

DIGITAL MEDIA ARTS COLLEGE

2017 SECURITY & FIRE SAFETY REPORT



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INTRODUCTION

Digital Media Arts College (DMAC) is dedicated to providing a safe, secure and healthy campus environment. The objective of DMAC's Safety and Security program is to identify workplace hazard(s), assess dangerous situations, correct said situations, and put policies in place for emergency situations thus minimizing risk to students, faculty and staff.

RESOURCES

DMAC TELEPHONE DIRECTORY

Manager of IT and Facilities	561-391-1148 x3702
Title IX Coordinator	561-391-1148 x3804
DMAC Main Switchboard	561-391-1148
Toll Free Number	866-255-3622
DMAC Student Hotline	305-814-6489

For general help (IT, Student Services, weather, etc. This should not be used for emergencies.)

Directory of Health, Safety and Personal Services

ABUSE, RAPE, ASSAULT or VIOLENCE

If in immediate danger call 911

Palm Beach County Victims Hotline	561-833-7273	
Domestic Violence Hotline	800-799-SAFE (7233)	
Elder Abuse Hotline	800-252-8966	
Florida Child Abuse Hotline	800-962-2873	reportabuse.dcf.state.fl.us
Sexual Assault Hotline	800-656-4673	www.rainn.org
Rape and Incest National Network Crisis Hotline	800-656-4673	
Rape Crisis Hotline	888-956-RAPE (7273)	www.fcasv.org
Teen Dating Helpline	866-331-9474	www.loveisrespect.org
Center for Information & Crisis Services	2-1-1	www.211palmbeach.org

2-1-1, a service of **The Center for Information & Crisis Services** provides information, referral, crisis intervention, supportive counseling, and suicide intervention, via the telephone **24 hours a day/365 days a year**.

CALL: 211 or 866-882-2991

DEPENDENCE

Drug Information Treatment & Referral Hotline	800-662-HELP (4357)	
Alcoholics Anonymous (South Palm Beach County)	561-276-4581	www.aa.org
Alcohol Hotline Support & Information	800-234-0420	
Alcohol Abuse & Crisis Intervention	800-234-0246	
Center for Drug Abuse Prevention	800-729-6686	
Cocaine Hotline	800-COCAINE (262-2463)	
Drug & Alcohol Treatment Routing Service	800-662-HELP (4357)	

GENERAL HEALTH

American Cancer Society	800-227-2345
Boca Raton Regional Hospital Emergency	561-955-7100
Poison Control	800-222-1222
Poison Information Center	800-282-3171

LAW ENFORCEMENT

Boca Raton Police Department	561-338-1234
Boca Raton Police EMERGENCY	9-1-1
Crime Stoppers	800-458-8577

SECURITY

561-665-8300

FIRE DEPARTMENT

Boca Raton Fire Department	561-367-6700
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PREGNANCY

Planned Parenthood	561-368-1023
First Care Women's Clinic	561-405-5540

www.firstcareoptions.com

SEXUALLY TRANSMITTED DISEASE

National AIDS Hotline	800-342-AIDS (2437)
National AIDS Hotline (Spanish/Español)	800-344-SIDA (7432)
National Herpes Hotline	919-361-8488
National Sexually Transmitted Disease Hotline	800-227-8922

SUICIDE

Suicide Prevention Lifeline	800-273-TALK (8255)
Mental Health Association Help Line	800-333-4444
Suicide Hotline	800-SUICIDE (800-784-2433)

CAMPUS SAFETY

DMAC is committed to providing a campus environment that is conducive to the pursuit of each student's academic goals. Please review the information in this document. It provides you with basic tips and guidelines to help in creating a safer campus. If you have any further questions or need additional assistance, please contact the Manager of IT and Facilities. Working together, we can continue to keep our campus safe. DMAC prepares the following report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the local law enforcement agencies. Campus crime, arrest and referral statistics include those reported to designated campus officials (including, but not limited to, Directors, Executive Director and Chief Academic Officer, Managers and designated staff to students/student organizations) and local law enforcement agencies. In compliance with this act, the following information is provided to you. If you have any questions concerning this material, please contact the Title IX Coordinator.

Security

Security personnel are on assignment each evening (except when the college is on break) at the campus for an extra measure of safety for our students. Our campus and parking facilities are well lit. Students have the opportunity to collaborate with professors and fellow students on campus (day or night).

Student Identification Cards (ID)

All students are issued ID cards during their first week of class. It is critical that students keep this card in their possession at all times for access to the College facilities. Students may be asked to produce their ID by any faculty/staff member or security guard. Lost cards will be assessed a fee for replacement; the fee is published in the fee schedule at the beginning of each semester.

Visitor Policy

All visitors must identify themselves and register with the Receptionist in the front lobby of the College (or with the posted guard during evening hours) prior to entering any facilities of the College.

PERSONAL SAFETY

Personal safety involves knowing how to avoid being a victim; keeping alert to your environment; not taking chances; being safety-conscious at all times; being alert for dangerous situations and suspicious persons; not taking your safety for granted; and learning how to protect yourself and your property.

Take precautions while walking, driving and in unfamiliar places. Know what to do if you are being followed or assaulted; become alert to and conscious of fire hazards; and know what to do if you become a victim.

Property Protection

Your property is your responsibility. Protect it from theft. While in or out of a vehicle, keep your doors locked at all times. Do not leave your belongings unattended while you are in a public place. Always chain your bicycle to one of the bicycle racks located around campus. Record the serial numbers of all your electronic equipment for identification purposes.

Always secure and/or maintain awareness of your tablet, computer, cell phone and any other valuables. Keep as few valuables as possible. Check your own or your parents' insurance policy to see if your valuables are protected while you are at school. Mark your valuables to uniquely identify them. College insurance does not cover your personal property.

In the Office

If you are working in an office, lock your office door whenever you leave, even if you will be gone for a few minutes. Keep your purse, wallet and other valuables in a secure container such as a locked desk or file cabinet. If you are entrusted with a key to a specific area, never lend it to anyone.

Hang up immediately if you receive an annoying or obscene phone call. Do not engage in conversation. Write down the time, what the caller said and notes of any background noises you may have heard. Report the incident to your supervisor immediately.

While Walking

Do not walk alone at night. Always walk with several people at night, and never leave anyone in your group alone at an isolated spot.

