

# POLICIES AND REGULATIONS

## ST. JOHNS RIVER STATE COLLEGE

The College reserves the right to change any of its policies, courses, regulations, and calendar of events without notice when it is considered in the best interest of the College. In the event such changes occur, the College will provide notification to students, faculty, and staff via announcements on the student portal, bulletin boards and in College publications.

All students are responsible for observing all regulations and being aware of the information in the College Catalog, Student Handbook, official announcements posted on bulletin boards, and other applicable documents, such as registration forms. College regulations and student standards of conduct, as listed under "Policies and Regulations," apply to all areas under the jurisdiction of SJR State, including areas where activities are sponsored by the College and areas where students of the College community are guests, and students will make themselves familiar with any additional regulation of the host institution.

### STANDARDS OF CONDUCT

1. While on campus, students are expected to obey the instructions of any College faculty or staff members performing designated responsibilities.
2. After closing hours, students may not enter any building unless accompanied by a faculty member. Unless otherwise authorized, all persons must be off the campus by 11:00 p.m.
3. Smoking, including e-cigarettes, and chewing tobacco in and around College buildings are prohibited.
4. Gambling is prohibited on College property.
5. Possession of alcoholic beverages or illegal drugs is prohibited on College property, with the exception of alcohol served at officially sponsored College events.
6. Sleeping in public areas is prohibited.
7. Non-college organizations or individuals may not canvass or solicit on the campus.
8. Distribution or posting of any material on campus must have the approval of the Vice President for Student Affairs/Assistant General Counsel (or the Executive Director at the Orange Park or St. Augustine campus).
9. With the exception of guide dogs and some service animals, pet animals are not allowed on campus sidewalks or in campus buildings, in classrooms, or at collegiate sporting events and practices. On any other part of the campus, pets must be leashed and controlled by owner.
10. Students who do not honor their financial obligations to the College (including but not limited to worthless checks, loans, veteran deferments, library fines, and traffic fines) will not be allowed to re-enroll. If it becomes necessary for the College to turn over a student's account balance to a collection agency for collection, the collection cost (agency fees) will be added to the student's account and must be paid by the student. (See College Catalog and appropriate sections of the Student Handbook.)
11. Students must attire themselves in such a manner as not to be in violation of health laws and/or disrupt the College's educational process. Appropriate dress for the appropriate activity is expected. A student may be asked to leave an area when he/she is not appropriately attired in the opinion of the College official or instructor who is acting in a supervisory position. Footwear must be worn on campus. Repeat offenders shall be reported to the Vice President for Student Affairs/Assistant General Counsel.
12. All students must carry identification and/or proof of registration.
13. Unless it is part of a structured classroom activity, students may not bring guests or family members into the classroom.
14. Unless otherwise authorized by Florida law and with the exception of students enrolled in the Criminal Justice programs of the College participating in a College approved training exercise, the possession of firearms, toy guns, paint guns, devices that make noise which could be construed as sounding like gunfire, knives, explosives, fireworks, hazardous or toxic substances, or other dangerous materials is strictly forbidden on any of the College's campuses or sites.
15. No student attending St. Johns River State College can participate in disruptive activities at the College. Any such student so convicted, as required by FS 1006.61(2), will be expelled immediately without recourse for a period of two (2) years. This includes the disruption or obstruction of teaching, research, administration, disciplinary proceedings, traffic or pedestrian movement, other College activities, including its public service functions on or off campus, or other authorized non-College activities when the act occurs on College premises.
16. As provided in FS 1006.60(5), any student enrolled at St. Johns River State College who intentionally acts to impair, interfere with, or obstruct the orderly conduct, processes, and functions of the College on or off any of the College's sites shall be subject to severe disciplinary measures, to include dismissal, at the discretion of the President.
17. Acts of dishonesty are prohibited. Acts of dishonesty include but are not limited to: cheating, plagiarism or other forms of academic dishonesty, furnishing false information to any College official, faculty member, or office; forgery, alternation or misuse of any College document, record, or instrument of identification; tampering with the election of any College recognized student organization.
18. Physical abuse, verbal abuse, threats, intimidation, harassment, coercion, cyber bullying and or other conduct which threatens or endangers the health or safety of any person are prohibited.
19. The attempted or actual theft of and/or damage to property of the College or property of a member of the College community or other personal or public property are prohibited.
20. Hazing as defined in the Student Handbook is prohibited.
21. The theft, abuse, misuse, or alteration of the College's computer systems and information and records stored on the computer systems is prohibited.
22. No food or drinks in classrooms.
23. A student is forbidden from recording and/or video taping an instructor without the instructor's permission and knowledge.
24. The abuse of the student judicial system as defined in the Student Handbook is prohibited.

The College reserves the right to change any of its policies for student conduct without notice when it is considered in the best interest of the College. In the event such changes occur, the College will provide notification to students, faculty, and staff via announcements on bulletin boards, the student portal and in College publications. Violating any of the college standards of Student Conduct may result in expulsion.

## **ANTI-HAZING POLICY**

The District Board of Trustees of St. Johns River State College prohibits hazing by any student or student organization. As used in this rule, “hazing” means any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization operating under the sanction of the College. This includes, but is not limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug, or other substance, or other forced physical activity which could adversely affect the physical health or safety of the student, and also includes any activity which would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or other forced activity which could adversely affect the mental health or dignity of the student.

Student(s) or student organizations convicted of hazing are subject to significant penalties which may include the imposition of fines; the withholding of diplomas or transcripts pending compliance with the rules or pending payment of fines; and the imposition of probation, suspension, or dismissal. In the case of an organization at St. Johns River State College which authorizes hazing in blatant disregard of such rules, penalties may also include rescission of permission for that organization to operate on campus property or to otherwise operate under the sanction of the institution.

All penalties imposed by this rule shall be in addition to any penalty imposed for violation of any of the criminal laws of the State of Florida or for violation of any other rule of the institution to which the violator(s) may be subject.

This anti-hazing policy shall apply to acts conducted on or off the St. Johns River State College campuses or sites, and this anti-hazing policy will be included in the bylaws of each student organization.

## **STUDENTS CALLED TO ACTIVE MILITARY DUTY**

Any student enrolled at St. Johns River State College who is called to, or enlists in, active military service in service to the United States of America shall not incur academic or financial penalties. Such student shall be permitted the option of either completing the course or courses in which he or she is enrolled at a later date without penalty or withdrawing from the course or courses with a full refund of fees paid. If the student withdraws from the course or courses, the student’s records shall indicate that the withdrawal is due to active military service.

## **STUDENT OMBUDSMAN**

The District Board of Trustees appoints the Vice President of Student Affairs/ Assistant General Counsel as the Student Ombudsman on the St. Augustine, Palatka, and Orange Park Campuses. The Student Ombudsman, in his/her role as Student Ombudsman, will serve as the students’ advocate with regard to a student’s access to courses and credit granted toward a degree. A student with concerns about course access and credit toward the degree should report such concerns directly to the Student Ombudsman either in writing or by email, and the Student Ombudsman will respond to the student’s concerns as soon as possible. Should the situation or concern require investigation and research, the Student Ombudsman will serve as the student’s representative before faculty, staff and the College administration.

## **FIELD TRIPS**

Field trips in which students are not actively participating in a contest or event are limited to one hundred (100) miles.

## **DUAL ENROLLMENT POLICIES**

SJR State Dual Enrollment students are simultaneously enrolled in both high school and college courses. The depth, breadth, rigor, and pace of college courses will be at the college level. While appropriate for college-level study, course materials and class discussions may reflect topics not typically included in secondary high school curriculum. Dual Enrollment students who attend classes on SJR State’s campuses or online will be interacting with non-high school students of a variety of ages and backgrounds. By enrolling in Dual Enrollment, students have agreed to abide by all SJR State policies and procedures as published. SJR State Dual Enrollment students are responsible for completing the appropriate college forms and meeting college established deadlines for withdrawal. College credits earned in Dual Enrollment will be a part of the student’s permanent college and high school transcript. Students may not repeat dual enrollment courses in which they earn a “W,” “D,” or “F” until after high school graduation, and students cannot re-take classes in which a grade of “C” or higher has been earned. Performance in dual enrollment courses may affect subsequent postsecondary admission, financial aid, and Bright Futures eligibility.

## **STUDENTS WITH DISABILITIES**

Students with disabilities are welcome at SJR State and are encouraged to contact the Academic Advising Office on their campus.

The purpose of the Office for Students with Disabilities is to ensure access to accommodations for those students determined eligible. Students must report to campus disability coordinators at the beginning of each semester. Special assistance is available with academic orientation, registration, academic planning, special supplies, and equipment. In addition, specialized services are available to students whose disability prevents them from participating fully in classroom activities. The College provides services relating to student academic success; transportation and personal services are the responsibility of the student.

### **Relay service for the hearing and vision impaired:**

(TDD) 1-800-955-8771 or (VOICE) 1-800-955-8770

### **Admissions, Substitutions, and Services for Students with Disabilities**

In accordance with Sections 1007.264 and 1007.265, FS, if appropriate documentation substantiates that a disability can be reasonably expected to prevent the individual from meeting requirements for admission to the institution, admission to a program of study or graduation, a substitution may be granted. Pertinent educational records may be reviewed prior to granting a substitution. The College is not required to lower or waive essential requirements. The Office for Students with Disabilities is responsible for developing procedures to insure dissemination of this policy and for initiating its application.

### **Determining Eligibility**

In order to receive services, a student must register with the Academic Advising Office and meet with the disability coordinator. The coordinator will request a reasonable level of documentation to establish the disability exists, understand its impact on the student’s ability to meet admission or graduation requirements, develop appropriate accommodations and forward those accommodations to appropriate faculty members if requested.

### **SUBSTITUTION REQUEST BASED ON DISABILITY**

A. An eligible student requesting approval for substitution of one or more course requirements must petition, in writing, and provide documentation for such substitution. The student must meet with his or her campus disabilities coordinator, who will then forward the substitution request to the Director of Academic Advising. The Director will then review the documentation.

The substitution packet should minimally include all of the following:

- 1) Identification of the specific course requirements for which the substitution is requested;
- 2) Documentation of the disability that is sufficient to describe how the condition impacts the student at the current time and in the current circumstances;
- 3) Documentation that failure to meet the requirement(s) for which the substitution is requested is related to the disability;
- 4) A reason for the course substitution from the disabilities coordinator; and
- 5) A copy of all transcripts/compliance.

B. The completed package should be submitted to the Director of Academic Advising, who will then review and approve the request and forward the request to the appropriate vice president.

C. The appropriate vice president will review the request and communicate his/her decision, in writing, to the student and disability coordinator. The letter shall include the rationale for the decision and in cases where a substitution is approved, specification of the substitution to the student and appropriate college personnel within five (5) business days of the decision.

D. The College will accept substitutions granted by other Florida public colleges and schools. Substitutions granted by other postsecondary institutions will be evaluated on an individual basis. Documentation should be requested by the transferring student and sent from the granting institution.

### **DUE PROCESS**

A student denied substitution of one or more course requirements may appeal the decision within ten (10) days, in writing, to the Vice President for Student Affairs/Assistant General Counsel, who will submit the appeal to the Petitions Committee utilizing the current petitions process.

### **POLICY STATEMENT FOR RELIGIOUS OBSERVANCE**

Any student who wishes to observe a religious holiday not in the official academic calendar may do so without penalty. However, the student must follow proper procedures. These procedures require the student to inform his or her instructor or instructors one week in advance of the religious holiday or holidays and make up any required work, including tests, within one week of the absence for the holiday or holidays. In the case of admissions criteria or other College mandated functions which may be missed because of the observance of the religious holiday or holidays, the student should contact the Vice President of Student Affairs/Assistant General Counsel or his or her designate to make appropriate alternate arrangements.

If a student believes that he or she has been unreasonably denied an educational benefit due to his or her religious beliefs or practices, the student may seek redress through the College Equity Grievance Committee.

### **GRIEVANCES AND DISCIPLINARY PROCEDURES**

As required by FS 1001.65(22) and FS 1006.62, the Board of Trustees vests with the College President the authority, after notice to the student of the charges and after a hearing thereon, to expel, suspend, or otherwise discipline any student who is found to have violated any law, ordinance, or rule or regulation of the State Board of Education or of the Board of Trustees.

In all student grievance and disciplinary proceedings, the decision of the College President is final and without recourse. Any student who has a grievance against the College should first contact the Vice President for Student Affairs/Assistant General Counsel, St. Johns River State College,

5001 St. Johns Avenue, Palatka, FL 32177, telephone (386) 312-4127, for appropriate procedures. Four committees address student grievances:

The Academic Petitions - Grade Appeals Committee, for admission and grade appeal, acting within established rules and College policy, makes recommendations to the President concerning student petitions involving grades. Its membership is composed of faculty members and administrators. The President's decision is final.

The Academic Petitions - Admissions Committee meets at the request of the chairman relative to new student admissions, or non-degree, non-high school graduates with fifteen (15) hours attempted. The cases considered will only be the exceptions to established policies of admissions/registration for course work and/or college credit programs. The committee is composed of the Vice President for Student Affairs, the Dean of Enrollment Management, the Director of Academic Advising, and the Registrar.

