter through the front door to sign in. Visitors must state their business, show proper identification, and sign in using the visitor log before they are issued a temporary guest badge which is displayed on a lanyard.

Vendors
Vendors and contractors are required to check in with security upon arrival. A member of the Facilities Department is then notified and the vendor/contractor is issued a visitor badge if they will not be escorted the entire visit.

Parking
Faculty, staff and students are assigned parking decals. Security regularly patrols the garage and any unauthorized vehicles found on-site are subject to towing.

Help Make a Safe Campus
Safety, security and crime prevention are the responsibilities of everyone. The cooperation and involvement of employees and students are absolutely essential to having a safe campus. The safety and security of all students and employees, and their belongings begin with everyone being aware and committed to the safety of the community.

Incident Reporting
Like in any other community, Coastal Law may experience accidents, injuries, crimes, and other emergencies. If you are worried about a fellow student, bothered that your roommate has been acting differently, troubled about the behavior of a friend, or have concerns but are not sure what to do, you can report your concern through the following methods:

1. In an emergency situation, where there is an immediate threat to self, others, or property, always call 911 first and then notify Coastal Law Security Department at 904-515-6777
2. Submit via the Online Reporting Form: https://www.fcsl.edu/incidentbehavior-report-form.html (can be anonymous)
3. Contact a Campus Security Authority (listed below)

NOTE: Confidentiality will be maintained to the extent permitted by law. Coastal Law may be required to release information in response to a court order, subpoena, or open records request.
Coastal Law Campus Security Authorities

The following is a list of each individual or department at Florida Coastal School of Law that has been designated a safe place for students and employees to report Clery Act crimes:

<table>
<thead>
<tr>
<th>Office</th>
<th>Employee</th>
<th>Office</th>
<th>Office Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Security Department</td>
<td>Staff</td>
<td>Lobby</td>
<td>904-515-6777</td>
</tr>
<tr>
<td>Director of Security &amp; Facilities</td>
<td>Lisa Vervynck</td>
<td>373</td>
<td>904-516-8761</td>
</tr>
<tr>
<td>Associate Dean of Student Affairs</td>
<td>James Artley</td>
<td>366</td>
<td>904-516-8745</td>
</tr>
<tr>
<td>Interim Dean</td>
<td>Jennifer Reiber</td>
<td>375</td>
<td>904-516-8748</td>
</tr>
<tr>
<td>Associate Dean of Library</td>
<td>Melissa Coll</td>
<td>347</td>
<td>904-861-2459</td>
</tr>
<tr>
<td>Title IX Coordinator</td>
<td>Karen Eubanks</td>
<td>374</td>
<td>904-516-8749</td>
</tr>
<tr>
<td>Professor of Professional Skills</td>
<td>Stacy Scaldo</td>
<td>348</td>
<td>904-861-2461</td>
</tr>
</tbody>
</table>

While a discussion with a Campus Security Authority (CSA) does not automatically mean a formal complaint will be filed, CSAs are required to forward reports to the Coastal Law Security Department to track and maintain in the Crime Log for the School. Crime Logs do not include names or distinguishing characteristics of individuals involved. The Security Department also requests crime statistics from the Jacksonville Sheriff’s Office (JSO) to include in the Crime Log. The Crime Log is housed in the Security Department and is available to view by any member of the Coastal Law Community.

In addition to the Crime Log, all incidents as reported to the school and JSO will be reported as part of the School’s Annual Security Report with crime statistics published in October of each year. The report is emailed to all students and employees. The latest copy can be found online at [https://www.fcsl.edu/student-life-safety-and-security.html](https://www.fcsl.edu/student-life-safety-and-security.html). To obtain a hard copy of the report, make a request via email to the Director of Security & Facilities.

While security officers do not have the power to make arrests, any criminal acts on-campus will be referred to JSO (who have jurisdiction on the campus). All crime victims and witnesses are strongly encouraged to immediately report any crime to campus security and the appropriate police agency. Prompt reporting will assure timely warning notices on campus and timely disclosure of crime statistics.
In addition to monitoring all activities on-campus, all off-campus activities (including socials, Barrister’s Ball, volunteer activities, etc.) sanctioned by recognized student organizations, will be monitored and recorded with the help of JSO.

**Building Emergency Response and Evacuation**

During a fire drill and/or emergency evacuation everyone in the building must evacuate upon hearing the alarm adhering to the Building Evacuation Procedure below:

- Treat fire alarms as actual emergencies and not drills
- Quickly gather only necessary personal belongings such as purses, phones and car keys
- Leave the building immediately in a calm, orderly manner through the closest stairwell and available exit
- Do **NOT** use elevators
- If there is no one behind you, close doors as you leave
- Listen for and follow instructions
- Stay together in a group with your class or work section if possible. Instructors must account for all students. Supervisors must account for all employees in their work sections.
- Move and remain at least 150 feet away from the building
- WAIT for the **ALL CLEAR** from security. Do not return to the building, move to another side of the building, or leave the collection point unless told to do so by emergency personnel.
Evacuation Tests

Each semester, Coastal Law will conduct a test of the emergency response and evacuation procedures. The test may include, but is not limited to fire drills, active shooter simulations, and other alert evacuations. The test may or may not be publicized to the Coastal Law community in advance. A log of all tests, including type and date of test conducted and the results of the tests will be maintained and kept by the Security Department.

Crime Alert Notification

Employees and students are able to sign up on the school website to receive crime alerts by cell phone via text message through E2Campus. Students, staff, and faculty can sign up for the service at https://www.fcsli.edu/tools-technology-resources-e-2-campus-alerts.html. This service must be renewed every three years. The school will provide communication, via e-mail, about any of the following types of crimes that happen on campus and are considered by Coastal Law to represent a threat to students and employees which are reported to campus/local authorities.