Be aware of your surroundings. Walk only on sidewalks or streets. Note possible hiding places such as building corners, parked cars and shrubbery. If someone stops to ask you for directions, keep a safe distance from the car.

Do not accept rides from strangers. Do not hitchhike! If you find yourself stranded, call a friend or a taxi.

CAMPUS SAFETY PROGRAMS

All college community members are strongly encouraged to attend educational safety workshops when offered. The workshops provide a variety of educational strategies and tips on how to protect against sexual assault, theft and other crimes. All new incoming students are required to complete the New Student Orientation, which also includes information about Title IX and safety programs. New employees receive training during their HR New Hire Orientation which includes Title IX information and reporting requirements.

TRANSPORTATION

Never leave valuables on seats or exposed in your vehicle. Cover them or place them in your locked trunk. Park your vehicle in areas that are and will be well lit when you return. Be sure that your doors are locked and windows are completely closed. When returning to your vehicle, be aware of your surroundings, have your key ready, and check the back seat for someone hiding there.

FIRE SAFETY

If you see a fire: Immediately evacuate the building. Follow exit signs. As you exit the building, pull the fire alarm. Call 911 to report the fire, and inform them if you are aware of any person with a disability who may still be in the building.

Remain outside the building at a safe distance of at least 50 feet from the building. Do not re-enter the building until an official says it is safe to do so.

If you hear the fire alarm sound:

Treat all sounded fire alarms as if they were real fires. **ALWAYS EVACUATE THE BUILDING IMMEDIATELY. THOSE FEW MINUTES MAY SAVE YOUR LIFE. PLEASE ASSIST OTHERS WITH DISABILITIES IN LEAVING THE BUILDING.**

HURRICANES

Natural Disaster Preparedness

In the event of an imminent natural disaster, the President, Executive Director and Chief Academic Officer and the Director of IT and Facilities will follow advisements from local authorities.

Hurricane Preparedness

It is possible that severe weather could threaten the Boca Raton area. When a Hurricane is imminent, it is most often possible to have adequate time to take precautionary action. If forecasts indicate that a hurricane will affect DMAC and the surrounding area, all students, faculty and staff need to take immediate action to minimize harm and potential damage. All students should notify their families. Staff/faculty and students should review safety brochures, fill personal vehicles with a full tank of gas, get cash from the bank, use battery powered radios to listen for emergency information and directives and to follow the storm's progress, make sure there are fresh batteries in radios and flashlights, collect water in suitable containers to have in case the water system is contaminated during the storm, and evacuate if so directed to the nearest Red Cross shelter.

If mandated to evacuate to a shelter, be aware that you need to bring bedding and personal hygiene items, non-perishable food items, special medications, and water. Also be aware that you cannot take any alcoholic beverages with you to the shelter. Pets are not allowed at shelters (except especially designated shelters) and arrangements should be made in advance to board them at kennels or veterinarian offices at safe inland locations.

If a hurricane or tropical storm **watch** is issued for our area by the National Weather Service, updates regarding the progress of the storm, and any class cancellations will be posted on the Home Page of the DMAC website. Students and faculty should contact their Department Chair or check the DMAC website for updates.

If a hurricane or tropical storm **warning** is issued for our area by the National Weather Service, the President may authorize the College to close. Updates will be posted on the DMAC website, a recording will be placed on the DMAC main number, and local television stations will be notified. Employees and students should check these sources frequently for updates once a hurricane or tropical storm **warning** has been issued.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Timely Warning & Emergency Notification

A campus wide “timely warning” will be issued if, in the judgment of the Director of IT and Facilities or President, a crime or potential crime constitutes a serious or continuing threat to the campus community. In addition, if any other significant emergency or dangerous situation occurs on campus that creates a threat to the health or safety of students or employees, or otherwise warrants a campus wide alert, an “emergency notification” will be issued.

Timely Warnings – Crimes covered by the Clery Act that are known to DMAC that represent a serious or continuing threat to the campus community will result in a campus-wide “timely warning.” Whether to issue a Timely Warning notice is determined on a case-by-case basis for Clery Act reportable crimes. Timely Warning notices may also be issued for other crimes as determined necessary by the Safety and Security Committee. The college will document and retain the justification for determining whether to issue a Timely Warning notice for a seven-year period. The President is responsible for determining whether to issue a Timely Warning Notice to the campus community.

Written Timely Warning notices typically contain in the subject line the phrase “Timely Warning Notice” or “Crime Alert” depending on the nature and severity of the threat. The body of each Timely Warning notice will include a short description of the crime or incident. The notice will also include personal safety information to aid members of the college community in protecting themselves from becoming victims of a similar crime and to promote safety for the college community. In no instance will a Timely Warning include the name of the victim or other identifying information about the victim. The college will take all reasonable efforts not to compromise ongoing law enforcement efforts.

Timely warnings may be issued in a variety of methods, depending on the circumstances of the crime.

These can include:

- Campus wide E-mail and postings on Canvas – Disseminated by the Director of IT and Facilities.
- Printed Notice – When appropriate, printed notices may be posted on campus.
- Website Posting – Ongoing concerns to the campus community may be posted on the College’s official website by the Director of IT and facilities.

Emergency Notifications – Emergency information will be broadcast via text, email and/or voicemail to the campus community. Other means of notification may also occur, including dissemination to the media or other methods designed to effectively notify the campus community.

Students and employees are highly encouraged to keep their emergency contact information up to date for the timely warnings/emergency notifications.

First-Aid

First-Aid kits are located in the staff/faculty lounge (room 136), reception desk (room 100), art room (142), faculty offices (room 153) and Human Resources Office (room 168). Each kit contains a variety of tapes, bandages, antiseptic, First-Aid cream, antibiotic ointment, eye pads, eye wash, instant cold pack, disposable gloves, scissors, and First-Aid booklet.

Emergency Response

DMAC has procedures in place in the event of an emergency situation. Staff and Faculty are trained on an annual basis on the appropriate responses to a variety of emergency situations.

Evacuation Procedures

If an emergency situation occurs and the alarm system is activated, the chain of command for Emergency Coordination and Evacuation procedures are as follows:

1. President, Executive Director and Chief Academic Officer, Director of IT and Facilities and Director of Human Resources will be notified (in the event of an after-hours emergency, the night time faculty member shall serve as the designated emergency coordinator and must be notified; in the event of an overnight or weekend emergency, the contracted security guard must be notified).
2. All students, employees and visitors must immediately evacuate the building using the nearest exit. Exit routes are provided on the doors exiting the classrooms. Close doors behind you as you exit.
 - a. Faculty will escort their classes to the nearest accessible exit.
 - i. It is imperative that faculty have a copy of the attendance roster to ensure all students are accounted for once outside the building.
3. Appointed staff will direct traffic flow at the nearest exit sites.
4. All students, staff and visitors must meet at the designated assembly site – North side/front of the building, in the parking area AWAY from the building.