The Traffic Appeals Committee hears appeals from students in reference to traffic citations and fines. The committee is composed of three faculty members and two students. The decision of the committee is final.

The Disciplinary Committee is appointed by, and meets at the request of, the Vice President for Student Affairs/Assistant General Counsel relative to alleged student behavior serious enough to warrant, if verified, a penalty of probation, suspension, dismissal, or denial of re-enrollment against the student. The committee acts in accordance with procedures set forth in the disciplinary provisions contained in the student handbook. The decision of the committee is final.

The College Equity Grievance Committee is organized in compliance with the provisions of Title IX of the Education Amendments of 1972, as amended and as prescribed by the Administrative Procedure Act, Chapter 120, FS. The committee hears student, prospective student, and prospective employee grievances alleging discrimination on the basis of race, ethnicity, color, national origin, marital status, religion, age, gender, sex, pregnancy, sexual orientation, gender identity, genetic information, disability, or veteran status on the part of the College or any of its components. This committee is selected as needed.

### **GRIEVANCE PROCEDURES**

Grievance procedures for students, prospective students, and employment applicants for complaints relating to discrimination on the basis of race, ethnicity, color, national origin, marital status, religion, age, gender, sex, pregnancy, sexual orientation, gender identity, genetic information, disability, or veteran status are as follows:

#### **A. Authority**

This grievance procedure is established and adopted by the Board of Trustees of St. Johns River State College in compliance with the provisions of Title IX of the Education Amendments of 1972, as amended and as prescribed by the Administrative Procedure Act, Chapter 120, F.S.

#### **B. Purpose**

This grievance procedure is intended to provide for prompt and equitable resolution of complaints by students, prospective students, and prospective employees of St. Johns River State College alleging actions constituting discrimination on the basis of race, ethnicity, color, national origin, marital status, religion, age, gender, sex, pregnancy, sexual orientation, gender identity, genetic information, disability, or veteran status, on the part of the College or any of its components.

#### **C. Filing of Grievance**

1. Any student, prospective student, or prospective employee of the College may file a grievance when he or she believes a discriminatory action has been taken by the College. The complaint should be filed by the aggrieved person within sixty (60) working days following the incident

which causes the aggrieved to feel that a grievance should be filed.

2. The administration of the College assures prompt and impartial investigation and consideration of all complaints and/or grievances, whether formal or informal, verbal or written, that any student, prospective student or prospective employee may have and that are communicated in accordance with these grievance procedures.

3. A formal grievance must be submitted in writing to the Equity/ Title IX Coordinator. The complaint must recite in detail the nature of and circumstances surrounding the alleged discriminatory act, the provisions of law, College policy, or other regulation violated by the action, the employees or components of the College allegedly responsible for the action, and the relief sought by the complainant. The complainant should attach to the complaint any documented evidence, affidavits, statements, records, or other pertinent materials. The complainant must sign the complaint.

#### D. Investigation of Grievance

The Equity/Title IX Coordinator will, upon receipt of a properly submitted grievance, conduct an investigation of all aspects of the complaint. The investigation may include personal interviews, obtaining of documentation, and examination of pertinent records of the College. The Equity/ Title IX Coordinator will, within fifteen (15) days of the receipt of the grievance, submit a written report of investigation, including findings of fact and recommendations, to the College Equity Grievance Committee.

#### E. Committee Hearing

1. The College Equity Grievance Committee will, upon receipt of a report of investigation, hold open hearings on the grievance. The complainant will be invited to attend and may be represented by an attorney. The formal rules of evidence will not, in general, be applicable to the proceeding. The Committee may, in its discretion, obtain further evidence or witnesses. The complainant may be heard, may present additional evidence, may examine witnesses and documentation, and may request the Committee to obtain specified additional witnesses or evidence.

2. The College, or any individual member of the College community against whom a grievance has been filed, may also be represented by an attorney and shall have the same rights as the complainant with regard to the presentation of evidence and witnesses before the College Equity Grievance Committee.

3. The Committee, after receipt of all pertinent evidence, will prepare written findings and recommendations and submit them to the Senior Vice President of the College, together with all information and evidence received by the Committee. This should be accomplished within fifteen (15) days after the receipt of the report of investigation.

#### F. Decision

The Senior Vice President of the College shall, within five (5) days after the receipt of the Committee findings and recommendations, take one of the following actions:

1. Return the case to the Committee for further findings and recommendations, if deemed necessary.

2. Accept or reject, either partially or in full, the findings and recommendations of the Committee. The decision of the Senior Vice President will be in writing and copies of the decision will be furnished to the Committee and the complainant.

#### G. Appeal

1. The complainant may, within five (5) days after notification of the decision of the Senior Vice President, submit a written appeal to the President of the College. The appeal must state the reasons why the decision of the Senior Vice President is considered in error. The President of the

College will, within five (5) days after receipt of the appeal, render his decision. The decision of the President is final.

2. If the complainant does not file an appeal within the authorized five (5) day period, the decision of the Senior Vice President is final.

#### H. Implementation

If the final decision includes findings of discriminatory action, the President of the College will direct the appropriate responsible College official to take required remedial action and to report to the President the action taken.

#### I. General Provisions

The following provisions apply to the entire formal grievance procedure:

1. Reprisals - No reprisals of any kind shall be taken against any student, prospective student, or prospective employee for filing a grievance.

2. Confidentiality - All participants in a grievance hearing are to protect themselves and their fellow participants by refraining from discussion of grievances outside of the proceedings.

3. Storage of Records - All communications and records dealing with the grievance shall be filed separately from the student and/or personnel files of the participants.

4. Withdrawal - A grievance may be withdrawn by the grievant at any stage.

### **POLICY STATEMENT ON SEXUAL HARASSMENT AND SEXUAL ASSAULT**

SJR State prohibits domestic violence, dating violence, sexual assault, and stalking. Sex without consent is a violation of SJR State college policy.

Whenever an incident of sexual assault, domestic violence, dating violence, or stalking occurs within the Clery geography of any of the SJR State campuses, the victim has the option to notify campus security and/or local law enforcement and be assisted by campus authorities in notifying law enforcement if he/she chooses. Information will be gathered and forwarded to the local law enforcement agency for further investigation, if warranted. We stress, to the victim, the importance of preserving any evidence of such crimes. (More information about the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is available under the section entitled "Campus Safety/Awareness" in the College Catalog.)

In the event of orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court, SJR State Campus Safety and Security officers will work closely with local law enforcement to ensure the proper level of protection is afforded to the victim by such document.

### **REPORTING CRIMINAL OFFENSES**

To report a crime contact SJR State College Campus Safety and Security and/or the appropriate law enforcement agency, if it is an emergency, via 9-1-1. Crimes may be reported to the following authorities:

### **ST. JOHNS RIVER STATE COLLEGE CAMPUS SAFETY AND SECURITY**

College Campus Safety & Security can be reached 24 hours a day, 7 days a week.

**Orange Park Campus** (Office) 904-276-6760;  
(24 hour cell phone) 904-626-5885

**Palatka Campus** (Office) 386-312-4095;  
(24 hour cell phone) 386-937-2052

**St. Augustine Campus** (Office) 904-808-7495;  
(24 hour cell phone) 904-625-5956

**Clay County Sheriff's Office**  
904-284-7575 (Orange Park Campus)

**St. Johns County Sheriff's Office**  
904-824-8304 (St. Augustine Campus)

**Palatka Police Department**  
386-329-0800 (Palatka Campus)

**Putnam County Sheriff's Office**  
386-329-0800 (Palatka Campus)

**Emergency Call Boxes** are located in all parking lots on all campuses communicate directly with the on-duty campus security officer.

**SJR State College Director of Campus Safety and Security**  
(386) 312-4064

Any suspicious activity or person(s) seen in the parking lots, loitering around vehicles or inside buildings should be reported to Campus Safety and Security or appropriate law enforcement agency.

Although victims are encouraged to report crimes, a victim may not wish to pursue action within the College system or the criminal justice system. Victims are still encouraged to make a confidential report, in order to reveal the possibility of a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in the manner are counted and disclosed in the annual crimes statistics for the college.

Students, faculty and staff are encouraged to report crime information or tips anonymously by calling any Campus Safety and Security recorded telephone line and leaving such information. Students, faculty and staff can also leave anonymous crime information or tips by calling Crime Stoppers at 1-888-277-8477. Crime Stoppers is a non-profit organization dedicated to receiving and disseminating confidential crime information and tips to the appropriate investigating law enforcement agency.

The Campus Safety and Security office coordinates the Silent Witness program. Silent Witness is a college-wide crime prevention program whereby all members of the College are encouraged to report suspicious or criminal activity to the Campus Safety and Security office and/or the appropriate law enforcement agency. A victim or witness may report information anonymously to Campus Safety and Security via the Silent Witness form located on the public SJR State website at [SJRstate.edu/silentwitness](http://SJRstate.edu/silentwitness) or via the MySJRstate portal ([SJRstate.edu/mysjrstate.html](http://SJRstate.edu/mysjrstate.html)) under the Campus Safety & Security tab.

If you are a victim or accused (suspect) of a crime of violence, a forcible or non-forcible sex offense, a hate crime, domestic violence or dating violence, both the accuser and the accused students shall be simultaneously informed, in writing, of the outcome of the institutional disciplinary proceeding, the institution's procedures for the accused and the victim to appeal the results, any change in the results which occur prior to the time the results become final, or when the results become final.

## **SEXUAL COERCION AND SEXUAL ASSAULT**

### **The Prevalence of Sexual Coercion**

Researchers have started to take a good look into the where, when and how of sexual coercion. They discovered that sexual coercion occurs by leaps and bounds more frequently with college students than any other cohort because of the college lifestyle. Fun as it may be at times, the col-

lege lifestyle provides the perfect setting for sexual coercion to happen.

Researchers found that both men and women are perpetrators and victims of sexual coercion. Approximately 70% of college students surveyed reported they have been sexually coerced and 33% of college students surveyed admitted to having used sexually coercive behaviors against their partners. Of the college students who have been sexually coerced, roughly 70% stated they knew their perpetrators, further clarifying the perpetrators were either a boyfriend/ girlfriend, a friend or an acquaintance. This indicates the vast majority of those who experienced victimization of sexual coercion knew their perpetrator.

### **What is Sexual Coercion?**

Sexual coercion is being persuaded to have sex when you don't want to. It may apply to a specific act or to initiating or continuing a sexual relationship. An individual may give in to coercion for any number of reasons and then may feel guilt and shame.

### **Recognizing Sexual Coercion:**

Is your partner pressuring you to have sex because...

- Sex is the way to prove love
- You had sex in the past, so you can't say no now
- All your friends are having sex
- Your partner threatens to leave you or threatens violence
- Guilt trips

### **How would you answer the following questions?**

- Do you have unprotected sex because of your partner's demands?
- Have you had a sexual experience that left you frightened?
- Are you being sexually pressured from your date, partner or friend?
- Are you having doubts or regrets over your partner's sexual demands?
- Are there times that you feel that you can't say no to having sex?
- Are you in a sexual relationship that makes you feel powerless?

### **Avoiding unwanted sex:**

- Recognizing the signs of sexual coercion is the first step
- Trust your instincts and feelings
- Do you feel uncomfortable with the situation or circumstances?
- Say no firmly and leave
- Avoid alcohol and drugs that may harm judgment or make your partner more aggressive
- Set your boundaries and communicate clearly
- Seek help

### **Learn ways to respond to sexual pressure. You could say:**

- "I really like you. I'm just not ready to have sex."
- "If you really care about me, you'll respect my decision."
- "I said no. I don't owe you an explanation."

### **What is Sexual Violence?**

Any sexual contact or activity with an intimate partner that makes a person feel uncomfortable, with the purpose of controlling through fear, threats, coercion, manipulation or violence.

### **What is Sexual Battery?**

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 committed without your consent.

**SEX WITHOUT CONSENT IS A CRIME** covered under Florida Statute 794.011 and can be reported to law enforcement. Consent means intelligent, knowing, and voluntary consent and does not include coerced submission. The law says that consent does not mean your failure to offer physical resistance to the offender. If you are under 16 years of age, consent cannot be used as a defense to a sexual crime. Further, a 16 or 17 year-old cannot legally consent to sexual activity with a person in a position of familial or custodial authority or with a person 24 years of age or older.

**SEX WITHOUT CONSENT IS A VIOLATION OF SJR STATE COLLEGE POLICY.** If the accused is a student, the matter can be reported to Student Judicial Affairs for disciplinary review and possible disciplinary action up to and including expulsion from the College.