- Criminal Homicide
- Sex Offenses
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Hate Crimes
- Domestic Violence
- Dating Violence
- Stalking

Emergency Response Team

The direction and execution of preparing and responding at Florida Coastal School of Law, or in the surrounding community if called upon by the city, will be the responsibility of the Emergency Response Team (ERT). The Emergency Response Team consists of the following members in order of authority:

- Dean
- Director of Security & Facilities
- Associate Dean of Library
- Network/System Architect, Information Technology
- Director of Marketing and Communications
• Human Resources Manager
• Assistant Dean of Student Services

Emergency Alert Notifications

When a situation appears likely to occur at some point in the near future or is imminent that may pose a threat to life, safety, or security on campus the following actions will be taken:

1) **Confirm report.** Here, confirmation means that a Florida Coastal School of Law Emergency Response Team (ERT) member(s) has verified that a legitimate emergency or dangerous situation may exist at some point in the near future. However, this does not necessarily mean that all of the pertinent details are known or are even available. Depending on the situation, confirmation may be achieved from one or more of the following sources:
   - Investigation by Florida Coastal School of Law Security Department
   - Investigation by other Florida Coastal School of Law campus department, including but not limited to, Facilities and Student Services
   - Investigation by City of Jacksonville Fire and Rescue Department and/or Sheriff’s Office
   - Duval County Emergency Services and/or Health Department
   - Florida Department of State Health Services
   - Media reports originating from the incident scene

If it is determined through investigation or through contact with another source that there exists a credible threat to the life, safety, or security of the campus community, an ERT member(s) will conduct the following steps.

2) **Determine message content.** The ERT member will determine how much information is appropriate to disseminate at different points in time. S/he may consult with other campus officials as appropriate.

Subject to the technological restrictions of the mass notification system being used, emergency notification messages should contain the following information:

- Date and time of incident or threat
- Location of incident or threat
- Nature of incident or threat
- Actions that should be taken by affected or potentially affected populations
- Additional details necessary to preserve safety and security
- Sources for additional information regarding the incident or threat
3) **Choose communication tool.** The ERT member will, considering the nature of the threat and the population to be notified, choose the appropriate communication tool(s) to utilize. Florida Coastal School of Law has at its disposal a number of tools that may be used to disseminate emergency notifications to the campus community. Notifications are sent via E2Campus alerts, mass e-mails, displayed on the plasmas throughout the campus, and on banners on the School’s website.

4) **Authorize emergency notification.** The ERT member will, having confirmed the threat and determined message content, the segment of campus to be notified, and the appropriate communication tools, authorize the dissemination of emergency notification. Information will be send without delay and will include all relevant information, unless issuing a notification will compromise efforts to assist a victim or contain, respond to, or otherwise mitigate the emergency.

5) **Issue emergency notification.** The ERT member will issue the notification or contact the trained user of the chosen communication tool(s) to issue it.

**Communication with the Larger Community**

Information will also be disseminated to individuals and/or organizations outside of the campus community. Information provided to the larger community is developed and disseminated as appropriate by the Director of Communications and Marketing in collaboration with campus security and/or the Dean. Various methods may be employed to disseminate information, including the website and/or communications directly with the media the local media.

**Escort Service**

Upon request (by calling 904-515-6777), an officer will be provided to escort any student, employee, or visitor to their vehicle.

**Substance and Alcohol Use/Abuse**

Coastal Law recognizes the importance of maintaining a drug-free, safe, and healthy environment for students and employees. Being under the influence of any alcoholic beverage and/or illegal drug while on campus poses serious risks not only to oneself, but to others. It also jeopardizes the community’s trust in Coastal Law and can cause avoidable injuries and property damage as well as loss of productivity. Coastal Law is committed to preventing the use of illegal substances by students and employees and to encouraging responsible behavior regarding alcohol and legal addictive substances through policy, needs assessment, education, and treatment.
Coastal Law prohibits the unlawful manufacture, distribution, dispensing, possession, consumption, sale or use of illegal drugs and alcohol on or in Coastal Law owned or controlled property or in the course of Coastal Law business or activities. Students or employees who violate this policy shall be subject to disciplinary action or arrest. For specific details about Coastal Law’s Drug and Alcohol Policy, see Appendix A.

The School complies with appropriate federal and state statutes and local ordinances dealing with the consumption of alcoholic beverages on School premises and at any function in which Florida Coastal School of Law’s name is involved. The consumption of alcoholic beverages on School premises and at any function in which Florida Coastal School of Law’s name is involved must be approved in advance by the Dean and either the Dean of Students or the Dean of Academics.

Anyone who consumes any alcoholic beverage at an event sponsored by the School must be at least twenty-one (21) years of age and must be able to furnish proof of age at the event. Florida Coastal School of Law and its agents reserve the right to refuse to serve alcoholic beverages to anyone who is visibly intoxicated or whose behavior, at the sole discretion of Coastal Law and its agents, warrants the refusal of service. Any individual who arrives at a School function either on or off School premises in a visibly intoxicated state may, at the sole discretion of Coastal Law, or its agents, be denied entrance to the event.

The office of the Assistant Dean of Student Affairs offers the services of assessment, referral, and short-term counseling to students who are experiencing substance abuse problems. This office also offers referral services to counseling professionals for students. A student may seek these services on his or her own initiative or a member of the administrative or instructional team may direct him/her to the service when a decline in performance is observed.

See Appendix A (Coastal Law Drug and Alcohol Abuse Prevention Program) for the full policy as provided under Title IV regulations. In addition to its location within this document the policy is distributed via:

- the Student Handbook;
- the Employee Handbook;
- the Student Orientation process where the policy is reviewed;
- e-mail to all employees on an annual basis; and
- e-mail to all students each semester.

**Sexual Misconduct**

Coastal Law Student Code of Conduct prohibits sexually violent acts (dating violence, domestic
violence, sexual assault and stalking), termed “Sexual Misconduct” by Coastal Law, 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 Coastal Law utilizes different standards and definitions than the Florida Code, 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, which can be found online at [https://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html](https://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html), and the Clery Act, which mandates the contents of this report.