NOTE: Under all circumstances when the alarm system is activated, DO NOT WAIT to evacuate. Proceed calmly to emergency exits and exit the building as directed. Do not re-enter the building until notified that it is safe to do so by the emergency coordinator (Leadership Team, Faculty/Staff or Security Guard).

All emergency exits are clearly marked.

REPORTING A CRIME

Accident Reporting and Investigation

Every accident must be reported to the Director of IT and Facilities who will notify the appropriate staff member(s) or the authorities and investigate what can be done to prevent such accidents in the future.

Crime / Violence Reporting

Faculty, staff and students must report criminal acts or occurrences to the Director of IT and Facilities. In the case of a direct danger or threat of danger, the appropriate authorities (fire/police/medical) should be contacted by dialing 9-1-1. The incident should be reported through the appropriate staff member(s), Director or Manager of the Department affected, and the Executive Director and Chief Academic Officer. In all events, the Director of IT and Facilities should be contacted immediately to enable proper reporting, and to record the occurrence for possible future preventive action.

WEAPONS

Weapons on College Property

As an institution of higher education, DMAC is committed to providing an environment free of the fear of violence. The College strictly prohibits the use, storage and possession of weapons to help ensure a safe and secure working and learning environment. In accordance with Sections 790.115 and 790.251, Florida Statutes, persons other than law enforcement officers are prohibited from possessing firearms and weapons on school campuses. This prohibition includes all weapons other than ordinary pocket knives, legitimate tools needed to complete work on campus, and other limited exceptions defined in this policy. This prohibition includes firearms or weapons located anywhere on College property or at any College sponsored event, including on one's person, or in a motor vehicle (other than as permitted by Section 790.25(5)). Violations of this policy will subject the individual not only to College sanctions, but also potential criminal prosecution by the appropriate authorities.

IDENTITY THEFT

Identity theft is a modern-day phenomenon. According to the Federal Trade Commission, millions of Americans will have their identities stolen this year. The most common types of identity theft are:

- using or opening a credit card account fraudulently;
- opening cell phone or utility accounts fraudulently;
- passing bad checks or opening new bank accounts; and
- getting loans in another person's name.

What You Can Do

- Look at your credit card and bank account statements. This is usually the first place unauthorized activity will show up.
- Don't give out personal information on the phone or through the mail unless you initiate the contact or know the caller. Thieves will pose as bank representatives, Internet service providers and government agents to get you to reveal personal information.
- Never reveal personal or financial information in response to an email request, no matter who appears to have sent it. No organization, financial institution or government agency will ever ask you to reveal personal information, such as Social Security numbers, account numbers, credit card numbers, PIN numbers, etc. Don't click on the link in the email. If you are concerned about your account, contact the organization mentioned in the email using a telephone number you know to be genuine, or open a new Internet browser session and type in the company's correct Web address yourself. Don't cut and paste the link from the message into your Internet browser. Phishers can make links look like they go to one place, but they actually send you to a different site.
- Tear or shred any documents that contain personal information. These include credit card receipts, insurance forms, physician and bank statements, and even credit card offers.
- Deposit outgoing mail directly into post office boxes, not in your own mailbox. A large number of thieves search mailboxes for your personal information.
- Don't carry your Social Security card with you, and only carry your ID and a minimum number of credit cards.
- Don't preprint your Social Security or driver's license numbers on your checks.

ALCOHOL & ILLEGAL DRUGS

Alcoholic Beverages

DMAC does not consider the use of alcoholic beverages as necessary to the process of higher education.

Since alcohol is a drug that can have serious consequences when consumed in a high-risk manner, all members of our community must act together in promoting health and safety. This partnership is designed to:

- assist students in minimizing the harmful effects of alcohol;
- encourage students to live a healthier lifestyle and make better consumption choices;
- educate students about the risks and responsibilities inherent in the consumption of alcohol;
- help students to develop awareness about the consequences of high-risk behavior; and
- respond to any treatment needs.

Underage Drinking Laws

In the State of Florida, the legal age for consumption of alcohol is 21. Students and guests under legal age, who consume, possess, buy, serve or sell alcoholic beverages or individuals who sell to or serve minors are in violation of both state law and college policy.

It is expected that students will act responsibly and maturely regardless of whether or not they have been consuming alcoholic beverages. Inappropriate behavior resulting from alcohol consumption and/or abuse is a serious violation of college regulations. The use or abuse of alcohol is not an acceptable excuse for any violation of college policies.

Access to and use of alcohol on campus is limited and regulated by state, federal and local laws, and by the rules and regulations of DMAC. College regulations have been established in accordance with Florida State laws as well as insurance and safety regulations.

Specifically:

- a. Alcoholic beverages may not be served on college property or within college facilities without proper permission. The appropriate administrator (college President or designee) may grant permission to those persons, groups or organizations in their area of responsibility. All permissions granted must be consistent with established policy.
- b. Persons under the legal drinking age may not distribute, sell, possess, consume and be under the influence of alcohol.
- c. Persons of legal drinking age may not consume and/or be in the presence of alcohol in the company of persons under the legal drinking age. In an instance of an underage person being present where alcohol is being consumed or available, the person of legal drinking age will also be held accountable.
- d. Persons of legal drinking age may not distribute, provide or sell alcohol to persons under the legal drinking age.
- e. The college reserves the right to limit the amount of alcohol brought onto campus for personal consumption: kegs, beer balls and alcoholic beverages in multiple serving containers are not allowed on campus. These items will be confiscated and disposed of.

- f. Alcoholic beverages may not be consumed or carried in open containers in college facilities, corridors, lounges, lobbies, parking lots and public areas of campus.
- g. The selling, supplying, possession and consumption of alcohol is generally prohibited at student-sponsored events and college events at which underage students are present, except with the written approval of the President for or designee.
- h. Use or possession of false or altered identification, or other misrepresentation of one's age in order to possess, consume or purchase alcohol is prohibited.
- i. The possession and/or use of alcohol paraphernalia (funnels, bongos, beer pong tables, etc.) are prohibited.
- j. Public intoxication is prohibited.
- k. Driving on college property while under the influence of alcohol is prohibited.