#### **Evidence Preservation and Medical Care:**

- If you are the victim of a sexual assault, find a safe environment - anywhere away from the attacker.
- Ask a trusted friend or family member to stay with you for moral support.
- Report the attack to police by calling 911 and/or notifying College Campus Safety and Security if you are on campus.
- Don't bathe or brush your teeth.
- Don't change clothes
- Write down all the details you can recall about the attack and the attacker.
- Ask the hospital to conduct a rape kit exam to preserve forensic evidence.
- If you suspect you were drugged, ask that a urine sample be collected. The sample will need to be analyzed later on by a forensic lab.
- A medical professional will assist with evidence collection, treatment of injuries and can prescribe medications to protect you from certain sexually transmitted infections and recommend follow-up care.
- A counselor on the National Sexual Assault Hotline at 1-800-656-HOPE(4673) can help you understand the process.
- If you know that you will never report, still get medical attention. Even with no physical injuries, it is important to determine the risks of STDs and pregnancy. Call the National Sexual Assault Hotline for free, confidential counseling, 24 hours a day: 1-800-656-HOPE(4673).

#### **How Do I Get Assistance While on Campus?**

- Contact the Department of Campus Safety and Security 24/7

#### **Duty to Investigate**

SJR State College has a duty to immediately investigate a complaint of sexual harassment, sexual coercion and sexual assault even if the complainant asks that it not do so. If the complainant requests anonymity, the complainant will be protected from retaliation; however anonymity may limit the school's ability to respond. The complainant will be assured that the investigation will be discreet and only disclosed on a "need to know" basis. In deciding how to proceed, the College will weigh the complainant's anonymity request against the alleged perpetrator's potential danger to other students. In addition, the College will determine whether interim protective actions are necessary, such as issuing a "no contact" directive or separating a complainant and respondent. The College will attempt to minimize any burden on complainants. The complainant will be provided with information regarding his/her options regarding the investigation, including the choice to report to law enforcement, and available medical and mental health treatment options.

#### **HELP IS AVAILABLE WHETHER YOU CHOOSE TO REPORT A SEXUAL CRIME OR NOT.** Please contact:

- Florida Department of Health Violence Intervention and Prevention Program 1-888-956-RAPE (7273)
- BayCare Behavioral Health- SJR State Student Assistance Program 1-800-878-5470
- Stewart Marchman Behavioral Health Care  
386-329-3780 (Palatka)  
904-209-6200 (St. Augustine)
- Clay Behavioral Health Center 904-291-5561 (Orange Park)

- Local Law Enforcement Victim Advocate  
Putnam Sheriff's Office - 386-329-0801 (Palatka)  
St. Johns County Sheriff's Office -904-824-8304 (St. Augustine)  
Clay County Sheriff's Office - 904-264-6512 (Orange Park)
- National Sexual Assault Hotline 1-800-656-HOPE(4673)
- Contact your local State Attorney's Office  
Clay County 904-284-6319  
Putnam County- 386-329-0259  
St. Johns County- 904-823-2300
- Contact your local Clerk of Court  
Clay County - 904-269-6363  
Putnam County - 386-326-7640  
St. Johns County- 904-819-3600

#### **DATING VIOLENCE & STALKING**

Unhealthy relationships can start early and last a lifetime. Dating violence often starts with teasing and name calling. These behaviors are often thought to be a "normal" part of a relationship. But these behaviors can set the stage for more serious violence.

#### **What is Dating Violence?**

Dating Violence is defined as the physical, sexual, or psychological/emotional violence within a dating relationship, as well as stalking. It can occur in person or electronically and may occur between a current or former dating partner. You may have heard several different words used to describe teen dating violence. Here are just a few:

- Relationship Abuse
- Intimate Partner Violence
- Relationship Violence
- Dating Abuse
- Domestic Abuse
- Domestic Violence

#### **Dating violence means violence committed by a person:**

- Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - The length of the relationship;
  - The type of relationship; and
  - The frequency of interaction between the persons involved in the relationship.

Dating violence is a type of intimate partner violence. It occurs between two people in a close relationship. The nature of dating violence can be physical, emotional, or sexual.

- Physical—This occurs when a partner is pinched, hit, shoved, slapped, punched, or kicked.
- Psychological/Emotional—This means threatening a partner or harming his or her sense of self-worth. Examples include name calling, shaming, bullying, embarrassing on purpose, or keeping him/her away from friends and family.
- Sexual—This is forcing a partner to engage in a sex act when he or she does not or cannot consent. This can be physical or nonphysical, like threatening to spread rumors if a partner refuses to have sex.
- Stalking—This refers to a pattern of harassing or threatening tactics that are unwanted and cause fear in the victim.

Dating violence can take place in person or electronically, such as repeated texting or posting sexual pictures of a partner online.

Unhealthy relationships can start early and last a lifetime. Teens often think some behaviors, like teasing and name calling, are a "normal" part of a relationship. However, these behaviors can become abusive and develop into more serious forms of violence.

### **What are the consequences of dating violence?**

As teens develop emotionally, they are heavily influenced by their relationship experiences. Healthy relationship behaviors can have a positive effect on a teen's emotional development. Unhealthy, abusive or violent relationships can cause short term and long term negative effects, or consequences to the developing teen. Victims of teen dating violence are more likely to do poorly in school, and report binge drinking, suicide attempts, and physical fighting. Victims may also carry the patterns of violence into future relationships.

Violence is related to certain risk factors. Risks of having unhealthy relationships increase if your partner displays the following behaviors:

- Believe it's okay to use threats or violence to get their way or to express frustration or anger.
- Use alcohol or drugs.
- Can't manage anger or frustration.
- Hang out with violent peers.
- Have multiple sexual partners.
- Have a friend involved in dating violence.
- Are depressed or anxious.
- Have learning difficulties and other problems at school.
- Don't have parental supervision and support.
- Witness violence at home or in the community.
- Have a history of aggressive behavior or bullying.

### **What is Stalking?**

Florida Statute 784.048 defines stalking as a person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person. Depending on the circumstances, stalking can be a misdemeanor or a felony. Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for his or her safety or the safety of others; or
- Suffer substantial emotional distress

Like domestic violence, stalking is a crime of power and control. Stalking can be carried out in person or via electronic mechanisms (phone, fax, GPS, cameras, computer spyware, or the internet). Cyberstalking—the use of technology to stalk victims—shares some characteristics with real-life stalking. It involves the pursuit, harassment, or contact of others in an unsolicited fashion initially via the internet and email. Cyberstalking can intensify in chat rooms where stalkers systematically flood their target's inbox with obscene, hateful, or threatening messages and images. A cyberstalker may further assume the identity of his or her victim by posting information (fictitious or not) and soliciting responses from the cybercommunity. Stalking may involve verbal, written, or implied threats, or a combination thereof, that would cause a reasonable person fear.

Stalking behaviors also may include persistent patterns of leaving or sending the victim unwanted items or presents that may range from seemingly romantic to bizarre, following or lying in wait for the victim, damaging or threatening to damage the victim's property, defaming the victim's character, or harassing the victim via the internet by posting personal information or spreading rumors about the victim.

**PHYSICAL VIOLENCE, ASSAULT, BATTERY, SEXUAL VIOLENCE AND STALKING ARE ALL CRIMES** and are covered under Florida Statutes and can be reported to law enforcement.

**PHYSICAL VIOLENCE, ASSAULT, BATTERY, SEXUAL VIOLENCE AND STALKING ARE ALL VIOLATIONS OF SJR STATE COLLEGE POLICY.** If the accused is a student, the matter can be reported to Student Affairs for disciplinary review and possible disciplinary action up to and including expulsion from the College.

### **How Do I Get Assistance While on Campus?**

Contact the Department of Campus Safety and Security 24/7

### **Written Notifications**

Students and employees have certain rights and available services in the event they are a victim of assault, battery, stalking, sexual violence and physical violence. These rights and available services are listed in a brochure available at Counseling and Security offices and Student Service Centers of the College campuses. Also available is a brochure reference dating violence and stalking, domestic violence, sexual coercion and sexual assault.

### **HELP IS AVAILABLE WHETHER YOU CHOOSE TO REPORT A CRIME OR NOT.** Get help by contacting the following agencies:

- National Dating Abuse Helpline and Love is Respect  
1-866-331-9474 or text 77054 or [www.loveisrespect.org](http://www.loveisrespect.org)
- National Domestic Violence Hotline  
1-800-799-SAFE (7233)
- National Sexual Assault Hotline  
1-800-656-HOPE (4673)
- Florida Department of Health Violence Intervention and Prevention Program 1-888-956-RAPE (7273)
- BayCare Behavioral Health  
SJR State Student Assistance Program 1-800-878-5470
- Stewart Marchman Behavioral Health Care  
386-329-3780 (Palatka) and 904-209-6200 (St. Augustine)
- Clay Behavioral Health Center  
904-291-5561 (Orange Park)
- Local Law Enforcement Victim Advocate  
Putnam Sheriff's Office- 386-329-0801 (Palatka)  
St. Johns County Sheriff's Office- 904-824-8304 (St. Augustine)  
Clay County Sheriff's Office- 904-264-6512 (Orange Park)
- Contact your local State Attorney's Office.  
Clay County 904-284-6319  
Putnam County- 386-329-0259  
St. Johns County- 904-823-2300
- Contact your local Clerk of Court.  
Clay County- 904-269-6363  
Putnam County- 386-326-7640  
St. Johns County- 904-819-3600

### **DOMESTIC VIOLENCE**

#### **What is Domestic Violence?**

Domestic violence is 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. Domestic violence is also a pattern of controlling behaviors that may include physical, sexual or emotional abuse. It is a choice made by the batterer.

Domestic violence can happen to anyone, whether married, living together, or just dating. It can also happen in same-sex relationships. Domestic violence affects people of all economic, marital, sexual and educational backgrounds. It is about physical, psychological and financial control. It also affects family, friends, co-workers and the community. Domestic violence is against the law, and it is not the victim's fault.

Domestic violence means a felony or misdemeanor crime of violence committed by:

- Current or former spouse or intimate partner of the victim
- A person with whom the victim shares a child in common
- A person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner,
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant

monies [under VAWA] or

- Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

### **Coping with Domestic Violence**

- Recognize that domestic violence is a serious problem.
- Talk to somebody you trust.
- If you are a victim of domestic violence, call your local law enforcement department for help.
- Seek help and guidance from organizations, such as shelters, mental health centers and churches.

### **The Reality**

- Every 9 seconds in the U.S. a woman is assaulted or beaten.
- One in four women will experience domestic violence during her lifetime.
- 1 in 3 women who are victims of homicide are murdered by her current or former partner.
- Women experience more than 4 million physical assaults and rapes because of their partners, and men are the victims of nearly 3 million physical assaults.
- Domestic violence is the leading cause of injury requiring serious medical attention for women ages 18-49.
- 50% of husbands who frequently assault their wives also frequently abuse their children.
- Domestic violence victims lose nearly 8 million days of paid work each year as a result of the violence.

### **Warning Signs of Domestic Violence (Red Flags)**

Some examples your partner may exhibit are as follows:

- Hurtful teasing in private or in public
- Calls you names such as "stupid" or "bitch"
- Acts jealous of your friends, family, co-workers
- Makes fun of you, your friends, your activities
- Gets angry about your clothes or hairstyle
- Checks up on you by calling or driving by
- Goes with you "just to keep an eye on you"
- Insists on knowing who you talk to on the phone
- Blames you for his/her problems or bad moods
- Makes you feel like you have to "walk on eggshells"
- Hits wall, drives dangerously to scare you
- Drinks or uses drugs
- Won't let you see family or friends
- Accuses you of being interested in someone else
- Forces you to do things you don't want to do
- Dares you to do things you don't normally do
- Challenges you to prove your love or loyalty
- Gets drunk or high to punish you
- Forces you to have sex
- Intimidates you with guns, knives, or other weapons
- Threatens to kill you or commit suicide if you leave
- Acts like "Dr. Jekyll and Mr. Hyde"

### **Have a Safety Plan**

- If you are a victim of domestic violence, create a safety plan that includes routes of escape, phone numbers of trusted friends, shelters and domestic violence hotlines.
- Pack a survival kit with a change of clothes, keys, ID, cash, birth certificate (for you and your children), medicine and prescriptions, pictures of the family and the abuser, proof of income pay stubs, financial statements, the abuser's personal information (date of birth, social security number, place of employment), health care information, money (if possible), address books and legal documents. Store it with someone you trust.

- Have a signal for help with trusted friends and neighbors.
- Teach your children how to escape and get help.
- Open a separate savings and credit card account.
- Review the plan every month.

### **Legal Protection**

- Many states require that police officers arrest abusers if domestic violence has occurred
- Victims can request temporary restraining orders that can assist until a permanent one can be granted by the court.
- Victims may also be able to get additional financial support and temporary custody of children.

### **Prevention**

- Learn how to become a better communicator with your spouse and family.
- Do not abuse alcohol or drugs, which could make domestic abuse worse.
- Look for positive solutions to your problems.
- Seek help at the earliest signs of domestic abuse.