It is the policy of Coastal Law not to notify local law enforcement when sexual misconduct occurs, unless a victim wishes or there is an emergency threat to health or safety. Victims have the option to notify law enforcement directly, or to be assisted in doing so by campus 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, Coastal Law utilizes a range of campaigns, strategies, and initiatives to promote awareness, educational, risk reduction, and prevention programming.

It is the policy of Coastal Law 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 are offered to raise awareness for all incoming students and employees, and are often conducted during new student and new employee orientation and throughout an incoming student’s first semester. Programs and other campaigns offered throughout the year to all students and employees include strong messages regarding not just awareness, but also primary prevention (including normative messaging, environmental management, and bystander intervention), and discuss institutional policies on sexual misconduct as well as the 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. The following programs are informed by evidence-based research and/or are assessed for their effectiveness.

For Employees: 1) annual online Title IX course; 2) employee handbook (signed acknowledgement is required); 3) Title IX training throughout the year during faculty meetings and town halls

For Students: 1) annual online Title IX course; 2) student handbook; 3) Code of Conduct; 4) Honor Code; 5) One Love host; 6) Bystander Training; 7) each incoming class receives Title
IX training during Orientation.

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, offering help, 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, Coastal Law takes the matter very seriously. Coastal Law 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 Student Code of Conduct in the student handbook. A student wishing to officially report such an incident may do so by contacting Karen Eubanks (keubanks@fcsl.edu; 904-516-8749). 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 a victim chooses to report to local and/or campus law enforcement, and irrespective of whether a victim pursues a formal complaint through Coastal Law 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 the Security Department at (904) 515-6777 and 911.

2. Consider securing immediate professional support (e.g., counseling, victim advocacy, medical services, etc.) to assist you during the crisis.

3. If you are on campus during regular business hours, you may contact the Mental Health Counselor, Mary Schilpp (mschilpp@fcsl.edu), or contact the victim advocate (Dr. James Artley) for support and guidance. All professional counselors (including pastoral) will advised students how to report crimes to the school on a voluntary, confidential basis for inclusion in Annual Security Report. All counseling is confidential and no crime will be reported without the student’s consent.
4. After regular business hours, or in any situation where a victim wishes, local resources are also available and may be able to provide confidential assistance.

National Domestic Violence Hotline
http://www.thehotline.org
800-799-7233 FREE | 800-787-3224 FREE (TTY)

Women’s Center of Jacksonville and Rape Recovery Team
5644 Colcord Avenue, Jacksonville, Florida 32211
904-722-3000 | Rape Crisis Hotline: 904-721-7273
http://www.womenscenterofjax.org

Jacksonville Sheriff’s Office - Victim Services Center
403 West 10th Street, Jacksonville, FL 32206
904-630-6300
http://www.coj.net/departments/parks-and-recreation/social-services/victim-services

Florida Council Against Sexual Violence
http://www.fcasv.org
Rape Crisis Hotline
1-888-956-RAPE (7273)

Hubbard House in Jacksonville
904-354-3114 | 904-354-3958 (TTY)
http://www.hubbardhouse.org

5. For your safety and well-being, immediate medical attention is encouraged. Further, being examined as soon as possible, ideally within 120 hours, 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., restraining orders, injunctions, protection from abuse), please notify a security officer or the campus Title IX Coordinator (Dean Stacy Scaldo) so that those orders can be observed on campus.

6. Even after the immediate crisis has passed, consider seeking support from one of the resources listed above.

6. Contact Karen Eubanks (keubanks@fcs.l.edu; 904-516-8749) if you need assistance with Coastal Law concerns, such as no-contact orders or other protective measures. Ms. Eubanks will also assist in any needed advocacy for students who wish to obtain protective or restraining orders from local authorities. Coastal Law is able to offer reasonable academic supports, changes to living arrangements, transportation resources or modifications, escorts, no contact orders, counseling services access, and other supports and resources as needed by a victim. Coastal Law is able to offer information about legal assistance, visa/immigration assistance, and student financial aid considerations for victims.

LEGAL DEFINITIONS

The term sexual assault refers to sexual contact or behavior that occurs without explicit consent of the victim. Some forms of sexual assault include:

- Attempted rape
- Fondling or unwanted sexual touching
- Forcing a victim to perform sexual acts, such as oral sex or penetrating the perpetrator’s body
- Penetration of the victim’s body, also known as rape
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 referred to as Sexual Battery and is defined as “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” which can occur in the following instances:

- The victim is physically helpless to resist.

- The offender coerces the victim to submit by threatening to use force or violence likely to cause serious personal injury on the victim, and the victim reasonably believes that the offender has the present ability to execute the threat.

- The offender coerces the victim to submit by threatening to retaliate against the victim, or any other person, and the victim reasonably believes that the offender has the ability to execute the threat in the future.

- The offender, without the prior knowledge or consent of the victim, administers or has knowledge of someone else administering to the victim any narcotic, anesthetic, or other intoxicating substance that mentally or physically incapacitates the victim.

- The victim is mentally defective, and the offender has reason to believe this or has actual knowledge of this fact.

- The victim is physically incapacitated.

The complete Florida sexual battery definitions are:

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

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

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

(d) “Offender” means a person accused of a sexual offense in violation of a provision of this chapter.
(e) “Physically helpless” means unconscious, asleep, or for any other reason physically unable to communicate unwillingness to an act.

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

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

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

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

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

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**OTHER SEXUAL OFFENSES**

Other sexual offenses include the following: sodomy (forced anal intercourse) and oral copulation (forced oral-genital contact).

In Florida, sexual consent is defined as: 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.