Why is heavy alcohol use a concern on college campuses?

There are known risk factors, developmentally, for college students. The consequences of heavy alcohol use may include vandalism, aggressive behavior, sexual assault, injuries, academic difficulties, relationship problems, abuse and dependence, and accidents. All college students are affected by the secondhand effects of high-risk drinking.

Alcohol, binge drinking and other drug use affect student health, well-being and academic achievement in the following ways:

- Unplanned sexual activity
- Violent campus crimes
- Rapes
- Driving under the influence of alcohol/other drugs
- Hangovers
- Vandalism
- Accidental injury

Nationally, the majority of acquaintance rapes are planned, and assailants take advantage of their victim's use of alcohol and other drugs, which slow reflexes and impair the victim's ability to recognize a potentially dangerous situation.

Illegal Drugs

DMAC does not support any activity related to the possession, use, provision of or sale of any substance considered to be illegal. This policy includes, but is not limited to, marijuana, salvia or the nonprescribed use of prescription drugs. Drug paraphernalia is also prohibited, and includes any and all types of equipment, products and materials of any kind which are used, intended for use or designated for using or selling drugs.

On-campus and/or off-campus involvement in the possession, use or sharing of drugs may result in suspension from the college for a minimum of one semester and until the student completes his/her educational sanctions. This suspension will occur regardless of legal action. Employees may be subject to disciplinary action up to and including termination of employment.

The selling or sharing of illegal drugs, including marijuana and prescription drugs on- or off- campus may result in immediate expulsion and/or termination of employment. Given the considerations and other dangers regarding the use and abuse of drugs, regulations will be enforced and are applicable regardless of the status of any legal proceedings.

Specifically:

- a. Illegal substances may not be possessed, used, distributed, bought, sold or manufactured on the DMAC campus.
- b. Controlled substances may not be possessed, used, distributed, bought, sold or manufactured on the DMAC campus except as expressly permitted by law.
- c. Illegal or inappropriate use of substances to cause intoxication or hallucinations is prohibited.

Prescription Drugs

The misuse and abuse of any prescription drugs can result in a variety of physical and psychological consequences, ranging from addiction to accidental overdose and death.

Mixing prescription drugs with alcohol or any other drug increases the likelihood of toxic overdose and death. Sharing prescription drugs is a felony under Florida law and is a violation of the Student Conduct Policy and employee policy. The illegal possession, use or sharing of prescription drugs is a violation of the DMAC "Alcohol and Drug Use Policy" and may result in conduct sanctions and/or disciplinary action.

Alcohol and Drug Use Policy

DMAC is in compliance with the Drug-Free Workplace Act of 1988 and the Drug-Free School and Communities Act of 1989. The College makes an annual distribution in writing to each student and employee through this document as follows:

- The Student Conduct Policy and employee policy, prohibits the unlawful possession, distribution, or use of illicit drugs and alcohol by students
- Disciplinary ramifications for violations of standards of conduct which include expulsion from the College and/or termination of employment.
- A description of health risks associated with the use or distribution of illicit drugs and the abuse of alcohol
- A description of applicable local, state and federal legal sanctions for unlawful possession, distribution, or use of illicit drugs and alcohol
- A description of drug and alcohol counseling treatment, rehabilitation, and reentry programs

DMAC recognizes the problems of drug and alcohol abuse in society today and has therefore established the following drug and alcohol policy for students and employees. This policy is distributed through our Adjunct Faculty contracts, Course Catalog and the Employee Handbook, all of which are annually reviewed. The unlawful possession, distribution, or use of illicit drugs on school property or in connection with any school activity is strictly prohibited. The prohibition applies to all students and employees. There are numerous health risks associated with the use of illicit drugs and the abuse of alcohol. Drug use may be a hidden habit, but drugs have visible effects on the user. Whether the drug of choice is alcohol, marijuana, a prescription drug, cocaine, or any other controlled substance, the habit can lead to a change in the emotional, physical, and mental health and performance of the individual. Some people may believe that drugs are harmless or even helpful. The truth is that drugs can have very serious, long-term physical and emotional health effects. If drugs are mixed, the impact is even more detrimental.

The following is a partial list of drugs that students and employees may encounter and some of the consequences of their use. Only some of the known health risks are covered, and not all legal or illegal drugs are included:

- Alcohol is the most commonly abused substance in the work place. It can lead to poor judgment and coordination, drowsiness and mood swings, liver damage and heart disease.
- Marijuana is a psychologically addictive drug, although many still believe that it is harmless. It can cause short-term memory impairment, slowed reaction time, lung disease and infertility.
- Other drugs, such as PCP, LSD, heroin, mescaline and morphine, have a wide variety of negative health effects - from hallucinations and mental confusion to convulsions and death.
- Prescription drugs are often used to reduce stress. However, they are not safe either, unless they are taken as directed. If abused, they can lead to sluggishness or hyperactivity, impaired reflexes, addiction and brain damage.
- While cocaine and crack cocaine can speed up performance, their effect is short-lived. More lasting risks are short attention span, irritability and depression, seizure and heart attack.

The following legal sanctions are applicable for the unlawful possession of illicit drugs:

- Drug and alcohol tests may be administered when a student or employee shows signs of impairment while on campus (i.e., based on reasonable suspicion), or after any accident or occurrence that results in an injury. Failure to submit to a required drug or alcohol test may result in disciplinary action up to and including expulsion from the College and/or termination of employment.

The unlawful possession, distribution, or use of illicit drugs and/or alcohol on school property or in connection with any school activity is strictly prohibited. The prohibition applies to all students and employees. DMAC employees, contractors, interns or students are not to report to work, to attend class or to participate in a College activity while impaired by the use of alcohol, illegal drugs or controlled substances. The legal use of prescribed drugs is permitted only if it does not impair an employee's or students' ability to perform the essential functions of the job or classroom activities effectively and in a safe manner that does not endanger other individuals.

Substance abuse resources are available by contacting the Drug Information Treatment & Referral Hotline at 800-662-HELP (4257) and/or Alcohol Hotline Support & Information at 800-234-0420 or 2-1-1 (1-866-882-2991).

Legal Sanctions

DMAC may report all suspected violations of local, state or federal law to the appropriate civil authorities.