### **How Do I Get Assistance While on Campus?**

- Contact the Department of Campus Safety and Security 24/7

### **HELP IS AVAILABLE WHETHER YOU CHOOSE TO REPORT A CRIME OR NOT.** Domestic Violence Help Telephone #'s:

- Florida Coalition Against Domestic Violence Hotline (800) 500-1119
- Florida Coalition Against Domestic Violence TTY Hotline (800) 621-4202
- National Domestic Violence Hotline (800) 799-SAFE(7233)
- Lee Conlee House, Inc., Domestic Violence Center, Putnam County (386) 325-3141
- Florida Department of Health in Putnam County (800) 440-0420 or (386) 326-3200
- Quigley House, Clay County (800) 339-5017 or (904) 284-0061
- Betty Griffin House, St. Johns County (904) 824-1555
- National Dating Abuse Helpline and Love is Respect (866) 331-9474 or text 77054 or [www.loveisrespect.org](http://www.loveisrespect.org)

### **How Do I Get an Order of Protection?**

Contact your local law enforcement's victim advocate

- Putnam County Sheriff's Office- 386-329-0801 (Palatka)
- St. Johns County Sheriff's Office- 904-824-8304 (St. Augustine)
- Clay County Sheriff's Office- 904-264-6512 (Orange Park)

Contact your local State Attorney's Office

- Clay County 904-284-6319
- Putnam County 386-329-0259
- St. Johns County 904-823-2300

Contact your local Clerk of Court.

- Clay County 904-269-6363
- Putnam County 386-326-7640
- St. Johns County 904-819-3600

### **FEDERAL CAMPUS SEX CRIMES PREVENTION ACT OF 2000 AND FLORIDA SEXUAL PREDATOR AND SEXUAL REGISTRATION NOTIFICATION LAW**

Pursuant to the Federal Campus Sex Crimes Prevention Act of 2000 and the Florida Sexual Predator and Sexual Registration Notification Law, SJR State establishes the following procedure to insure the availability of information to the campus community concerning the presence of regis-



tered sexual offenders or predators attending SJR State.

All information regarding registered sexual offenders or predators attending SJR State will be coordinated and maintained by the SJR State Campus Safety & Security office. SJR State Campus Safety & Security office will maintain a current copy of the offender/predator's Florida Department of Law Enforcement offender flyer including his/her photograph and current SJR State campus location.

Inquiries regarding any sexual offender or predator attending any SJR State campus should be directed to James Griffith, Director of Campus Safety, at jamesagriffith@SJRstate.edu, telephone number (386) 312-4064 or telephone number (386) 312-4095, Monday through Friday during normal business hours. Information relating to Florida's registered sexual offenders and predators is public record and may also be viewed at <http://offender.fdle.state.fl.us> or by calling 1-888-357-7332. For TTY Accessibility: 1-877-414-7234

### **HIGHER EDUCATION AMENDMENTS OF 1992; SECTION 486(C) OF PUBLIC LAW: 102-325 (S. 1150)**

Sexual assault (rape) is a serious crime that has a major impact on the campus community as well as on the students who are victimized. SJR State will not tolerate sexual assault in any form, including date and acquaintance sexual assault. Should probable cause be determined that campus regulations prohibiting sexual assault have been violated, disciplinary action will be pursued through the code of student conduct or other appropriate internal processes. Discipline may result in suspension or dismissal from the College. Any student or employee reporting a sexual assault will be treated with respect and sensitivity. Contacts and conversations which transpire pursuant to this procedure will be held in confidence.

Any person, student or employee, wishing to file a complaint regarding sexual violence/conduct may contact the College Title IX Coordinator/Equity Officer at 386-312-4170 or College campus security, or local law enforcement. Individuals who wish to receive information about available support resources regarding sexual violence/conduct may contact the campus counseling staff member designated to assist with sexual violence/conduct or College campus security or contact any of support providers listed in the Annual Security Report.

All reports of sexual violence/conduct involving students will be forwarded to the Vice President for Student Affairs/Assistant General Counsel and the College Title IX Coordinator who will assist in situations requiring immediate administrative support.

All reports of any sexual violence/conduct involving employees will be forwarded to the College Equity Officer/Title IX Coordinator who will assist in situations requiring immediate administrative support.

Both the accuser and the accused are entitled to the same opportunities to have others present during a College disciplinary proceeding relating to an alleged sexual offense. Both the accuser and the accused shall be informed of the outcome of any College disciplinary process relating to an alleged sexual offense.

**HELP IS AVAILABLE WHETHER YOU CHOOSE TO REPORT A CRIME OR NOT.** The following is a list of counseling avenues for individuals who have been the victim of sexual assault or date rape:

- Florida Department of Health Violence Intervention and Prevention Program  
1-888-956-RAPE (7273)
- BayCare Behavioral Health SJR State Student Assistance Program  
1-800-878-5470
- Stewart Marchman Behavioral Health Care  
386-329-3780 (Palatka)  
904-209-6200 (St. Augustine)
- Clay Behavioral Health Center  
904-291-5561 (Orange Park)

- Local Law Enforcement Victim Advocate  
Putnam Sheriff's Office 386-329-0801 (Palatka)  
St. Johns County Sheriff's Office 904-824-8304 (St. Augustine)  
Clay County Sheriff's Office 904-264-6512 (Orange Park)
- National Sexual Assault Hotline 1-800-656-HOPE(4673)

### **FLORIDA DEPARTMENT OF LAW ENFORCEMENT SEXUAL PREDATOR/OFFENDER REGISTRY**

This website contains public record information on offenders classified as sexual predators and sexual offenders under Florida law because of a conviction for a sex-related crime and/or a specified crime against children: [www.fdle.state.fl.us](http://www.fdle.state.fl.us).

FDLE has also established a toll-free number (1-888-FL-PREDATOR) or (1-888-357-7332) that allows the public to request information about sexual predators and sex offenders living in their communities and around the state. Or via email: [sexpred@fdle.state.fl.us](mailto:sexpred@fdle.state.fl.us).

Upon notification of the presence of an offender/predator, it is the responsibility of the law enforcement agency with jurisdiction over the offender/predator's address to inform the College administration that the offender/predator has stated that he/she is currently enrolled at, or employed by the College. The College administration can then make all prudent notifications to members of the campus community.

Information requests regarding registered sexual offenders or predators attending classes at SJR State should be directed to James Griffith, Director of Campus Safety, at jamesagriffith@SJRstate.edu, telephone number (386) 312-4064 or telephone number (386) 312-4095, Monday through Friday during normal business hours.

### **SEXUAL MISCONDUCT POLICY**

#### **Introduction**

SJR State College is committed to creating and maintaining a community in which students, faculty and staff can work together in an atmosphere free of gender and sex discrimination. Every member of the College community should be aware that SJR State is strongly opposed to sexual misconduct and harassment and that such behavior is prohibited both by law and College policy and will not be tolerated. The College is committed to fostering a community that promotes prompt reporting of all types of sexual misconduct/harassment, domestic/ dating/physical violence, and/or stalking and ensures timely and fair resolution of sexual misconduct and harassment complaints. It is the intention of the College to take appropriate action to end the misconduct or harassment, prevent its recurrence, and address its effects.

As a recipient of Federal funds, the College is required to comply with Title IX of the Higher Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs or activities. Sexual misconduct and harassment, as defined in this policy, is a form of sex discrimination prohibited by Title IX. SJR State is committed to providing an educational environment, programs, and activities free from sex discrimination.

#### **Purpose of Policy**

This policy is intended to educate the SJR State community, students, faculty and staff who have been affected by sexual misconduct/harassment, domestic/dating/physical violence, and/or stalking, whether as a reporting party, responding party, or third party.

When used in this policy, reporting party refers to the person(s) who reports to the College that he/she has been the subject of sexual misconduct/harassment, domestic/dating/physical violence, and/or stalking. Responding party refers to the person(s) who is/are reported to have committed acts of sexual misconduct/harassment, domestic/dating/physical violence and/or stalking. A third party refers to any other participant in

the process, including a witness to the misconduct or harassment or an individual who makes a report on behalf of someone else.

The purpose of this policy is to:

- Define sexual misconduct and harassment and the forms of sexual misconduct and harassment that violate our community standards;
- Define domestic/dating/physical violence and stalking that violate our community standards;
- Identify resources and support for all members of the SJR State community (see page 26– Sexual Misconduct Policy Resources);
- Identify the Title IX coordinator and the scope of his/her role;
- Provide information as to where a member of the SJR State community can obtain support or access resources confidentially;
- Provide information on how a member of the SJR State community can make a report on campus and/or off campus;
- Provide information on how a report against a member of the SJR State community will be investigated, evaluated and adjudicated.

### Scope of Policy

This policy applies to all members of the SJR State community, including faculty, staff and students. All faculty, staff and students are responsible for their actions and behavior, whether the conduct in question occurs on campus or in a different location. As such, this policy applies to both on-campus conduct and relevant off-campus conduct that affects the community.

Vendors, independent contractors, visitors, and others who conduct business with SJR State or on College property are also expected to comply with this policy. The College will take timely action in all allegations of sexual misconduct/harassment, domestic/dating/physical violence, and/or stalking to ensure the safety of the SJR State community and to provide an environment free from gender and sex discrimination.

### The Notice of Non-Discrimination

The District Board of Trustees has approved policy statement 3.12 on Equality of Opportunity and Non-Discrimination as follows: St. Johns River State College does not discriminate against any person in its programs, activities, policies or procedures on the basis of race, ethnicity, color, national origin, marital status, religion, age, gender, sex, pregnancy, sexual orientation, gender identity, genetic information, disability, or veteran status. All questions or inquiries regarding compliance with laws relating to non-discrimination and all complaints regarding sexual misconduct or discrimination, may be directed to the Title IX Coordinator/Equity Officer, St. Johns River State College, 5001 St. Johns Avenue, Palatka, Florida, 32177; 386-312-4070. (Any changes to Policy SJR 3.12 will update herein as amended from time to time.)

SJR State does not discriminate on the basis of sex in its educational programs and activities or in the context of employment. Sexual misconduct and harassment as defined in this policy, is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972. Title IX requires that:

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

Sexual misconduct and harassment is also prohibited under Title VII of the Civil Rights Act of 1964 and other applicable statutes.

### Statement of Privacy and Confidentiality

SJR State is committed to protecting the privacy of all individuals involved in a report of sexual misconduct, and/or harassment. The College will balance individual privacy with its obligation to conduct a thorough review of allegations to protect the parties and broader community and

maintain an environment free from sexual misconduct and harassment.

Faculty, staff and students wishing to obtain confidential assistance without making a report to the College may do so by speaking with a confidential resource listed on the Resources pages (see page 26 – Sexual Misconduct Policy Resources).

With the exception of the confidential resources identified pursuant to this policy, all other College staff and faculty who receive a report of sexual misconduct/harassment, domestic/dating/physical violence, and/or stalking are required to elevate the report to the Title IX Coordinator for investigation and response. The Title IX Coordinator will ensure that the College responds to all reports in a timely, effective, and consistent manner.

The privacy of all parties involved will be respected. Information related to a report of sexual misconduct and/or harassment will be shared only with those College employees who “need to know” to assist in the investigation and/or resolution of the complaint. All College employees who are involved in the review, investigation, or resolution of a report have specific training regarding the safeguarding of private information.

Where the College has received a report of sexual misconduct/harassment, domestic/ dating/physical violence, and/or stalking but the reporting party requests that the matter remain confidential and/or requests that the College not pursue an investigation, the College must balance this request with its responsibility to provide a safe and nondiscriminatory environment for all members of the SJR State community. The College is required to take all reasonable steps to investigate and respond to a complaint, but its ability to do so may be limited by the reporting party’s request. However, under compelling circumstances including: evidence of a pattern of repetitive behavior, the use of force or threat of force, or the use of a weapon by the responding party, the College may conduct further investigation, or take other appropriate measures without the reporting party’s consent. The reporting party will be informed whenever possible of any action the College takes to resolve the complaint, including further investigation and corrective or disciplinary steps.

If a report of sexual misconduct and/or harassment poses an immediate threat to the SJR State community and timely notice must be given to protect the health or safety of the community, the College may not be able to maintain the same level of privacy. Immediate threatening circumstances include, but are not limited to: reported incidents of misconduct that include the use of force, a weapon, or other circumstances that represent a serious and ongoing threat to the SJR State community. Under Florida law, the College is mandated to report any abuse of a minor (under the age of 18) to the Florida Abuse Hotline (1-800-962-2873). The reporting party will be informed whenever possible of any action the College takes to resolve the complaint, including further investigation and corrective action.

### Prohibited Conduct and Definitions

This policy addresses a broad spectrum of behavior, all of which falls under the broad definition of sexual misconduct.

1. Sexual Harassment: Unwanted and unsolicited sexual advances, requests for sexual favors, and other deliberate or repeated communication of a sexual nature, whether spoken, written, physical or pictorial, shall constitute sexual harassment when:

- Submission to such conduct is made, either implicitly or explicitly, a term or condition of an individual’s employment, academic status or participation in College-sponsored activities;
- Rejection of such conduct is used as the basis, implicitly or explicitly, for imposing adverse terms and conditions of employment, academic status or participation in College-sponsored events; or
- Such conduct has the purpose or effect of unreasonably

interfering with an individual's work performance or creating an intimidating, hostile or offensive working or learning environment.

A single isolated incident of sexual misconduct and/or harassment may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a pattern of incidents for a hostile environment, particularly if the sexual misconduct and/or harassment is physical.