Coastal Law Civil Rights Equity Resolution to Include Sexual Misconduct and Relationship Violence (includes policy, procedures, and sexual misconduct definitions - [https://www.fcsl.edu/userfiles/files/Policy%20for%20Civil%20Rights%20Equity%20Resolution%20to%20Include%20Sexual%20Misconduct%20and%20Relationship%20Violence%202018.06%282%29.pdf](https://www.fcsl.edu/userfiles/files/Policy%20for%20Civil%20Rights%20Equity%20Resolution%20to%20Include%20Sexual%20Misconduct%20and%20Relationship%20Violence%202018.06%282%29.pdf))

**Sexual Harassment**

Sexual harassment is a form of misconduct that undermines the integrity of the academic environment. It is the policy of Coastal Law that sexual harassment is prohibited. All members of the Coastal Law community, especially administrators, faculty, and other individuals who exercise supervisory authority, have an obligation to promote an environment that is free of sexual harassment. Sexual harassment is defined as:

*Any complaints or inquiries regarding sexual harassment of a student by an administrator, faculty or staff member, or another student should be brought to the immediate attention*
of Title IX Coordinator (Karen Eubanks). Coastal Law will investigate such claims promptly and thoroughly. If, for any reason, a student wishes to complain or inquire regarding sexual harassment, but feels it would not be appropriate to raise such issues with the Title IX Coordinator, the student may inquire or complain to a faculty member or Dean, and such inquiries or complaints will receive a prompt and thorough investigation. If harassment is established, Coastal Law will discipline the offender. Disciplinary action for violations of this policy can range from verbal or written warnings, up to and including immediate termination from employment or dismissal from Coastal Law for serious or repeated violations.

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, Coastal Law is providing a link to the Florida State Sex Offender Registry. 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.

State Website: https://offender.fdle.state.fl.us/offender/sops/home.jsf

National Sex Offender Public Registry: www.nsopr.gov

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 Coastal Law’s Director of Security and Facilities no later than three (3) business days prior to their enrollment in, employment with, or volunteering at Coastal Law. Such notification may be disseminated by the Coastal Law to, and for the safety and well-being of, the Coastal Law community, and may be considered by Coastal Law 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 range from warning to expulsion. 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. Lying to investigators (and/or failing to participate in an investigation) can result in additional consequences under the Student Code of Conduct found at
Procedurally, when Coastal Law 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, Coastal Law will assist the victim in making these contacts. The Title IX Coordinator will offer assistance to victims in the form of interim or long-term measures such as opportunities for academic accommodations; changes in housing for the victim or the responding student; visa and immigration assistance; changes in working situations; and other assistance as may be appropriate and available on campus or in the community (such as no contact orders, campus escorts, transportation assistance, targeted interventions, 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 advocate. No victim is required to take advantage of these services and resources, but Coastal Law 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 regardless of whether the offense occurred on or off campus.

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 Coastal Law can be found below.

Procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking using the Equity Resolution Process.

1. **Reporting** - Any member of the community, guest or visitor who believes that the policy on Equal Opportunity, Harassment and Nondiscrimination has been violated should contact the Title IX Coordinator. It is also possible for employees to notify a supervisor, or for students to notify an administrative advisor or faculty member. Any member of the community, including visitors, may contact a security officer to make a report. These individuals will in turn notify the Title IX Coordinator. The School’s website also includes a report form at [https://www.fcsl.edu/form/2011/09/23/incidentbehavior-report-form](https://www.fcsl.edu/form/2011/09/23/incidentbehavior-report-form).

2. **Preliminary Inquiry** - Following receipt of notice or a report of misconduct, the Title IX Coordinator engages in a preliminary inquiry to determine if there is reasonable cause to believe the nondiscrimination policy has been violated. In cases where the reporting party wishes to proceed or the School determines it must proceed, and the preliminary inquiry shows that reasonable cause exists, the Title IX Coordinator will direct a formal investigation to
commence and the allegation will be resolved through either Conflict Resolution or Administrative Resolution.

Once a formal investigation is commenced, the Title IX Coordinator will provide written notification of the investigation to the responding party at an appropriate time during the investigation. The notification will be made in writing and may be delivered by one or more of the following methods: in person; mailed to the local or permanent address of the parties as indicated in their School records; or emailed to the parties’ School issued email account. Once mailed, emailed and/or received in-person, notice will be presumptively delivered. The reporting party is typically copied on such correspondence. The School aims to complete all investigations within a sixty (60) calendar day time period, which can be extended as necessary for appropriate cause by the Title IX Coordinator with notice to the parties as appropriate.

3. Interim Remedies - The Title IX Coordinator may provide interim remedies intended to address the short-term effects of harassment, discrimination and/or retaliation i.e., to redress harm to the reporting party and the community and to prevent further violations. These remedies may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Human Resources
- Education to the community
- Altering work arrangements for employees
- Providing campus escorts
- Implementing contact limitations between the parties
- Offering adjustments to academic deadlines, course schedules, etc.

The School may interim suspend a student, employee or organization pending the completion of the Equity Resolution Process (ERP) investigations and procedures, particularly when in the judgment of the Title IX Coordinator the safety or well-being of any member(s) of the campus community may be jeopardized by the presence on-campus of the responding party or the ongoing activity of a student organization whose behavior is in question.

4. Investigation - Once the decision is made to commence a formal investigation, the Title IX Coordinator appoints ERP pool members to conduct the investigation usually within two (2) days of determining that an investigation should proceed. Investigations are completed expeditiously, normally within ten (10) days, though some investigations take weeks or even months, 17 depending on the nature, extent and complexity of the allegations, availability of witnesses, police involvement, etc.