CONDUCT REVIEW PROCEEDINGS

Students and employees who violate College policy or local/state/federal law or act in a way that impedes the safety of themselves or others will have conduct code charges filed against them, as well as possible legal action taken against them. Students and employees found responsible for violating policy will be addressed in as expedient a manner as possible. If a student/employee is found to be a risk to themselves or others while conduct review proceedings are pending, that student/employee may be required to leave the campus until the conduct review can be completed.

STUDENT CONDUCT POLICY

DMAC recognizes its students as responsible and mature men and women who attend the College to increase their skill as digital artists. As part of the education process of its students, DMAC expects reasonable conduct both in and out of the classroom. As members of the greater College community, students have behavioral responsibilities and obligations to themselves, their peers, DMAC faculty members and staff commensurate with their rights and privileges.

By outlining this policy, DMAC provides guidance to its students regarding the standards of behavior that it considers essential to a healthy and productive learning environment and ultimately as part of its educational mission. This policy also provides guidance as to the types of conduct that infringe upon the fulfillment of the College's educational mission. Any student who is found to have violated the student conduct policy is subject to disciplinary sanctions up to, and including, probation, suspension, or permanent expulsion from the College.

1. Persistent or gross acts of willful disobedience or defiance toward College faculty members or staff.
2. Assault, battery or any other form of physical abuse of a student or College employee.
3. Verbal abuse of a student or College employee.
4. Conveyance of threat by any means of communication, including, but not limited to: threats of physical abuse; threats to destroy school property or the property of other students or College employees.
5. Any conduct that threatens the health or safety of another individual.
6. Harassment, by any means, of any individual including coercion and/or personal abuse. Harassment includes but is not limited to: written or verbal acts or uses of technology, which have the effect of harassing or intimidating a person.
7. Any form of unwanted sexual attention or unwanted sexual contact.
8. Violations by guests of a student while on College property. Students are responsible for the actions of their guests. Furthermore, guests are not allowed on campus for extended periods of time. The Faculty and the College resources are reserved for students.
9. Theft, attempted theft, vandalism, damage or defacing of school property or the property of another student, faculty member or staff member.
10. Interference with the normal operations of the College (i.e. disruption of teaching and administrative functions; disciplinary procedures; pedestrian or vehicular traffic; or other school activities).
11. Use of cellular phones, pagers or text-messaging devices during scheduled classroom times.
12. Unauthorized entry into, or use of, school facilities.
13. Forgery, falsification, alteration or misuse of school documents, records or identification.
14. Dishonesty including, but not limited to, cheating, plagiarism or knowingly supplying false information or deceiving the College and/or its officials.
15. Disorderly, lewd, indecent or obscene conduct.
16. Extortion.
17. Violation of College safety regulations, including, but not limited to: setting fires; tampering with fire safety devices; failure to exit during a fire drill; turning on false fire alarms or bomb threats.
18. Use, sale, possession or distribution of illegal or controlled substances, drugs or drug paraphernalia on Campus or at any College sponsored or supervised event. Students may not be under the influence of illegal or controlled substances while on College property or at any College function.
19. Use, sale, possession or distribution of alcoholic beverages on Campus or at any College sponsored or supervised event. Students may not be under the influence of alcohol while on College property or at any College function.
20. Possession or use of firearms, explosives, dangerous chemicals or other weapons on College property or at College functions.
21. Smoking anywhere on the DMAC grounds unless designated as a smoking area.
22. Failure to satisfy school financial obligations.
23. Failure to comply with the direction of school officials, faculty members, staff or security officers who are acting in the performance of College duties.
24. Any violation of DMAC policies on the responsible uses of technology including, but not limited to:
 - a. Theft or abuse of computers, email, the internet or in-house network systems.
 - b. Unauthorized entry into a digital file intended to use, read or change the contents of that file for any purpose.
 - c. Unauthorized transfer or upload of a digital file to the College's operating system.

- d. Unauthorized downloading of copyrighted material in violation of the law.
 - e. Unauthorized use of another individual's identification and/or password.
 - f. Use of computing facilities to interfere with the work of another student, faculty member or school official.
 - g. Use of computing facilities to send obscene or abusive messages.
 - h. Use of computing facilities to interfere with the normal operation of the College's computer system.
25. Abuse of the DMAC disciplinary system, including, but not limited to:
- a. Failure to obey the summons of a Student Disciplinary Committee or College official.
 - b. Falsification, distortion or misrepresentation of information before a Student Disciplinary Committee or College official.
 - c. Disruption or interference with the orderly conduct of a disciplinary proceeding.
 - d. Attempting to influence the impartiality of a member of a Student Disciplinary Committee prior to and/or during the course of a disciplinary proceeding.
 - e. Verbal or physical harassment and/or intimidation of a member of a Student Disciplinary Committee prior to, during and/or after the disciplinary proceeding.
 - f. Failure to comply with the findings/sanctions imposed under the Student Conduct Policy.
 - g. Influencing or attempting to influence another person to commit an abuse of the College disciplinary system.
26. Harassment based on sex, race, color, national origin, religion, sexual orientation, age, disability, genetic information, marital status or any other criteria protected by federal, state or local law.

Student Conduct Policy - Disciplinary Procedures

DMAC supports the rights of all of its constituents to file grievances, lodge complaints, and make appeals in an environment free of unfair, biased or improper actions on the part of any other member of the academic community.

Student complaints arising from academic activities require a written request for conference with the Faculty member. A form to make a complaint in writing is available to all students from the Student Services Manager and the Department Chairs' Offices. Within a reasonable period of time after the complaint is received, the Executive Director and Chief Academic Officer or a delegate will notify the Student of the complaint and alleged violation of the Student Conduct Policy. The notification must be in written form.

The Student will meet with the Department Chair or representative to discuss the complaint and alleged violation. The Department Chair or delegate will at that time indicate to the Student the time appointed for a hearing of the complaint before the Student Disciplinary Committee. DMAC Student Disciplinary Committees are comprised of a Department Chair (a Chair from another department from the student in question), at least one faculty member and a member of the Student Advisory Committee.

If a good faith effort has been made to contact the Student to discuss the alleged violation and the Student fails to appear for the meeting, the Department Chair or delegate may make a determination of violations of DMAC policies on the basis of information available and impose sanctions for such violations. The decision will be submitted in writing to the Student.