Sexual misconduct and/or harassment also includes gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

Examples include, but are not limited, to:

- Making demeaning sexist statements, humor or jokes about sex or gender-specific traits, crude sexual remarks, offensive stories, remarks of a sexual nature about a person's clothing or body, remarks about sexual activity or experiences, sexual innuendo or other suggestive comments, offensive notes, sexual propositions, or insults and threats that an individual communicates are unwanted and unwelcome.
- Displaying or circulating written materials or pictures degrading to an individual(s) or gender group.
- Engaging in inappropriate or unwelcome physical contact or suggestive body language, such as touching, patting, pinching, hugging, kissing or brushing against an individual's body.
- Giving undue and unwelcome attention, such as repeated inappropriate flirting, compliments about clothing or physical attributes, staring or making sexually oriented gestures.
- Making a student's work or an employee's job more difficult because of that person's sex, or gender identity.
- Using a position of power and authority to: 1) threaten or punish, either directly or by implication, for refusing to tolerate harassment, refusing to submit to sexual activity, or for reporting harassment; 2) promise rewards in return for sexual favors.
- Engaging in demeaning verbal and other expressive behavior of a sexual or gendered nature in instructional settings.

2. Sexual Assault: Having or attempting to have sexual intercourse or sexual contact with another individual without consent. This includes sexual intercourse or sexual contact achieved by the use or threat of force or coercion, where an individual does not consent to the sexual act, or where an individual is incapacitated. Sexual assault may involve individuals who are known to one another or have an intimate and/or sexual relationship, or may involve individuals not known to one another. Sexual assault includes the following acts:

- Related to Non-consensual Sexual Intercourse: Having or attempting to have sexual intercourse with another individual without consent. Sexual intercourse includes vaginal or anal penetration, however slight, with a body part or object, or oral copulation by mouth-to-genital contact.
- Related to Non-consensual Sexual Contact: Having or attempting to have sexual contact with another individual without consent. Sexual contact includes kissing, touching the intimate parts of another, causing the other to touch one's intimate parts, or disrobing of another without permission. Intimate parts may include the breasts, genitals, buttocks, mouth or any other part of the body that is touched in a sexual manner.

3. Sexual Exploitation: When an individual takes non-consensual or abusive sexual advantage of another for his/her own benefit, or to benefit anyone other than the one being exploited, and that behavior does not

otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Prostituting another person (i.e., personally gaining money, privilege, or power from the sexual activities of another person);
- Non-consensual video, photography, audiotaping, or any other form of recording, sexual activity;
- Allowing others to observe a personal act of consensual sex without knowledge or consent of the partner;
- Engaging in voyeurism (being a "peeping Tom");
- Knowingly or recklessly transmitting an STD or HIV to another person.

4. Stalking: A course of conduct involving more than one instance of unwanted attention, harassment, physical or verbal contact, or any other course of conduct directed at an individual that could be reasonably regarded as likely to alarm or place that individual in fear of physical, emotional or psychological harm or injury. This includes cyber-stalking, a particular form of stalking in which electronic media such as the Internet, social networks, blogs, cell phones, texts, GPS or other similar devices or forms of contact are used to pursue, harass or make unwelcome contact with another person. Stalking and cyber-stalking may involve individuals who are known to one another or have an intimate or sexual relationship, or may involve individuals not known to one another.

5. 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. Domestic violence is also a pattern of controlling behaviors that may include physical, sexual or emotional abuse. It is a choice made by the batterer. Domestic violence is a crime committed by:

- Current or former spouse or intimate partner of the victim.
- A person with whom the victim shares a child in common.
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; or
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies (under Violence Against Women Act).

6. Dating Violence: The physical, sexual, or psychological/emotional violence within a dating relationship, as well as stalking. It can occur in person or electronically and may occur between a current or former dating partner. Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship;
- The type of relationship; and
- The frequency of interaction between the persons involved in the relationship.

Dating violence is a type of intimate partner violence that occurs between two people in a close relationship. The nature of dating violence can be physical, emotional, or sexual:

- Physical - this occurs when a partner is pinched, hit, shoved, slapped, punched, or kicked.
- Psychological/Emotional - this means threatening a partner or harming his or her sense of self-worth. Examples include name calling, shaming, bullying, embarrassing on purpose, or keeping him/her away from friends and family.
- Sexual - this is forcing a partner to engage in a sex act when he or she does not or cannot consent. This can be physical or non physical, like threatening to spread rumors if a partner refuses to have sex.

- Intimate Partner Violence: A situation in which one partner is physically, emotionally and/or sexually abused by the other partner. Intimate partner violence can occur between individuals who are dating, married, hooking up, or who reside together. Intimate partner violence can occur between individuals of the same or opposite sex. This is often commonly referred to as domestic or dating violence.

7. Retaliation: Acts or attempts to retaliate or seek retribution against the reporting party, responding party, or any individual or group of individuals involved in the investigation and/or resolution of an allegation of sexual misconduct. Retaliation can be committed by any individual or group of individuals, not just a responding party or reporting party. Retaliation may include continued abuse or violence, other forms of harassment, and slander and libel.

### Definitions of Consent, Coercion and Incapacitation

1. Consent: Consent to engage in sexual activity must be informed, knowing and voluntary. Consent exists when all parties exchange mutually understandable affirmative words or behavior indicating their agreement to freely participate in mutual sexual activity.

The following further clarifies the definition of consent:

- Each participant in a sexual encounter is expected to obtain and give consent to each act of sexual activity. Consent to one form of sexual activity does not constitute consent to engage in all forms of sexual activity.
- If at any time it is reasonably apparent that either party is hesitant, confused or unsure, both parties should stop and obtain mutual verbal consent before continuing such activity.
- Consent may be withdrawn by either party at any time. Withdrawal of consent must also be outwardly demonstrated by words or actions that clearly indicate a desire to end sexual activity. Once withdrawal of consent has been expressed, sexual activity must cease.
- Consent consists of an outward demonstration indicating that an individual has freely chosen to engage in sexual activity. Relying on non-verbal communication can lead to misunderstandings. Consent may not be inferred from silence, passivity, lack of resistance or lack of an active response alone. A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent.
- Individuals with a previous or current intimate relationship do not automatically give either initial or continued consent to sexual activity. Even in the context of a relationship, there must be mutually understandable communication that clearly indicates a willingness to engage in sexual activity.
- An individual who is physically incapacitated from alcohol or other drug consumption (voluntarily or involuntarily), or is unconscious, unaware or otherwise physically helpless is considered unable to give consent. For example, one who is asleep or passed out cannot give consent.

2. Coercion: Consent cannot be given if it results from the use or threat of physical force, intimidation, or any other factor that would eliminate an individual's ability to exercise his/her own free will to choose whether or not to have sexual contact. Coercion includes the use of pressure and/or oppressive behavior, including express or implied threats of harm, severe and/or pervasive emotional intimidation, which places an individual in fear of immediate or future harm or physical injury or causes a person to engage in unwelcome sexual activity. A person's words or conduct amount to coercion if they wrongfully impair the other's freedom of will and ability to choose whether or not to engage in sexual activity. Coercion also includes administering a drug, intoxicant or similar substance

that impairs the person's ability to give consent.

3. Incapacitation: An individual who is incapacitated is not able to make rational, reasonable judgments and therefore is incapable of giving consent. Incapacitation is the inability, temporarily or permanently, to give consent, because the individual is mentally and/or physically helpless due to drug or alcohol consumption, either voluntarily or involuntarily, or the individual is unconscious, asleep or otherwise unaware that the sexual activity is occurring. In addition, an individual is incapacitated if he/she demonstrates that they are unaware of where they are, how they got there, or why or how they became engaged in a sexual interaction. Where alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. Some indicators of incapacitation may include, but are not limited to, lack of control over physical movements, being unaware of circumstances or surroundings, or being unable to communicate for any reason.

An individual in a blackout state may or may not meet the definition of incapacitation. Such an individual may appear to act normally but may not later recall the events in question. The extent to which a person in this state affirmatively gives words or actions indicating a willingness to engage in sexual activity, and the other person is unaware or reasonably could not have known of the alcohol consumption or blackout, must be evaluated in determining whether consent could be considered as having been given.

### Title IX Coordinator's Role

The College has a designated Title IX Coordinator to oversee its response to all reports of sexual misconduct/harassment, domestic/dating/physical violence, and/or stalking, to conduct training, and to coordinate compliance with the mandates of Title IX. The Title IX Coordinator is knowledgeable and trained in the College's policies and procedures, state and federal laws that apply to sexual misconduct and harassment, and the dynamics of sexual misconduct and harassment. The Title IX Coordinator is available to meet with any individual to discuss the options for resolving a report under this policy.

The name and contact information for the SJR State College Title IX Coordinator can be found on the College website (SJRstate.edu) and on the Sexual Misconduct Policy Resources Pages (see page 26) maintained pursuant to this policy.

### Reporting

The College encourages all students to report information about any type of sexual misconduct/harassment, domestic/dating/physical violence, and/or stalking involving a student, staff or faculty member. Faculty and staff, other than those outlined in this policy as confidential resources, are required to report information about any type of sexual misconduct or harassment of which they become aware. An incident does not have to occur on campus to be reported to the College. Off-campus conduct that adversely affects or has the potential to adversely affect the SJR State community also falls under this policy. The College will promptly respond to all reports of sexual misconduct and harassment.

The College provides resources to both the reporting party and responding party in making decisions, obtaining information about options under this policy, and assists both parties in the event that a report of sexual misconduct and/or harassment is made.

### Ways to File a Report:

Title IX Coordinator: The Title IX Coordinator is available to receive a report of sexual misconduct or harassment, 386-312-4074.

Campus Safety and Security: The opportunity to file a report with the College is available 24 hours a day, seven days a week by calling Campus Safety and Security:

- Orange Park Campus: 904-626-5885
- Palatka Campus: 386-937-2052

- St. Augustine Campus: 904-626-5956

A report can also be made to a Campus Security Authority (Campus Security Authorities include Campus Safety and Security Officers, Counselors, Student Activity Coordinators, Athletic Coaches, College club advisors and certain College Administrators).

A reporting party or third party can request a Campus Safety and Security officer to respond and take a report.

**Community Standards and Responsibility:** An individual can file a report with the College by utilizing the Silent Witness Report on the Campus Safety and Security's website - <https://web.SJRstate.edu/apex/prod/?p=SILENTWITNESS> or [SJRstate.edu/silentwitness](https://web.SJRstate.edu/silentwitness).

**Local Law Enforcement:** A reporting party may file a report with the local law enforcement agency (depending on location of incident).

### Coordination with Law Enforcement

Because the goals and objectives of the College's sexual misconduct/harassment, domestic/dating/physical violence, and/or stalking policy differ from those of the civil and criminal justice systems, proceedings under the College's sexual misconduct/harassment, domestic/dating/physical violence, and/or stalking policy are independent of civil and criminal processes and may be carried out prior to, simultaneously, or following civil or criminal proceedings off-campus. On-campus investigation and response does not preclude, limit or require a student's or employee's access to the state and federal justice system.

Notifying the local law enforcement will generally result in the reporting party and, in some cases, the responding party being contacted by a police officer. Law enforcement determines if a criminal investigation will occur and if the case will be referred for prosecution. A case not referred for criminal prosecution will still receive a College response.

Under Florida state law, sexual misconduct/harassment, domestic/dating/physical violence, and/or stalking (as described in the definitions above) may constitute a criminal act. However, the College conducts investigations and renders resolutions in an educational, non-criminal context. An act not criminally prosecuted may still violate College policy. To the extent permitted or required by law, the College will cooperate with outside investigators. However, outside law enforcement agencies do not respond to Title IX violations and respond only to allegations of criminal behavior. As a result, the College encourages reporting to both the College and to local law enforcement if the alleged sexual misconduct may also be a crime.

The College process and the criminal justice process are two separate and independent courses of action. If a reporting party wishes to file a report with local law enforcement, a SJR State staff member is available to assist. The College will not file a police report about the incident on the reporting party's behalf unless compelling circumstances, as outlined in the statement of privacy and confidentiality section, exist. The College's response to a report is not impacted by the reporting party's decision to file a criminal complaint or the outcome of the criminal investigation.

### Amnesty

Our goal is that all individuals report all incidents of sexual misconduct/harassment, domestic/dating/physical violence, and/or stalking so that those affected can receive the support and resources needed. Therefore, violations of the College's alcohol and illegal substances policies by a reporting party may be exempt from disciplinary action in situations where sexual misconduct or harassment also occurs. However, the College may initiate an educational discussion about the use of alcohol or drugs and their impact.

### Statement Against Retaliation

Although SJR State acknowledges that extreme emotions and stress often accompany incidents of sexual misconduct and harassment, the College

does not condone any person engaging in any type of retaliation. The College views retaliation complaints with great seriousness. All individuals are strongly encouraged to report any concerns about retaliation to the Title IX Coordinator, Vice President for Student Affairs/Assistant General Counsel, Director of Campus Safety and Security, and the Senior Vice President/General Counsel. The College will respond to reports of retaliation. Retaliation is a distinct category of prohibited conduct under this policy.

### False Reports

Submitting of a good faith complaint, concern or report of harassment will not affect the reporting party's employment, grades, academic standing, or work assignments. However, an individual found to have made a false complaint or to have knowingly and willingly given false information during an investigation will be subject to disciplinary action.