The investigators will typically take the following steps, if not already completed (not necessarily in order):
• In coordination with campus partners (e.g.: Title IX Coordinator), initiate or assist with any necessary remedial actions;
• Determining the identity and contact information of the reporting party;
• Identify all policies allegedly violated
• Assist the Title IX Coordinator with an immediate preliminary inquiry to determine if there is reasonable cause to believe the responding party has violated policy. If there is insufficient evidence to support reasonable cause, the inquiry should be closed with no further action;
• 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 responding party, who may be given notice prior to or at the time of the interview;
• Prepare the notice of allegation [charges] on the basis of the preliminary inquiry;
• Meet with the reporting party to finalize their statement, if necessary;
• If possible, provide written notification to the parties prior to their interviews that they may have the assistance of a ERP pool member or other advisor of their choosing present for all meetings attended by the advisee;
• Provide reporting party and responding party with a written description of the alleged violation(s), a list of all policies allegedly violated, a description of the applicable procedures and a statement of the potential sanctions/responsive actions that could result;
• Prior to the conclusion of the investigation, provide the reporting party and the responding party with a list of witnesses whose information will be used to render a finding;
• Allow each party the opportunity to suggest questions they wish the investigators to ask of the other party and witnesses.
• Provide parties with all relevant evidence to be used in rendering a determination and provide each with a full and fair opportunity to address the evidence prior to a finding being rendered;
• Complete the investigation promptly, and without unreasonable deviation from the intended timeline;
• Provide regular updates to the reporting party throughout the investigation, and to the responding party, as appropriate;
• Make, or recommend to the Title IX Coordinator, a finding, based on a preponderance of the evidence (whether a policy violation is more likely than not);
• Investigators and/or the Title IX Coordinator finalize and present the findings to the parties, without undue delay between notifications;
• Provide simultaneous notification, in writing, to both the reporting party and the responding party, of the following:
result of any institutional disciplinary proceedings that arises from an allegation of domestic violence, dating violence, sexual assault, or stalking;

- the institution’s procedures for the accused and the victim to appeal the results of the institutional disciplinary proceedings; if such procedures are available;

- any change to the result; and

- when such results become final.

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

5. **Advisors** - Each party is allowed to have an advisor of their choice present with them for all ERP meetings and proceedings, from intake through to final determination. The parties may select whomever they wish to serve as their advisor as long as the advisor is eligible and available, and usually otherwise not involved in the resolution process, such as serving as a witness. The advisor may be a friend, mentor, family member, attorney or any other supporter a party chooses to advise them who is available and eligible. Witnesses cannot also serve as advisors. The parties may choose advisors from inside or outside the campus community. The parties may choose their advisor from the ERP pool, choose a non-trained advisor from outside the pool, if preferred, or proceed without an advisor.

The parties may be accompanied by their advisor in all meetings and interviews at which the party is entitled to be present, including intake and interviews. Advisors should help their advisees prepare for each meeting, and are expected to advise ethnically, with integrity and in good faith. The School cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney, but the other party does not, or cannot afford an attorney, the School is not obligated to provide one.

All advisors are subject to the same campus rules, whether they are attorneys or not. Advisors may not address campus officials in a meeting or interview unless invited to. The advisor may not make a presentation or represent the reporting party or the responding party during any meeting or proceeding and may not speak on behalf of the advisee to the investigators or hearing panelists. The parties are expected to ask and respond to questions on their own behalf, without representation by their advisor. Advisors may confer quietly with their advisees or in writing as necessary, as long as they do not disrupt the process. For longer or more involved discussions, the parties and their advisors should ask for breaks or step out of meetings to allow for private conversation. Advisors will typically be given an opportunity to meet in advance of any interview or meeting with the administrative officials conducting that
interview or meeting. This pre-meeting will allow advisors to clarify any questions they may have, and allows the School an opportunity to clarify the role the advisor is expected to take.

6. **Resolution** - Proceedings are private. All persons present at any time during the resolution process are expected to maintain the privacy of the proceedings in accord with School policy. While the contents of the hearing are private, the parties have discretion to share their own experiences if they so choose, and should discuss doing so with their advisors.

Conflict Resolution is often used for less serious, yet inappropriate, behaviors and is encouraged as an alternative to the formal hearing process to resolve conflicts. The Title IX Coordinator will determine if conflict resolution is appropriate, based on the willingness of the parties, the nature of the conduct at issue and the susceptibility of the conduct to conflict resolution. In a conflict resolution meeting, a trained administrator will facilitate a dialogue with the parties to an effective resolution, if possible. Sanction are not possible as the result of a conflict resolution process, though the parties may agree to appropriate remedies. The Title IX Coordinator will keep records of any resolution that is reached, and failure to abide by the accord can result in appropriate responsive actions.

In Administrative Resolution, the Resolution Administrator has the authority to address all collateral misconduct, meaning that they hear all allegations of discrimination, harassment and retaliation, but also may address any additional alleged policy violations that have occurred in concert with the discrimination, harassment or retaliation, even though those collateral allegations may not specifically fall within the policy on Equal Opportunity, Harassment and Nondiscrimination. Accordingly, investigations should be conducted with as wide a scope as necessary.

Factors considered when determining a sanction/responsive action may include:

- The nature, severity of, and circumstances surrounding the violation
- An individual's disciplinary history
- Previous allegations or allegations involving similar conduct
- Any other information deemed relevant by the hearing panel
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment and/or retaliation
- The need for sanctions/responsive actions to prevent future recurrence of discrimination, harassment and/or retaliation
- The need to remedy the effects of the discrimination, harassment and/or retaliation on the reporting party and the community"
Responsibility of the School

The Coordinator is ultimately responsible for assuring, in all cases, that the behavior is brought to an end, Coastal Law 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 the 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 Coastal Law 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 a victim or information that could easily lead to a victim’s identification. Additionally, Coastal Law 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.

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. Coastal Law 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 (Karen Eubanks) and/or to officials of the U.S. Department of Education.

Reporting of statistics under the Clery Act uses federal offenses 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. *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.