If a Student feels that he/she has been subject to unjust actions or denied his or her rights, redress may further be sought by meeting with their Department Chair, only after the Student is unable to satisfactorily resolve the initial issue with the involved individual. Unresolved student complaints should be submitted to the Department Chair in writing at the time of meeting (using the original complaint form). The Department Chairs will make every effort to render a fair and timely decision in Student Grievances. If the Student and their Department Chair are unable to come to a satisfactory resolution of the issue, then the Student may seek redress with the Executive Director and Chief Academic Officer, who will determine cause and any resulting actions to be taken. In the event of a finding of malicious action, the College may take disciplinary action against the faculty member and, at the option of the Student, remove the grade from the record. The Executive Director and Chief Academic Officer may involve the Department Chair or any other College member to assist in arriving at a fair and timely resolution. The decision of the Executive Director and Chief Academic Officer is final. Students, whose accusations are found to be frivolous by the Executive Director and Chief Academic Officer, may be subject to disciplinary action.

Each individual agency, such as the Federal EEOC, ACICS, State of Florida Department of Education and/or the Federal Department of Education, have their timetables for response available to the public and it is the responsibility of the complainant (Employee or Student) to follow up with the appropriate third party.

DMAC may impose sanctions for violations of the Student Conduct Policy. The type of sanction imposed may vary depending on the seriousness of the violation(s). DMAC reserves the right to impose the most severe sanction if the circumstances merit it. Although not exhaustive, the following list represents the types of sanctions that may be imposed upon any Student or student organization found to have violated the Student Conduct Policy:

- a. A written warning delivered to the Student from the College.
- b. Behavioral Probation for the remainder of the Student's time at DMAC.
- c. Suspension for a semester of the Student from DMAC.
- d. Permanent expulsion (Behavioral Termination) of the Student from DMAC.
- e. Restitution or compensation for loss or damage to property leased, owned or controlled by the College. This may take the form of monetary or material replacement.
- f. Discretionary Sanctions which may include requirement of the Student to complete an educational service, attend counseling, or have restricted privileges.

The above list is only a general guideline. Some sanctions may be omitted and others not listed above may be used. The Department Chair or Executive Director and Chief Academic Officers' determination shall be made on the basis of whether it is more likely than not that the Student violated a rule, regulation or policy of the College.

Student Disciplinary Committee - Hearing Procedures

When it has been determined by the Department Chair or representative that a hearing of the Student Disciplinary Committee must take place, the following occurs:

- a. Charges against the Student shall be presented to the Student in written form by the Department Chair, including the time, place and nature of the alleged offenses. Included in this will be information regarding the Student's right to appeal the Committee's decision.
- b. A meeting time and place for the hearing is set not less nor more than 15 calendar days after the Student has been notified of the charges. Maximum time limits for the scheduling of hearings may be extended at the discretion of the Department Chair or representative.
- c. The hearing shall normally occur in a private setting.
- d. Admission of any person to the hearing shall be at the discretion of the Department Chair or representative.
- e. In hearings involving more than one Student, the Department Chair or delegate may use his/her discretion to conduct a separate hearing for each involved Student.
- f. The Complainant (which may be a member of the College Administration) and each Student may present witnesses at the hearing. Those witnesses may be questioned by the Department Chair or any member of the Committee.
- g. Pertinent records, exhibits and written statements may be accepted as evidence for consideration by the Committee Chair at his/her discretion.
- h. All procedural questions are subject to the final decision of the Committee Chair.
- i. After the hearing, the Student Disciplinary Committee will meet in private to review all evidence and testimony relevant to the complaint and will determine whether a student has violated the policies of the College as indicated in the complaint. At that time, the Committee Chair will issue a verbal finding. If the Committee determines that a violation has occurred, they will also determine the level of sanction to be levied against the accused Student. Committee decisions need not be unanimous, but rather may be a simple majority decision.
- j. The Committee's determination shall be made on the basis of whether or not it is more likely that the Student violated a rule, regulation or policy of DMAC.
- k. The Committee Chair will deliver verbally and in writing the determination of the Committee to the Student.

Student Disciplinary Committee - Appeals Procedures for Student Disciplinary Actions

Students wishing to appeal Student Disciplinary Committee decisions may do so in the following manner:

- a. The Student must obey the terms of the decision pending the outcome of the appeal; i.e., a student who has been suspended from the College may not be on DMAC property.
- b. The Student must present a written Letter of Appeal to be presented to the President or representative. This letter will give the student the opportunity to indicate his/her position on the Committee's decision. It must detail all bases and arguments germane to the appeal. It must be delivered to the President within two (2) business days following the student's receipt of the decision.
- c. The President or representative shall appoint an Appeals Committee made up of one Department Chair or Executive Director and Chief Academic Officer (not involved in the original decision), and two members of the College Administration (other than the President). The Student making the appeal and the individual bringing the complaint may be provided an opportunity to address the Committee in person. The Student may be accompanied by one person (family member, friend, etc.) as an observer. The Student may not be accompanied by an attorney. The Committee may prohibit from attending or may remove any person who disrupts the Appeals Committee proceedings.

- The committee shall determine all matters relating to the conduct of the hearing including, relevancy of evidence, duration of the hearing or any part thereof, procedures, the weight to be given any evidence, etc.
- d. The Committee will report its recommendation following its review of the appeal. The President of the College or representative will render a written decision on the appeal within thirty (30) calendar days from the receipt of the appeal and communicate the same promptly to the Student.
 - e. Decisions rendered by the Appeals Committee and approved by the President of the College are final and may not be further appealed.

Interim Suspension

DMAC may immediately remove or suspend a student from school without applying or exhausting these procedures when, in DMAC's sole judgment, the student poses a threat of harm to him/herself, to others or to property of DMAC or a member of the College. During the interim suspension, students shall be denied access to the College and all College sponsored activities and privileges for which the Student might otherwise be eligible as the President or delegate may determine to be appropriate.

Search of Student Property

DMAC reserves the right to search the contents of Students' personal property or belongings when there is a reasonable suspicion on the part of DMAC staff that a serious risk to the safety, health and welfare of students and/or the College community exists. This includes, but is not limited to, vehicles brought onto the property leased, owned or controlled by the College; backpacks and handbags; portfolios; and clothing.