### Interim Measures to Protect Safety and Well-Being

After a report is made or the College is placed on notice, the College will provide interim support and reasonable protection against further acts of misconduct, harassment or retaliation as well as provide services and resources to provide a safe educational and employment environment. For a listing of services and resources that may be offered, see the "Campus and Community Resources" section on page 26. The College will determine the necessity and scope of any interim measures.

The range of interim measures includes:

- No contact order: The reporting party or responding party may request, or the College may impose, communication and contact restrictions to prevent further potentially harmful interaction.
- Academic, Employment, or Living Arrangements: The reporting party or responding party may request a change in academic, employment or, if relevant, living arrangements. Upon request, the College will inform the reporting party or responding party of the options and will accommodate the request if those changes are reasonably available. In some cases the College may initiate these changes without a request. These may include, but are not limited to:
  - Changing class or work schedule, including the ability to withdraw from a course without penalty;
  - Limiting access to certain College facilities or activities pending resolution of the matter;
  - Granting a voluntary leave of absence;
  - Providing an escort to ensure safe movement between classes and activities; and/or
  - Providing academic support services.

**Emotional Support:** The College will provide counseling services through student and employee assistance programs. For further information see the Resources pages maintained on page 26 pursuant to this policy.

### Procedures for Resolving Sexual Misconduct/Harassment, Domestic/Dating/Physical Violence or Stalking Reports:

The College will respond promptly and equitably when any incident of sexual misconduct/harassment, domestic/dating/physical violence, and/or stalking is alleged against a faculty, staff, or student. This includes a direct complaint, or if the College becomes aware of the situation, by other reliable means. The College's response may take a number of forms within its discretion. This includes offering reasonable protection and services to the complainant or others, conducting a Title IX inquiry or review, conducting an investigation, and imposing corrective action.

The Title IX investigator will conduct the investigation. Prior to the investigation, both parties will have the opportunity to meet individually with the Title IX Coordinator to review the investigation process. During the investigation, both the reporting party and the responding party will

have the opportunity to be heard and to respond, the opportunity to have an advisor present during investigation meetings, and the opportunity to provide names of relevant witnesses. The reporting party and the responding party will not be in the same room at the same time during the investigation process.

During the investigation process, the Title IX Investigator will determine whether information concerning the prior sexual history of either party is relevant. In general, in a case where the responding party raises consent as a defense, any prior consensual relationship between the parties may be relevant. Any other prior sexual history of the reporting party is typically not relevant and may not be permitted. Prior sexual history of the responding party may be relevant where there is evidence of a pattern of misconduct that may be relevant in the determination of responsibility assigning of corrective action.

At the conclusion of the investigation, the investigator will determine responsibility based on the relevant information presented during the investigation and the unique facts of the case. The level of proof necessary to support a finding of responsibility is “more likely than not”.

If the responding party is found responsible, the College will determine corrective action. If the responding party is a student or student organization, the Vice President for Student Affairs/Assistant General Counsel will determine the corrective action (also referred to as sanctions). A student found responsible for a violation of the Sexual Misconduct and Harassment Policy could receive any of the following sanctions: Warning, Probation, Loss of Privileges, Fines, Restitution, Discretionary Sanctions, or College Suspension. In some cases, a student found responsible may be expelled from the College. If the responding party is an employee, the Employee’s Supervisor in conjunction with the Title IX Coordinator will determine the corrective action, which could result in termination of employment.

Specific to this policy, both the reporting party and the responding party are given the opportunity to appeal the outcome of the investigation. The appeal will be reviewed by a Vice President of the College’s choosing. Prior to an appeal, if either party believes that there is new evidence or relevant facts that were not brought out in the investigation, which may be sufficient to alter the finding, they may make a request that this information be considered. Appeals may be based on the following grounds:

- Procedural misconduct during the investigation.
- The sanction(s) imposed is/are inappropriate for the violation of College policy.
- The preponderance of evidence standard was or was not met.

The College will inform both the reporting party and responding party in writing of the outcome of the investigation and the appeal process.

If the report includes multiple alleged policy violations, multiple processes may be used (i.e., Title IX investigation process and the College grievance procedure). The College will determine which process(es) will be used. If multiple processes are used, the College will also determine the order of the processes.

If the responding party serves in multiple capacities at the College (i.e., student and employee), the College will determine which office will determine corrective action. In some cases, both offices may issue corrective action.

## **SEXUAL MISCONDUCT POLICY RESOURCES**

### **What to do if you experience sexual misconduct/harassment, domestic/dating/physical violence or stalking:**

Any member of the SJR State community who is affected by sexual misconduct/ harassment, and/or domestic/dating/physical violence, which includes, but is not limited to, sexual coercion sexual violence, sexual battery and stalking, is encouraged to immediately notify law enforcement and/or seek immediate medical attention. Campus Safety and

Security can provide free transportation upon request.

The SJR State College Title IX Coordinator is Ginger Stokes. She is located in the Administration Building (Office A0173), and her mailing address is 5001 St. Johns Avenue, Palatka, Florida 32177. Her phone number is 386-312-4074, and her email is gingerstokes@sjrstate.edu.

- Emergency Response: 911 or Local Law Enforcement
  - o Orange Park Campus (Clay County Sheriff’s Office 904-264-6512)
  - o Palatka Campus (Putnam County Sheriff’s Office/Palatka Police Department, 328-329-0801)
  - o St. Augustine Campus (St. Johns County Sheriff’s Office 904-824-8304)
- Health and Safety:
  - o Orange Park Campus (Orange Park Medical Center 904-639-8500)
  - o Palatka Campus (Putnam Community Medical Center 386-328-5711)
  - o St. Augustine Campus (Flagler Hospital 904-819-5155)
- Campus Assistance:
  - o Orange Park Campus Officer on Duty 904-626-5885
  - o Palatka Campus Officer on Duty 386-937-2052
  - o St. Augustine Campus Officer on Duty 904-626-5956
  - o BayCare Behavioral Health 1-800-878-5470

### **Resources, Support and Reporting Options:**

All individuals are encouraged to make a prompt report to the College so that the College can take appropriate action to eliminate the misconduct or harassment, prevent its reoccurrence, and address its effects. An individual may seek support and assistance from the confidential resources listed below without triggering a report to the College. Alternatively, an individual who chooses to make a report of sexual misconduct/harassment, domestic/dating/physical violence or stalking to the College should use the reporting options below. While we recognize that individuals may report sexual misconduct or harassment to any College employee, we encourage reporting to those individuals who are specifically trained in responding to allegations of sexual misconduct and harassment.

### **Confidential Resources and Support:**

- BayCare Behavioral Health (Students): 1-800-878-5470 (website: SJRstate.edu/baycare)
- Employee Assistance Program (Employees): 1-800-272-7252 (website: www.mylifevalues.com, login: SJRSC, and password: EAP)
- Florida Department of Health Violence Intervention and Prevention Program: 1-888-956-RAPE (7273)
  - o Palatka Campus- Stewart Marchman Behavioral Health Care- 386-329-3780
  - o Orange Park Campus- Clay Behavioral Health Center- 904-291-5561
  - o St. Augustine Campus- EPIC Behavioral Healthcare- 904-829-2273
- National Sexual Assault Hotline: 1-800-656-HOPE (4673) Victim Advocate
- Florida Coalition Against Domestic Violence Hotline (800-500-1119)
- Florida Coalition Against Domestic Violence TTY Hotline (800-621-4202)
- National Domestic Violence Hotline (800-799-SAFE (7233))
- Lee Conlee House, Inc., Domestic Violence Center, Palatka (386) 325-3141)
- Florida Department of Health, Palatka (800-440-0420 or (386-326-3200)

- Quigley House, Domestic Violence Center, Clay County (904-284-0061)
- Betty Griffin House, Domestic Violence Center, St. Johns County, (904-824-1555)
- National Dating Abuse Helpline and Love is Respect (866-331-9474 or text 77054 or www.loveisrespect.org)

#### **Non-Confidential Resources, Support and Reporting Options:**

- Campus Assistance:
  - Title IX Coordinator: (386) 312-4074
  - Orange Park Campus Security -904-626-5885
  - Palatka Campus Security - 386-937-2052
  - St. Augustine Campus Security - 904-626-5956
- Vice President for Student Affairs/Assistant General Counsel: (386) 312-4127
- Senior Vice President/General Counsel: (386) 312-4106

#### **Order of Protection:**

- Local Law Enforcement Victim Advocate:
  - Palatka Campus - Putnam County Sheriff's Office - 328-329-0801
  - Orange Park Campus - Clay County Sheriff's Office - 904-264-6512
  - St. Augustine Campus - St. Johns County Sheriff's Office - 904-824-8304
- State Attorney's Office Victim Advocate:
  - Palatka Campus - 386-329-0259
  - Orange Park Campus - 904-284-6319
  - St. Augustine Campus - 904-823-2300
- Clerk of Court Victim Advocate:
  - Palatka Campus - 386-326-7640
  - Orange Park Campus - 904-269-6363
  - St. Augustine Campus - 904-819-3600

#### **Campus and Community Resources**

The College is committed to treating all individuals with dignity, care and respect. The reporting party and responding party will have equal access to support and counseling services through the College. Additional resources are available on the Palatka, Orange Park, and St. Augustine campuses. All parties are encouraged to utilize on or off campus resources for assistance.

##### **1. Health and Safety:**

The first priority for any individual who has been assaulted is to get to a safe place. If there is continued threat or risk of danger, please call 911 or Campus Safety and Security: Orange Park Campus - 904-626-5885, Palatka Campus - 386-937-2052, and St. Augustine Campus - 904-626-5956. When necessary, seek medical attention. The following is a list of options of where to seek medical attention:

- Local hospital. The closest hospital to your campus:
  - Orange Park Campus - Orange Park Medical Center, 904-639-8500
  - Palatka Campus - Putnam Community Medical Center, 386-328-5711
  - St. Augustine Campus - Flagler Hospital, 904-819-5155
- SJR State Health Services at BayCare Behavioral Health (1-800-878-5470).

##### **2. Confidential Resources:**

The College recognizes that not every individual will be prepared to make a report to the College or local law enforcement. Students seeking to talk to someone about an incident of sexual misconduct or harassment

confidentially without making a report to the College or triggering any investigation by the College can utilize confidential resources. These services include:

- Counseling and Psychological Services: The BayCare Student Assistance Program (SAP) is a network of licensed mental health professionals who can provide short-term confidential counseling sessions. This service is available 24-hours a day, seven days a week. Counseling is offered face-to face, over the phone, or online. Confidentiality laws protect the conversations individuals have with a counselor. Services are provided free of charge. Counselors are available to meet with students by appointment or almost immediately in crisis situations. Their phone number is 1-800-878-5470.
- County Health Departments: Students may seek medical attention, Plan 8, STD/STI testing or seek answers to their questions and concerns by visiting the health center. Confidentiality laws protect the conversations you have with medical staff in the course of care or treatment. Putnam County: 386-329-0420, Clay County: 904-272-3177, and St. Johns County: 904-825-5055.
- Silent Witness Report is available at: <https://web.SJRstate.edu/apex/prod/?p=SILENTWITNESS> or [SJRstate.edu/silentwitness](https://web.SJRstate.edu/silentwitness) (A reporting party or third party can file)
- Employee Assistance Program (Employees): 1-800-272-7252
- Florida Department of Health Violence Intervention and Prevention Program: 1-888-956-RAPE (7273)
- Behavioral Health Care:
  - Palatka Campus- Stewart Marchman Behavioral Health Care- 386-329-3780
  - Orange Park Campus- Clay Behavioral Health Care- 904-291-5561
  - St. Augustine Campus- Epic Behavioral Health Care- 904-829-2273
- National Sexual Assault Hotline: 1-800-656-HOPE (4673)
- State Attorney's Office Victim Advocate:
  - Palatka Campus (386-329-0259)
  - Orange Park Campus (904-284-6319)
  - St. Augustine Campus (904-823-2300)
- Clerk of Court Victim Advocate:
  - Palatka Campus (386-326-7640)
  - Orange Park Campus (904-269-6363)
  - St. Augustine Campus (904-819-3600)
- Victim Advocacy: Victim advocates are on call at all times for emergency situations. Victim advocates are available to assist with medical and emotional needs, exploring options, and providing referrals and resources. Putnam County (Lee Conlee House): 386-325-3141, Clay County (Quigley House): 1-800-339-5017, and St. Johns County (Betty Griffin House): 904-824-1555.

Faculty and staff members can utilize the Employee Assistance Program for confidential counseling. Their website is [www.mylifevalues.com](http://www.mylifevalues.com), login SJRSC, password EAP, and their phone number is 1-800-272-7252.