B. *Incest* — Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

**Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

**Dating Violence:** 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.

**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.

**Stalking:** A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person.

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

**Sanctions**

Following the results of an institutional disciplinary proceeding, there are many factors considered
when determining a sanction/responsive action, which include:

- The nature, severity of, and circumstances surrounding the violation
- An individual’s disciplinary history
- Previous allegations or allegations involving similar conduct
- Any other information deemed relevant by the hearing panel
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment and/or retaliation
- The need for sanctions/responsive actions to prevent future recurrence of discrimination, harassment and/or retaliation
- The need to remedy the effects of the discrimination, harassment and/or retaliation on the reporting party and the community

Possible Student Sanctions

The following are the usual sanctions that may be imposed upon students or organizations singly or in combination:

- **Warning**: A formal statement that the behavior was unacceptable and a warning that further infractions of any School policy, procedure or directive will result in more severe sanctions/responsive actions.
- **Probation**: A written reprimand for violation of the Code of Student Conduct providing the more severe disciplinary sanction in the event that the student or organization is found in violation of any School policy, procedure or directive within a specified period of time. Terms of the probation will be specified and may include denial of specified social privileges, exclusion from co-curricular activities, non-contact orders and/or other measures deemed appropriate.
- **Suspension**: Termination of student status for a definite period of time not to exceed two years, and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the reminder of their tenure at the School. This sanction may be noted as a Conduct Suspension on the student’s official transcript, at the discretion of the Title IX Coordinator.
- **Expulsion**: Permanent termination of student status, revocation of rights to be on campus for any reason or attend School-sponsored events. This sanction will be noted as a Conduct on the student’s official transcript.
- **Withholding Diploma**: The School may withhold a student’s diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending, or as a sanction if the student is found responsible for an alleged violation.
- **Revocation of Degree**: The School reserves the right to revoke a degree awarded from the School for fraud, misrepresentation or other violation of School policies, procedures or
directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.

- **Organization Sanctions**: Deactivation, de-recognition, loss of all privileges (including School registration), for a specified period of time.
- **Other Actions**: In addition to or in place of the above sanctions, the School may assign any other sanctions as deemed appropriate.

**Possible Employee Sanctions**

Responsive actions for an employee who has engaged in harassment, discrimination and/or retaliation include:

- Warning-Verbal or Written
- Performance Improvement/Management Process
- Required Counseling
- Required Training or Education
- Probation
- Loss of any Annual Pay Increase
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Suspension with pay
- Suspension without pay
- Termination
- Other Actions: In addition to or in place of the above sanctions, the School may assign any other sanctions as deemed appropriate.

**Retaliation**

Coastal Law is prepared to take appropriate steps to protect individuals who fear that they may be subjected to retaliation. Retaliation against an individual for alleging harassment, supporting a party bringing an allegation or for assisting in providing information relevant to a claim of harassment is a serious violation of the School’s policy and will be treated as another possible instance of harassment or discrimination. Acts of alleged retaliation should be reported immediately to the Title IX Coordinator and will be promptly investigated.

**Other Civil Rights Offenses**

In addition to the aforementioned forms of sexual misconduct, the following behaviors are also prohibited as forms of discrimination when the act is based upon the reporting party’s actual or perceived membership in a protected class.
- Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;
- Discrimination, or actions that deprive, limit or deny other members of the community of educational or employment access, benefits or opportunities;
- Intimidation, or implied threats or acts that cause an unreasonable fear of harm in another;
- Hazing, or acts likely to cause physical or psychological harm or social ostracism to any person with the School community, when related to admission, initiation, pledging, joining, or any other group-affiliation activity;
- Bullying, or repeated/severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally, that is not speech or conduct otherwise protected by the 1st Amendment.

**Crime Statistics**

To view campus crime statistics on the website, click Student Life/Safety and Security/Crime Statistics to access the DOE cutting tool and select Florida Coastal School of Law to access the report and review the data.

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<tr>
<td>Weapons – Carrying, Possessing, Etc.</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Drug Abuse Violations</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Liquor Law Violations</td>
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<tr>
<td><strong>Disciplinary Actions</strong></td>
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<tr>
<td>Weapons – Carrying, Possessing, Etc.</td>
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<tr>
<td>Drug Abuse Violations</td>
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<tr>
<td>Liquor Law Violations</td>
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<tr>
<td><strong>Unfounded</strong></td>
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<tr>
<td>Unfounded Crimes</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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</table>
Florida Coastal School of Law (Coastal Law) recognizes the importance of maintaining a drug-free, safe, and healthy work environment for its students and employees. Being under the influence of any alcoholic beverage and/or illegal drug while on campus poses serious risks not only to yourself, but to other students, faculty and staff and to those with whom you may come into contact. It also jeopardizes the community's trust in Coastal Law and can cause avoidable injuries and property damage as well as loss of productivity.

It is unlawful for any person to sell, manufacture, deliver or possess with intent to sell, manufacture, or deliver a controlled substance. Any person violating the provisions of Florida law or ordinances of Duval County may be guilty of a felony or, in some cases, a misdemeanor of the first degree, and may be subject to punishment as provided in the Florida or municipal codes. This punishment can include imprisonment, fines and forfeiture of property. It should be noted that under Florida's sentencing guidelines, punishment may become successively more severe for second and third violations. In addition, disciplinary sanctions, up to and including suspension and expulsion, may be imposed by the school under the Student Code of Conduct for any alcohol or drug-related violation of that Code.

Below is a summary of the state of Florida laws for drug and alcohol related offenses. A file is also attached which provides additional legal requirements associated with Driving Under the Influence (DUI) offenses.

<table>
<thead>
<tr>
<th>ALCOHOL RELATED CRIMES</th>
<th>1st Offense</th>
<th>2nd Offense</th>
<th>3rd Offense</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drinking and Driving (DUI)</td>
<td>$500 to $2000 Fine;</td>
<td>$1000 to $4000 Fine; Up to 1 Year In Jail; Suspend License up to 5 Years</td>
<td>$2000 - $5000 Fine; Up to 1 Year in Jail; Suspend License up to 10 Years</td>
</tr>
<tr>
<td>(conviction on driving records forever)</td>
<td>Up to 9 mo. In Jail; Suspend License up to 1 Year.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal Standard for Intoxication</td>
<td></td>
<td></td>
<td>Breathalyzer test .08</td>
</tr>
<tr>
<td>DUI Causing Death</td>
<td>Felony, Up to 15 Yrs in Prison</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Intoxication</td>
<td>Up to $500 Fine and/or 60 Days in Jail</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
In addition to the state law penalties listed above, there are federal laws that may apply and are as follows:

<table>
<thead>
<tr>
<th>DRUG/SCHEDULE</th>
<th>QUANTITY</th>
<th>PENALTIES</th>
<th>QUANTITY</th>
<th>PENALTIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cocaine (Schedule II)</td>
<td>500 - 4999 gms mixture</td>
<td><strong>First Offense:</strong> Not less than 5 yrs, and not more than 40 yrs</td>
<td>5 kgs or more mixture</td>
<td><strong>First Offense:</strong> Not less than 10 yrs, and not more than life. If death</td>
</tr>
<tr>
<td>Cocaine Base (Schedule II)</td>
<td>5-49 gms mixture</td>
<td></td>
<td>50 gms or more mixture</td>
<td></td>
</tr>
</tbody>
</table>

Providing Alcohol to a Minor | Up to $500 Fine and/or 60 Days in Jail |
Use of a False I.D. or purchase of alcohol by a minor | Up to $500 Fine and Up to 60 Days in Jail |
Sale of Alcohol to Minors | 1st and 2nd Offense Up to $500 Fine and/or 60 Days in Jail |
Marijuana (less than 20 grams) | Up to $1000 Fine and/or Up to 1 Year in Jail |
Marijuana (possession with intent to sell) | Felony, Up to $5000 Fine and/or Up to 5 Yrs. Prison |
Marijuana (over 20 grams but less than 25 lbs.) | Felony, Up to $5000 Fine and/or Up to 5 Yrs. Prison |
Possession of a Controlled Substance | Felony, Up to $5000 Fine and/or Up to 5 Yrs in Prison |
Possession of a Controlled Substance (with intent to sell) | Felony, Up to $10,000 Fine and/or Up to 15 Yrs. Prison |
Possession of Drug Paraphernalia (with drugs) | Up to $1000 Fine and/or Up to 1 Year in Jail |
<table>
<thead>
<tr>
<th>Drug Description</th>
<th>Schedule</th>
<th>Amount</th>
<th>Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fentanyl (Schedule II)</td>
<td>40 - 399 gms mixture</td>
<td>yrs. If death or serious injury, not less than 20 yrs or more than life. Fine of not more than $2 million if an individual, $5 million if not an individual.</td>
<td></td>
</tr>
<tr>
<td>Fentanyl Analogue (Schedule I)</td>
<td>10 - 99 gms mixture</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heroin (Schedule I)</td>
<td>100 - 999 gms mixture</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LSD (Schedule I)</td>
<td>1 - 9 gms mixture</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Methamphetamine (Schedule II)</td>
<td>5 - 49 gms pure or 50 - 499 gms mixture</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PCP (Schedule II)</td>
<td>10 - 99 gms pure or 100 - 999 gms mixture</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other Schedule I &amp; II drugs (and any drug product containing Gamma Hydroxybutyric Acid)</td>
<td>Any amount</td>
<td><strong>First Offense:</strong> Not more than 20 yrs. If death or serious injury, not less than 20 yrs or more than Life. Fine $1 million if an individual, $5 million if not an individual. <strong>Second Offense:</strong> Not more than 30 yrs. If death or serious injury, not less than 10 yrs. Fine $2 million if an individual, $10 million if not an individual.</td>
<td></td>
</tr>
<tr>
<td>Flunitrazepam (Schedule IV)</td>
<td>1 gm or more</td>
<td><strong>First Offense:</strong> Not more than 5 years. Fine not more than $250,000 if an individual, $1 million if not an individual. <strong>Second Offense:</strong> Not more than 10 yrs. Fine not more than $500,000 if an individual, $2 million if not an individual.</td>
<td></td>
</tr>
<tr>
<td>Other Schedule III drugs</td>
<td>Any amount</td>
<td><strong>First Offense:</strong> Not more than 5 years. Fine not more than $250,000 if an individual, $1 million if not an individual. <strong>Second Offense:</strong> Not more than 10 yrs. Fine not more than $500,000 if an individual, $2 million if not an individual.</td>
<td></td>
</tr>
<tr>
<td>Flunitrazepam (Schedule IV)</td>
<td>30 to 999 mgs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>All other Schedule IV drugs</td>
<td>Any amount</td>
<td></td>
<td></td>
</tr>
<tr>
<td>DRUG</td>
<td>QUANTITY</td>
<td>1st OFFENSE</td>
<td>2nd OFFENSE</td>
</tr>
<tr>
<td>--------------------</td>
<td>-----------------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Flunitrazepam</td>
<td>Less than 30 mgs</td>
<td><strong>First Offense:</strong> Not more than 3 years. Fine not more than $250,000 if an individual, $1 million if not an individual.</td>
<td><strong>First Offense:</strong> Not more than 1 yr. Fine not more than $100,000 if an individual, $250,000 if not an individual.</td>
</tr>
<tr>
<td>(Schedule IV)</td>
<td></td>
<td><strong>Second Offense:</strong> Not more than 6 yrs. Fine not more than $500,000 if an individual.</td>
<td><strong>Second Offense:</strong> Not more than 2 yrs. Fine not more than $200,000 if an individual.</td>
</tr>
<tr>
<td>All Schedule V drugs</td>
<td>Any amount</td>
<td><strong>First Offense:</strong> Not more than 1 yr. Fine not more than $100,000 if an individual, $250,000 if not an individual.</td>
<td><strong>First Offense:</strong> Not more than 1 yr. Fine not more than $100,000 if an individual, $250,000 if not an individual.</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>Second Offense:</strong> Not more than 2 yrs. Fine not more than $200,000 if an individual, $500,000 if not an individual.</td>
<td><strong>Second Offense:</strong> Not more than 2 yrs. Fine not more than $200,000 if an individual, $500,000 if not an individual.</td>
</tr>
</tbody>
</table>