Student Behavior

Students are expected to adhere to the following classroom/laboratory rules in order to contribute to the optimum learning environment:

1. No eating, drinking or smoking in classrooms or studios.
2. No portable electronic devices are allowed in the classrooms without the expressed permission of the Faculty member.
3. Students must remain orderly and obey all instructions from the Faculty member.
4. Students must remain for an entire class or return to class after a break; if only part of a class is attended without prior permission from the Faculty member, the student will have minutes deducted from his/her total required attendance.
5. Lateness of work is not acceptable; all work must be turned in on time and all students must report to class and examinations on time.
6. As a general rule, unless instructed otherwise by individual faculty or staff, students must refer to their professors, and all college administration and staff, by their title and last name (i.e., Dr. Smith, Ms. Smith, Mr. Smith, etc.)
7. As a general rule there is no formal dress code for students; however, if a student appears on campus wearing what DMAC Administration determines to be lewd, illegal, objectionable clothing by fellow students or faculty, or threatening that student will be asked to leave the Campus. Appropriate dress for special events is expected.

TITLE IX/SEXUAL VIOLENCE & REPORTING

On June 23, 1972, then President Richard Nixon signed Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 *et seq.*, into law. Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. The principal objective of Title IX is to avoid the use of federal money to support sex discrimination in education programs and to provide individual citizens effective protection against those practices. Title IX applies, with a few specific exceptions, to all aspects of federally funded education programs or activities. In addition to traditional educational institutions such as colleges, universities, and elementary and secondary schools, Title IX also applies to any education or training program operated by a recipient of federal financial assistance.

Title IX prohibits all forms of inappropriate sexual behavior, including all forms of sexual violence, sexual assault and sexual harassment. This prohibition applies to all DMAC employees and students. If inappropriate sexual behavior occurred, DMAC will take the necessary steps to stop the behavior, prevent its reoccurrence, and address the effects.

Reporting Sexual Misconduct and Sexual Assault

DMAC is committed to maintaining a healthy and safe learning and working environment. Sex-based offenses are a violation of trust and respect, are strictly prohibited and will not be tolerated. This applies to academic, educational, on-campus and off-campus conduct. Sex-based offenses include: rape and sexual assault, dating/domestic violence or intimate partner violence and stalking. This conduct is prohibited by DMAC's Student Conduct Policy and may also violate state criminal law.

DMAC is dedicated to preventing sex offenses by providing:

- Education and prevention programs that inform students, faculty and staff about the risks and myths that contribute to sexual misconduct or gender-based harassment and violence;
- Assistance and support, including procedures sensitive to a person who has been the victim of a sex-based offense; and
- A process for investigation and resolution that includes appropriate disciplinary sanctions for those who commit sex-based offenses.

DMAC encourages anyone who has been the victim of sex-based offenses to pursue criminal charges. A student or employee who has been the victim of sex-based offenses involving another student or employee is also urged to make a disciplinary complaint to the Title IX Coordinator and/or the President. A criminal charge and a disciplinary charge may be pursued at the same time; however, individuals may pursue a disciplinary complaint without pursuing criminal charges and vice versa. Victim support and resources are available even if a student or employee elects not to pursue criminal charges or DMAC disciplinary action.

Title IX Coordinator

The Title IX Coordinator is responsible for monitoring overall Title IX implementation for the institution and coordinating compliance with all areas and departments covered under Title IX regulations. If a complaint is filed, the Title IX Coordinator will meet with the complainant to explain the available options, the process used to investigate the complaint, and available support, resources and protective measures.

Inquiries concerning the application of Title IX and its implementation may be referred to the Title IX Coordinator or to the U.S. Department of Education or the Office for Civil Rights.

Title IX Coordinator Responsibilities:

- Oversee all Title IX complaints and investigations to provide prompt, fair and equitable resolutions;
- Identify and address any patterns or systemic problems that may arise;
- Be available to meet with students and employees, provide support and answer questions;
- Work with other College officials;
- Coordinate training, education and communication pertaining to Title IX;
- Be available to assist with Campus Safety and local law enforcement if necessary; and
- Ensure that the College carries out its Title IX responsibilities.
- Title IX Coordinator will also assist with:
 - Access to medical and mental health treatment;
 - Victim support and resources.

Title IX Coordinator:

Mrs. Maria Elie, *Director of Human Resources*
 5400 Broken Sound Blvd. NW, Suite 100
 Boca Raton, FL. 33487
 561-391-1148 x3804
melie@dmac.edu

Victim /Survivor Assistance and Rights

Students who identify themselves as victims of sexual misconduct may rely on the following provisions in support of their recovery:

1. **You do not have to identify** the alleged perpetrator, unless the information is necessary to respond to your request for a specific form of assistance.
2. **You can choose whether or not to file a complaint** with the appropriate College department or with law enforcement.
3. **Before making a report** to a College official, **you can request information** about College policies and procedures regarding the release of personally identifiable information.
4. **You can request assistance from the Title IX Coordinator** in filing a report with the Boca Raton Police.
5. **You can access medical care without consenting to a crime investigation** by DMAC and/or the Boca Raton Police.
6. **You can access resources for confidential physical and mental health care by calling 2-1-1 or 1-866-882-2991.**
7. **You can request a barring of personal contact between you and the alleged perpetrator** through the Title IX Coordinator.

8. **You can request a change in your class schedule** to avoid contact with the alleged perpetrator through the Title IX Coordinator.
9. **You can request a change in your email address** and server login through the Title IX Coordinator.
10. **You can request that a visual barrier** be placed between you and the respondent during a disciplinary hearing.
11. **You will be informed** of the outcomes of the disciplinary proceeding.
12. **The Student Conduct Policy guarantees** that if you serve as a complainant in a disciplinary proceeding, you have the right to:
 - receive procedural information about disciplinary proceedings prior to and after submitting a case
 - have witnesses provide statements regarding the case
 - have a representative present during the disciplinary process

Definitions

What is Sexual Violence?

Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the person's age or use of drugs or alcohol, or because of an intellectual or another disability that prevents the person from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse and sexual coercion.

What is Consent?

The person must act freely and voluntarily, and have knowledge of the nature of the act or transaction involved. Consent consists of an affirmative, conscious decision by each participant to engage in mutually agreed-upon sexual activity. Consent is clear permission and can only be given by one of legal age. The following are essential elements of effective consent:

Informed and reciprocal: All parties must demonstrate a clear and mutual understanding of the nature and scope of the act to which they are consenting, and a willingness to do the same thing, at the same time, in the same way.

Freely and actively given: Consent cannot be obtained through the use of force, coercion, threats, intimidation or pressuring, or by taking advantage of the incapacitation of another individual.