3. Other College Resources - Please be advised that the following resources may not be able to maintain your confidentiality:

- Title IX Coordinator: The Title IX Coordinator is available to meet with any individual to discuss the options for filing and resolving a report and offer interim measures to protect safety and well-being. The Title IX Coordinator ensures that the College responds to all reports timely, effectively, and consistently.
- Campus Safety and Security: Assistance is available from the

College 24 hours a day (Orange Park Campus - 904-626-5885, Palatka Campus - 386-937-2052, and St. Augustine Campus - 904-626-5956), seven days a week by calling Campus Safety and Security. They can provide transportation to the hospital, coordinate with local law enforcement (if needed), provide information about the College's resources, and take an initial report.

- Campus Security Authorities: College faculty and staff members who have significant responsibility for student and campus activities are CSAs. Campus Security Authorities include Campus Safety and Security Officers, Counselors, Student Activity Coordinators, Athletic Coaches, College Club Advisors and certain College Administrators.
- Faculty and Staff: The College recognizes that an individual may choose to share information with any College staff or faculty member. With the exception of the confidential resources listed above, all College employees are required to elevate information to the Title IX Coordinator.
- Vice President for Student Affairs/Assistant General Counsel (386) 312-4127: The Vice President for Student Affairs/Assistant General Counsel can provide students with information about the College's resources and report process and offer interim measures to protect safety and well-being.
- Human Resources (386) 312-4074: The Human Resources Department can provide employees with information about the College's resources and complaint process and offer interim measures to protect safety and well-being.

### **POLICY STATEMENT ON DISCRIMINATORY HARASSMENT AND FREE EXPRESSION**

St. Johns River State College is committed to the principles of free inquiry and free expression. Students have the right to hold and vigorously defend and promote their opinions, thus entering them into the life of the College. Respect for this right requires that students be tolerant of the thoughts and expressions of other students in their exercise of this right. As such, violence or the threat of violence toward students exercising the right of free expression and free inquiry will not be tolerated and is a violation of this rule.

St. Johns River State College is also committed to principles of equal opportunity and nondiscrimination. Each student has the right of equal access to a St. Johns River State College education without discrimination on the basis of race, ethnicity, color, national origin, marital status, religion, age, gender, sex, pregnancy, sexual orientation, gender identity, genetic information, disability, or veteran status. Harassment of students on the basis of any of these characteristics contributes to a hostile environment that makes, for those subjected to it, access that is less than equal. Such discriminatory harassment is therefore considered to be a violation of the principles of equal opportunity and nondiscrimination.

This interpretation of these principles is intended to clarify the point at which protected free expression ends and prohibited discriminatory harassment begins. Prohibited harassment includes discriminatory intimidation by threats of violence, and also includes personal vilification of students on the basis of their race, ethnicity, color, national origin, marital status, religion, age, gender, sex, pregnancy, sexual orientation, gender identity, genetic information, disability, or veteran status.

Speech or other expression constitutes harassment by personal vilification if it:

- 1) Is intended to insult or stigmatize an individual or small number of individuals on the basis of their race, ethnicity, color, national origin, marital status, religion, age, gender, sex, pregnancy, sexual orientation, gender identity, genetic information, disability, or veteran status; and

- 2) Is addressed directly to the individual or individuals whom it insults or stigmatizes; and

- 3) Makes use of insulting or "fighting" words or non-verbal symbols.

In the context of discriminatory harassment by personal vilification, insulting or "fighting" words or non-verbal symbols are those "which by their very utterance inflict injury or tend to incite to an immediate breach of the peace, "and which are commonly understood to convey direct and visceral hatred or contempt for human beings on the basis of their race, ethnicity, color, national origin, marital status, religion, age, gender, sex, pregnancy, sexual orientation, gender identity, genetic information, disability, or veteran status."

### **POLICY STATEMENT ON DISCRIMINATORY HARASSMENT**

St. Johns River State College is committed to maintaining an environment free of all forms of harassment, intimidation, and discrimination.

SJR will not tolerate behavior, which creates an unacceptable working or educational environment. Individuals found to have engaged in misconduct constituting sexual or other discriminatory harassment will be subject to discipline, up to and including dismissal or discharge from the College.

This policy applies to all employees, students and contractors working on the College premises.

Discriminatory harassment on the basis of race, ethnicity, color, national origin, marital status, religion, age, gender, sex, pregnancy, sexual orientation, gender identity, genetic information, disability, veteran status or any other characteristic protected by law is a form of discrimination and can have a deleterious effect on work and/or academic performance. SJR State will not tolerate harassment by any member of the College community.

For the purpose of this policy, other harassment is defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, ethnicity, color, national origin, marital status, religion, age, gender, sex, pregnancy, sexual orientation, gender identity, genetic information, disability, veteran status or any other characteristic protected by law and that:

- 1) Has the purpose or effect of creating an intimidating, hostile or offensive work or educational environment; or
- 2) Has the purpose or effect of unreasonable interfering with an individual's work or educational performance; or
- 3) Otherwise adversely affects an individual's employment opportunities.

SJR State strongly encourages the prompt reporting of all incidents of sexual or other discriminatory harassment. Fear of retaliation should not be a barrier to reporting incidents of harassment. Retaliation in any form is a serious violation of College policy and will not be tolerated. Any incidents of retaliation should be reported immediately. All reported incidents of harassment will be investigated immediately. Employees, students, prospective students and applicants for employment should report all incidents of harassment or retaliation to the College Equity/Title IX Coordinator and their supervisor if applicable. Employees are entitled to follow the grievance procedures set forth in the College Operating Guidelines and Procedures Manual. Students are entitled to follow the grievance procedures set forth in the Student Handbook.

The College President shall designate a College Equity/Title IX Coordinator within the Human Resources Department of the College.

### **POLICY STATEMENT ON EQUALITY OF OPPORTUNITY AND NON-DISCRIMINATION**

St. Johns River State College is committed to maintaining a fair and respectful environment for work and study. To that end, and in accordance with applicable federal, state, and local laws, regulations, ordinances, orders, rules, and College policies, St. Johns River State College does



not discriminate against any person in its programs, activities, policies or procedures on the basis of race, ethnicity, color, national origin, marital status, religion, age, gender, sex, pregnancy, sexual orientation, gender identity, genetic information, disability, or veteran status. As a public educational institution, and as a corporate citizen, St. Johns River State College is dedicated to the philosophical foundations of democracy and equality of opportunity. This policy applies to administrators, faculty, staff, students, visitors, applicants, and contractors. The College community is expected to assist in making this assurance valid in fact.

In implementation of its commitment to equality, the President of St. Johns River State College shall designate an Equity/Title IX Coordinator. All hiring and procedures for hiring are based upon the needs of the College and the individual's qualification for the specific position without regard to race, ethnicity, color, national origin, marital status, religion, age, gender, sex, pregnancy, sexual orientation, gender identity, genetic information, disability, or veteran status except where age or gender is a bona fide qualification.

In further implementation of its commitment and as a natural outgrowth of its open-door philosophy of education, the St. Johns River State College District Board of Trustees supports the policy of Equal Access/Equal Opportunity in recruitment, admission, and financial aid practices and will demonstrate a commitment to Equal Access/Equal Opportunity.

All questions or inquiries regarding compliance with laws relating to non-discrimination and all complaints regarding sexual misconduct or discrimination, may be directed to the Title IX Coordinator/Equity Officer, St. Johns River State College, 5001 St. Johns Avenue, Palatka, Florida, 32177; 386-312-4070. When an inquiry or complaint involves a student, the Title IX Coordinator/Equity Officer will work in conjunction with the Vice President for Student Affairs (office located in the Student Services Building, Room V227, 5001 St. Johns Avenue, Palatka, FL 32177, telephone (386) 312-4127) to respond to or resolve such inquiry or complaint. Inquiries or complaints may also be directed to the Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202.

The College shall develop and update the College's non-discrimination statement consistent with this policy to be distributed and published on College social media and in appropriate printed documents and literature.

## **GUIDELINES FOR MINORS ON CAMPUS**

St. Johns River State College, as part of its educational mission, hosts a variety of events and facilities that attract minors, whether sponsored by the College, student groups, or by third parties. Minors require special consideration due to their vulnerability, and the safety of minors on campus is a high priority for SJR State. This policy provides guidelines for those in the College community who work with, or interact with minors. This policy is designed to help safeguard and protect minors when they are on campus.

"Minor" for the purposes of this guideline means any person under the age of 18 who is not a registered SJR State student.

### **Procedures:**

1. Use of College Facilities by Minors
  - a. All supervised minors participating in a College program or a program taking place on College property are generally permitted use of identified facilities (athletic fields, public spaces, academic buildings, food service areas, etc.), but the College reserves the right to restrict anyone, including minors, from certain areas or facilities or from utilizing specified equipment.
  - b. Minors are permitted at events and venues open to the public. However, the College reserves the right to determine, in its sole

discretion, whether selected events or venues are appropriate for unescorted or unsupervised minors.

- c. Minors are prohibited from entering laboratories and other areas where significant potential safety hazards and liabilities may exist and where strict safety precautions are required except while participating in properly supervised College-sponsored events or programs taking place on College property.
2. Employee Guidelines
  - a. Employees must always obtain supervisor approval to bring minors into the workplace. If approved by the supervisor, the following apply:
    - i. Minors are not to be brought to campus on a regular basis in lieu of childcare.
    - ii. Minors may be brought to campus, on rare occasions for short periods of time.
    - iii. Supervision by the parent or guardian is required at all times.
    - iv. Minors may not be left unattended or with other employees.
    - v. Minors may not interfere with workplace activities.
  - b. Departments may, due to the nature of their operations, prohibit employees from bringing minors to the workplace.
3. Student Guidelines  
The following guidelines apply to students bringing minors on campus:
  - a. Minors are not to be brought to campus on a regular basis in lieu of childcare.
  - b. Minors may be brought to campus, on rare occasions when necessary, for short periods of time.
  - c. A minor should not be left unattended while the parent or guardian is attending class or conducting any other business or social function on campus.
  - d. Supervision by the parent or guardian is required at all times.
  - e. Minors are not allowed in the high-risk areas defined below.
  - f. Minors are not allowed in classrooms while classes are in session.
  - g. Should a minor become disruptive, College personnel may ask the student and minor to leave.
4. Visitor and Third Party (Invitee) Guidelines  
The College hosts many events that are appropriate for minors to attend; at these events, the following apply:
  - a. Supervision by the parent or guardian is required at all times.
  - b. Parent or guardian must assure that minors are not disruptive.
  - c. Parent or guardian must not leave minors unattended.
  - d. Minors are not allowed in the high-risk areas defined below.
5. High-Risk Areas  
Unless authorized by an appropriate College employee and appropriately supervised, minors are not allowed in high-risk areas, including but not limited to:
  - a. Laboratories, shops, studios, mechanical rooms, power plants, garages, and food preparation areas;
  - b. Any areas, indoors or out, containing power tools or machinery with exposed moving parts;
  - c. SJR State vehicles, boats, or motorized equipment;
  - d. College Security offices or vehicles;
  - e. Any other high-risk areas (such as stairwells, elevators or doorways, rooftops, construction zones).
6. Behavioral guidelines for College faculty, staff, students and volunteers in College-sponsored or College-affiliated programs which involve minors:

- a. While it may be impossible to avoid all circumstances where an adult has direct communication or instruction with a minor in the absence of other adult faculty, staff, students and volunteers, all programs and activities should strive to avoid situations and circumstances where an adult has direct contact with a minor in the absence of other adult faculty, staff, students and volunteers, especially where that access also presents opportunities for secrecy or privacy.
  - b. College faculty, staff, students and volunteers may not hit, administer corporal punishment to, or touch in an inappropriate or illegal manner, any minor.
  - c. College faculty, staff, students and volunteers shall not transport minors to or from the homes of the minors except when the individual is the parent or guardian of the minor(s); this is not related to College-provided transportation.
  - d. College faculty, staff, students and volunteers shall not engage in the use of alcohol or illegal drugs or be under the influence of alcohol or illegal drugs while supervising minors at College sponsored or affiliated activities.
  - e. College faculty, staff, students and volunteers shall not engage in communications with minor participants outside of communications related to the promotion and/or operation of the College sponsored or affiliated program and/or activity. This includes social media, telephone and personal meetings outside of official scheduled meeting times for said program and/or activity.
7. Level 2 Background Screening
- a. Employees
    - i. All College employees, including part-time employees, who will or are working in College programs or College sponsored or affiliated programs with minors are required to undergo Level 2 background screening as defined in Chapter 435, F.S., before being hired or as a condition of continued employment.
    - ii. The College will not hire, select, or otherwise allow an employee to have contact with a minor, or place the employee in a role that requires background screening, unless the screening process demonstrates the absence of any grounds for the denial or termination of employment, that requires working with minors, unless the employee has been granted an exemption from disqualification by the Florida Department of Families and Children.
  - b. Volunteers
    - i. All volunteers, who will be or are working in College programs or College sponsored or affiliated programs with minors are required to undergo a Level 2 background screening, as defined in Chapter 435, F. S. before being permitted to volunteer or being permitted to continue to volunteer in those programs.
    - ii. The College will not select a volunteer, or otherwise allow a volunteer to have contact with a minor, or place a volunteer in a role that requires background screening, unless the screening process demonstrates the absence of any grounds for the denial or termination of permission to volunteer to work with minors, unless the volunteer has been granted an exemption from disqualification by the Florida Department of Families and Children.
  - c. Level 2 criminal background checks of College faculty, staff, students and volunteers that are conducted pursuant to this policy will be used only for purposes consistent with this policy and will otherwise be kept confidential except as provided by law.