**Federal Trafficking Penalties - Marijuana**

<table>
<thead>
<tr>
<th>DRUG</th>
<th>QUANTITY</th>
<th>1st OFFENSE</th>
<th>2nd OFFENSE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marijuana</td>
<td>1,000 kg or more mixture; or 1,000 or more plants</td>
<td>• Not less than 10 years, not more than life &lt;br&gt;• If death or serious injury, not less than 20 years, not more than life &lt;br&gt;• Fine not more than $4 million if an individual, $10 million if other than an individual</td>
<td>• Not less than 20 years, not more than life &lt;br&gt;• If death or serious injury, mandatory life &lt;br&gt;• Fine not more than $8 million if an individual, $20 million if other than an individual</td>
</tr>
<tr>
<td>Marijuana</td>
<td>100 kg to 999 kg mixture; or 100 to 999 plants</td>
<td>• Not less than 5 years, not more than 40 years &lt;br&gt;• If death or serious injury, not less than 20 years, not more than life &lt;br&gt;• Fine not more than $2 million if an individual, $5 million if other than an individual</td>
<td>• Not less than 10 years, not more than life &lt;br&gt;• If death or serious injury, mandatory life &lt;br&gt;• Fine not more than $4 million if an individual, $10 million if other than an individual</td>
</tr>
<tr>
<td>Marijuana</td>
<td>more than 10 kgs hashish; 50 to 99 kg mixture more than 1 kg of hashish oil; 50 to 99 plants</td>
<td>• Not more than 20 years &lt;br&gt;• If death or serious injury, not less than 20 years, not more than life</td>
<td>• Not more than 30 years &lt;br&gt;• If death or serious injury, mandatory life &lt;br&gt;• Fine $2 million if an individual, $10 million if other than an individual</td>
</tr>
</tbody>
</table>
## Financial Aid:

Generally, if you have been convicted for the possession or sale of illegal drugs for an offense that occurs while you are receiving federal student aid or prior to your application for student aid, you will be ineligible for financial aid for a period of time based on the type and number of convictions. For additional information see [www.fafsa.ed.gov](http://www.fafsa.ed.gov).

## Health Risks:

Physical and psychological risks associated with alcohol and/or drug abuse may lead to significant health problems. Please refer to the following resources for more information:

- National Institute on Alcohol Abuse and Alcoholism
- National Institute on Drug Abuse

## Available Help:

The Coastal Law Office of Student Affairs and the Coastal Law Counseling and Wellness Center are available to students for support, recommendations, counseling and referrals to local resources for any student who seeks help for an alcohol or drug-related problem. Local treatment resources include:

- Alcoholics Anonymous
  Northeast Florida Intergroup Services
  3128 Beach Boulevard
  Jacksonville, FL 32207
  904-399-8535
  [http://www.neflaa.org](http://www.neflaa.org)

- First Coast Narcotics Anonymous

- Al-Anon in Greater Jacksonville

### Table: Drug Offenses and Corresponding Penalties

<table>
<thead>
<tr>
<th>Drug</th>
<th>Quantity/Weight</th>
<th>Fine/penalty</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marijuana</td>
<td>1 to 49 plants; less than 50 kg mixture</td>
<td>Fine $1 million if an individual, $5 million if other than an individual</td>
<td>Not more than 5 years</td>
</tr>
<tr>
<td>Oil</td>
<td>1 kg or less</td>
<td>Fine not more than $250,000, $1 million if other than individual</td>
<td>Not more than 10 years</td>
</tr>
<tr>
<td>Hashish</td>
<td>10 kg or less</td>
<td>Fine not more than $500,000 if an individual, $2 million if other than individual</td>
<td>Not more than 10 years</td>
</tr>
</tbody>
</table>
Code of Conduct and the Legal:

Coastal Law complies with appropriate Florida statutes and Jacksonville city ordinances dealing with the consumption of alcoholic beverages at any function associated with the school. Students and their guests who wish to consume alcoholic beverages at an event sponsored by Coastal Law or any entity of Coastal Law must be at least twenty-one years of age and must be able to furnish proof of age at the event. Coastal Law and its agents reserve the right to refuse service to anyone who is visibly intoxicated or whose behavior, at the sole discretion of Coastal Law and its agents, warrants the refusal of service. Any student who arrives at a school function, either on or off campus, in a visibly intoxicated state may, at the sole discretion of Coastal Law or its agents, be denied entrance to the event or asked to leave the event. In addition, disciplinary action under the school's Student Code of Conduct will be applicable for any alcohol or drug-related violation of the Code. The Conduct Code is available for review in the Student Handbook and on the school's website under the Student Life tab. The school's Alcohol Policy is also available in the Student Handbook.
**Florida Coastal Employees:**

Being under the influence of any alcoholic and/or illegal drug on the job poses serious risks not only to the impaired worker, but also to those with whom he/she comes into contact. It also jeopardizes the community’s trust in Florida Coastal School of Law, and can cause avoidable injuries and property damage as well as productivity losses. For these reasons, the following rules are strictly enforced, and an employee found in violation will be subject to disciplinary measures, up to and including termination of employment.

- Employees are prohibited from being under the influence of alcohol or illegal drugs or controlled substances or being in possession of illegal drugs while on the job. Consent to drug and alcohol testing is a condition of continued employment at Florida Coastal School of Law. Drug and/or alcohol testing is mandatory for any employee:
  - Who is involved in a work-related accident or injury, or who may have contributed to an accident or incidents that result in injury to another employee or property damage.
  - Whom a supervisor knows or reasonably suspects is impaired by alcohol, illegal drugs, or abuse of prescription drugs to a degree that the impairment may adversely affect the employee’s job performance, the job performance of co-workers or the work environment.

**Disciplinary Sanctions:**

Florida Coastal School of Law will fully cooperate and assist law enforcement in prosecuting any alcohol or drug offense by any of its employees including referral to law enforcement when applicable. An employee found to be violating any part of this Drug and Alcohol Program will be subject to discipline up to and including termination. The following are examples of behavior that is considered inappropriate under this policy.

1. Disorderly intoxication at FCSL or a FCSL sanctioned event;
2. Use or possession of an illegal drug while at FCSL or a FCSL sanctioned event;
3. The sale or purchase of an illegal drug while at FCSL or a FCSL sanctioned event;
4. Use or attempted use of false or fake identification or facilitation of use of a fake or false identification by another;
5. Any other illegal use of drugs or alcohol while at FCSL or a FCSL sanctioned event.