- d. Non-College Entities
  - i. Non-College organizations and entities that operate programs or activities on campus involving minors must comply with Chapter 435 and Section 409.175, Florida Statutes.
  - ii. Any contracts entered into between the College and a non-College entity for the operation of a program or activity which will involve minors must require the non-College entity to comply with section 409.175 F.S. and Chapter 435, F.S.

**Authority and Related Documents:**

Sections 39.201, 39.203, 39.205, 110.1127, 409.175, 827.03, and Chapter 435, Florida Statutes

**PROCEDURE FOR HANDLING STUDENT COMPLAINTS CONCERNING INSTRUCTOR/INSTRUCTION (NOT INVOLVING ACADEMIC PETITIONS, DISCRIMINATORY BEHAVIOR, OR SEXUAL HARASSMENT)**

1. This procedure deals with student complaints that do not involve academic petitions, discriminatory behavior, and sexual harassment.

2. A student should always be encouraged to resolve any conflict with or complaint about an instructor with the individual instructor. The following procedure should be used if the student's complaint is not resolved with the instructor.

3. College personnel should direct the student to the office of the appropriate dean (who may assign the matter to an associate dean) or director.

Complaints must be in writing, and the student should complete the appropriate form by filling in all necessary information.

4. If the student wishes anonymity with respect to the instructor, then the person taking the complaint should complete the appropriate form, omitting the student's name, and attach the student's typewritten account. However, the student should know that his or her name will be made known to the dean, associate dean, or director. Reasonable efforts will be taken to maintain confidentiality unless the nature of the complaint requires disclosure.

5. The dean, associate dean, or director will contact the student to discuss the problem. If necessary and appropriate, the dean, associate dean, or director will call together the student and the instructor to resolve the problem. If the student requests anonymity, then the dean, associate dean, or director will meet with the instructor, give the instructor a copy of the complaint, and request a written response. The dean or director will report to the appropriate vice president on the resolution of the matter.

6. If the matter was not satisfactorily resolved at the dean or director level, it may be appealed to the appropriate vice president. The vice president's decision may be appealed to the President of the College.

**COPYRIGHT PROCEDURE FOR STUDENTS**

As an institution of higher learning, St. Johns River State College (SJR State) is dedicated to providing quality educational programs and services to its students through the formation, discovery, and dissemination of knowledge. SJR State recognizes that the copyright holder has exclusive rights to their copyrighted works, but that the use of copyrighted materials is sometimes necessary to further enhance the learning, research, and scholarship activities of its students.

All SJR State students are expected to have a basic understanding of copyright law and to adhere to all laws regarding copyright, fair use, and the Digital Millennium Copyright Act, and to act in good faith when using copyrighted materials to support their educational and research activities. Copyrighted material includes text, music, videos, games, movies, and software.

To assist the students, SJR State faculty, administration, and student

government will provide information about academic honesty, copyright, plagiarism, fair use, and the Digital Millennium Copyright Act:

- Academic use of the College's computer network, software and email is posted in the College Catalog, "SJR State Student Guidelines for Acceptable Computer Lab & internet Use." The email use policy is available at MySJRstate.

- Information on academic honesty and plagiarism is in the SJR State Student Handbook, under Academic Freedom and Responsibility, and the SJR State Policy on Academic Integrity.

- Copyright information is posted on the library tab at MySJRstate. Students who fail to comply with the copyright law and willfully infringe it may face fines and civil or criminal penalties from the U.S. courts, as well as disciplinary action from SJR State.

### Copyright

The owner of a copyright has the exclusive right to do and/or authorize others to do such things as:

- Make copies
- Distribute the work
- Display the work
- Perform the work publicly
- Create derivative works (other works based on the original work)

### Peer-to-Peer File Sharing

While Peer-to-Peer (P2P) technologies facilitate collaborative work, creativity, and have many important and legitimate uses, some forms of peer-to-peer file sharing violate the copyright law. To assist you in understanding the parameters of peer-to-peer file sharing, information is provided in the copyright section of the library's page in MySJRstate.

### INTELLECTUAL PROPERTY RIGHTS

If you develop a product (of any sort) that could earn revenue and the product is developed on an SJR State College campus, using SJR State College's facilities or in conjunction with SJR State College employees, the College may own some or all of the product. Ownership of the product is negotiated between you, the College, and any other interested parties and stated in a written contract. If you are a student and you have any questions regarding product ownership, please contact the Vice President for Student Affairs at (386) 312-4127. If you are an employee and you have any questions regarding product ownership, please contact the Vice President for Finance and Administration at (386) 312-4116.

### PARKING AND TRAFFIC REGULATIONS

#### A. General

The SJR State parking and traffic regulations, supplemented by the State Traffic Laws of the State of Florida, will be enforced on the College campus, parking lots and adjacent roadways and apply to all faculty, staff, visitors, and students of the College. Numbered decals will be issued for identification and regulatory purposes. These rules and regulations have been established for the benefit and safety of each student and employee. It is the responsibility of the operator to see that the vehicle he or she is operating is not in violation of any of the regulations. Any vehicle operated or parked on the campus is at the owner's risk. The following general rules will apply:

1. All motorized vehicles that park on any SJR State campus must bear a College parking decal. Parking decal requests are now processed electronically by logging into MySJRstate. The request parking decal tab is located on the main page. Fill out the request completely and print the form. That printed form should be taken to either the Administrative Office or the Security Office at any campus and the decal will be issued. There is no charge for student parking decals. Free temporary parking decals are also available at the Security Office at any campus.

2. A person with a physical disability must, by state law, display the disabled parking permit issued by the county tag office. The permit must be hung from the windshield center mirror or properly displayed. Vehicles may be towed off campus if parked in a restricted parking space.

3. Overnight parking is not allowed on any SJR State campus unless authorized by the security officer on duty. The College assumes no responsibility for injury to persons or damages to a vehicle or its contents at any time it is operated or parked on an SJR State campus.

4. Students, faculty and staff who have decals, but temporarily drive a vehicle without a decal, must still park in designated areas and place a temporary parking permit on the front dash of his/her vehicle. Free temporary parking permits are available at the Security office on all campuses. Student, faculty and staff vehicles parked on campus must display a College decal or a temporary parking permit.

5. All traffic crashes on or adjacent to the campus are to be reported to the on-duty security officer and law enforcement. A copy of all traffic crash reports will be forwarded to the Director of Campus Safety and Security for review.

6. The Director of Campus Safety and Security is designated to coordinate matters of traffic and parking. Questions of interpretation or enforcement of these rules and regulations, or any concerns related to traffic and parking should be referred to the Director of Campus Safety and Security.

7. Generally, a written warning will be issued for the first parking or traffic infraction; however, if the operator has illegally parked in a handicapped space or endangered the safety of others, much more serious action will be taken. After a student has received a warning of any kind, the next infraction may result in a fine of at least \$25.00. All fines must be paid within 10 days of the date the ticket is issued.

#### B. Parking Regulations

1. The Palatka and Orange Park campus parking lots have designated and restricted parking. Students will park only in parking places designated by white parking stall lines and/or bumpers unless marked "Visitors." Parking for people with disabilities is available on all three campuses. Faculty and staff on Palatka and Orange Park campuses shall park only in parking spaces designated by blue parking bumpers.

2. No parking will be allowed in, or adjacent to, areas bordered by yellow stall lines, bumpers, or curbs.

3. Parking of vehicles with College decals is prohibited in areas marked "Visitors" or in areas of the campus other than parking lots. There will definitely be no parking permitted in the grassy areas of the campus. Parking on the roadside is prohibited.

4. Two-wheeled vehicles must park in the areas designated for them unless otherwise authorized. The unauthorized riding or operating of scooters, bicycles, and other two, three, or four-wheeled vehicles on sidewalks or walkways is prohibited. Roller skating/blading or skate boarding is not permitted in parking lots or on sidewalks.

#### C. Moving Traffic Regulations

1. Operators must drive a vehicle at a speed that is reasonable and prudent under the conditions, not exceeding posted speed limits, and must comply with all other traffic control devices.

2. Vehicles are to be kept under complete control and driven safely at all times.

### POLICY STATEMENT ON HUMAN IMMUNODEFICIENCY VIRUS AND ACQUIRED IMMUNODEFICIENCY DISEASE

In accordance with the District Board of Trustees' policy, SJR State 3.09

St. Johns River State College acknowledges the importance of, and will cooperate with, appropriate health agencies to make available educational information concerning HIV infection and AIDS to the College community. The information will emphasize the importance of prevention and pre-

cautions, that the virus is not casually transmitted, proven modes of transmission, the need for confidentiality for those infected and compassion for those ill, and College and community resources for information, testing, and treatment. The educational programs and information will be designed to reach the broad spectrum of persons within the College community.

Consistent with its existent non-discrimination policies, St. Johns River State College will not discriminate on the basis of an individual's HIV status.

Specifically, no person shall be subject to adverse employment actions solely because of non-job related disability, and reasonable efforts will be made to accommodate an employee with HIV disease consistent with the then-current state of scientific knowledge on transmission of the disease; nor shall any person be denied academic admission access to SJR State programs, facilities, events, services, or any benefits provided by the College, solely on the basis of HIV status. HIV status shall be deemed to include actual or perceived HIV positivity, or any condition related to Acquired Immune Deficiency Syndrome (AIDS), an individual's being suspected of having such virus or conditions, or an individual's association with any person having or believed to have had said virus or conditions.

Consistent with its existent non-discrimination policies, SJR State's policy of non-discrimination shall be applied to all instances described above, except in those instances when it shall be determined that reasonable accommodations are not available to insure a person's ability to participate fully in programs or positions, or when a person, by reason of his or her HIV infection or AIDS related condition, poses, according to available medical information, a direct threat to the health or safety of themselves or others associated with the College.

SJR State will require no test for or verification of the HIV status of any person for employment, academic admissions, access to SJR State programs, facilities, events, services, or for any benefits provided to College employees or students.

SJR State shall, consistent with applicable law, maintain the confidentiality of all College records documenting and information concerning the HIV status or AIDS related conditions of SJR State students and employees to the same degree that confidentiality is afforded to other medical records of SJR State students and employees. SJR State recognizes that a person's HIV status is a private matter. Therefore, any necessary internal and external communications regarding benefits, reasonable accommodations or other issues relating to an employee or student's HIV status or AIDS related conditions, shall be made in a manner consistent with the confidentiality of such information.

### **POLICY FOR COMMUNICATION WITH STUDENTS**

SJR State student email is the primary means of communication with SJR State students. Students are assigned a college email address when the application is processed - Log into MySJRstate in order to access your SJR State student email.

Students are expected to check their email daily in order to ensure they obtain critical information and assignments. Failure to do so will not be grounds for an appeal of any action taken by the College or any requirements established by an instructor, which has been communicated to the student via SJR State student email.

### **WEAPONS/FIREARMS POLICY - SJR 3.34**

St. Johns River State College prohibits the possession, use, or storage of weapons on property owned or controlled by the College, including in a College vehicle, on one's person or in one's office. Additionally, SJR State prohibits the possession, use, or storage of weapons at events sponsored or hosted by SJR State, except as outlined in this policy.

#### **Definitions:**

**Weapon** – A thing designed or intended or which may reasonably be used for inflicting bodily harm. The term “weapon” includes firearms, swords, knives, incendiary devices, chemical devices, or missiles. The term “weapon” includes any object legally controlled as a weapon or treated as a weapon under the laws of the jurisdiction in which the College owned or controlled property is located.

**Firearm** – Any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or silencer; any destructive device; or any machine gun.

#### **Exceptions:**

Notwithstanding the foregoing, SJR State permits the following:

1. Approved College and contracted security staff may possess weapons on College property.
2. A law enforcement officer may carry onto College property or into College events those weapons that his or her law enforcement agency requires to be carried.
3. Not prohibited under this policy are legitimate tools appropriately used in authorized work on campus.
4. Faculty for, and students enrolled in, Criminal Justice programs may possess weapons while participating in College approved training exercises.
5. Non-functioning antique or simulated weapons may be used for classroom or other academic purposes with prior notice to, and approval of, the Academic or Workforce Vice President and with notice to SJR State Campus Department of Safety and Security.
6. Individuals who carry a self-defense chemical spray, which is a device carried solely for the purposes of lawful self-defense, that is compact in size, designed to be carried on or about the person, and contains not more than two ounces of chemical.
7. Simulated weapons that are clearly identifiable (whether through design or decoration) to the casual observer as simulated are permitted for instructional or academic purposes.
8. Possession of firearms on College property as permitted by Florida Statutes. See Florida Statutes, 1001.64, Chapter 790.

#### **Violation and Discipline:**

Any person who violates this rule may be immediately removed from College premises, prohibited from returning, and/or referred for prosecution by authorities for any crime under local, state, or federal law. Violation of this rule by a student is a violation of the Student Conduct Code. Employees who violate this rule are subject to appropriate discipline, which may include suspension and/or termination.