Mutually understandable: Communication regarding consent consists of mutually understandable words and/or actions that indicate an unambiguous willingness to engage in sexual activity. In the absence of clear communication or outward demonstration, there is no consent. Consent may not be inferred from silence, passivity, lack of resistance or lack of active response. Relying solely upon nonverbal communication can lead to a false conclusion as to whether consent was sought or given.

Not indefinite: Consent may be withdrawn by any party at any time. Recognizing the dynamic nature of sexual activity, individuals choosing to engage in sexual activity must evaluate consent in an ongoing manner and communicate clearly throughout the stages of sexual activity. Withdrawal of consent can be expressed as "NO" or can be based on the outward demonstration that conveys that an individual is hesitant, confused and uncertain or no longer a mutual participant. Once consent is withdrawn, the sexual activity must cease immediately, and all parties must obtain mutually expressed or clearly stated consent before continuing further sexual activity.

Not unlimited: Consent to one form of sexual contact does not constitute consent to all forms of sexual contact, nor does consent to sexual activity with one person constitute consent to activity with any other person. Each participant in a sexual encounter must consent to each form of sexual contact with each participant.

Even in the context of a current or previous intimate relationship, each party must consent to each instance of sexual contact each time. The consent must be based on mutually understandable communication that clearly indicates a willingness to engage in sexual activity. The mere fact that there has been prior intimacy or sexual activity does not, by itself, imply consent to future acts.

Alcohol and Other Drugs

In general, sexual contact while under the influence of alcohol or other drugs poses a risk to all parties. Alcohol and drugs impair a person's decision-making capacity, awareness of the consequences, and ability to make informed judgments. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication. If there is any doubt as to the level or extent of the other individual's intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.

Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual harassment, sexual violence and stalking or intimate partner violence, and does not diminish one's responsibility to obtain informed and freely given consent.

Incapacitation is a state where an individual cannot make an informed and rational decision to engage in sexual activity because she/he lacks conscious knowledge of the nature of the act (e.g., to understand who, what, when, where, why or how of the sexual interaction) and/or is physically helpless. An individual is incapacitated, and therefore unable to give consent, if she/he is asleep, unconscious or otherwise unaware that sexual activity is occurring.

Where alcohol or other drugs are involved, incapacitation is a state beyond drunkenness or intoxication. The impact of alcohol and other drugs varies from person to person; however, warning signs that a person may be approaching incapacitation may include slurred speech, vomiting, unsteady gait, odor of alcohol, combativeness or emotional volatility.

Evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs affects an individual's:

- Decision-making ability;
- Awareness of consequences;
- Ability to make informed judgments;
- Capacity to appreciate the nature and the quality of the act; or
- Level of consciousness.

Evaluating incapacitation also requires an assessment of whether a respondent should have been aware of the complainant's incapacitation based on objectivity and reasonably apparent indications of impairment when viewed from the perspective of a sober, reasonable person in the respondent's position. An individual who engages in sexual activity with someone the individual knows or reasonably should know is incapable of making a rational, reasonable decision about whether to engage in sexual activity is in violation of this policy.

Coercion is the improper use of unreasonable and persistent pressure to compel another individual to initiate or continue sexual activity against an individual's will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats and blackmail. Coercion may be emotional, intellectual, psychological or moral. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity.

Force is the use or threat of physical violence or intimidation to overcome an individual's freedom of will to choose whether or not to participate in sexual activity.

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.

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

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

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

Stalking is the willful, malicious and repeated following or harassing of 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; or an aggravated stalking, which means the willful, malicious and repeated following or harassing another with credible threats with the intent to place that person in reasonable fear of death or bodily injury; or willfully, maliciously, repeatedly following or harassing a minor under age 16; or after injunction for protection or any court-imposed prohibition of conduct, knowingly, willfully, maliciously and repeatedly follows or harasses another person.

Sexual Assault is legally referred to as sexual battery. Florida State Statute 794.011 defines sexual battery as: "Any oral, anal, vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object performed without consent and not for a bona fide medical purpose."

Sexual Harassment is defined as any unwelcome sexual advances, demands, requests for sexual favors, innuendoes or any other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's educational or residential experience or employment; or
- Submission to or rejection of such conduct by an individual is used as the basis for educational, residential or employment decisions affecting such individual; or
- Such conduct is sufficiently severe and pervasive so as to alter the conditions of, or have the purpose or effect of substantially interfering with, an individual's academic performance or work by creating an intimidating, hostile or offensive educational, residential or working environment.

Reporting Dating and Domestic Violence, Sexual Violence and Stalking

If there is an emergency, call 911. Other reporting options:

- Report the incident directly to the Boca Raton Police Department at 561-338-1333.
- Report confidentially/anonymously by calling **2-1-1** or **1-866-882-2991**.
- File a complaint directly with the Title IX Coordinator.
- Report the incident to DMAC management (i.e., President, Directors).
- Report the incident to a DMAC representative (any current employee of DMAC)

A report of alleged sexual misconduct to the DMAC Title IX Coordinator or other member of management does not obligate a student or employee to pursue or participate in a complaint filed. However, if DMAC reasonably believes that pursuing a case is necessary to provide a safe, nondiscriminatory environment for all students and employees, the Title IX Coordinator may continue to investigate the alleged incident. The person making the complaint may choose to participate in the process as the complainant, as a witness for a person acting on their behalf or not at all.

Those who have experienced an incident of sexual harassment, sexual violence, intimate partner violence or stalking should know that **all DMAC employees (management, faculty, staff, etc.), are obligated by Title IX to share the report with the appropriate Title IX Coordinator.**

Preserving Evidence

It is important to preserve evidence as may be necessary to prove criminal domestic violence, dating violence, sexual assault or stalking, or to obtain a protection order. After an assault, you may be in a state of shock. Your first reaction may be to disrobe, take a shower, and brush your teeth and hair. DON'T. Forensic evidence can be the most important item in the conviction of your assailant, or in obtaining a protection order. Collection of evidence can entail interaction with police and a police report. Prompt collection of physical evidence is essential should a person later decide to pursue criminal prosecution, civil action or obtain a civil protection order. The sooner offenses are reported, the more likely evidence will remain.

To help preserve evidence, the victim is encouraged to try to avoid:

- Bathing or douching;
- Washing hands or face;
- Drinking any liquids;
- If oral contact has occurred, the victim is encouraged to refrain from smoking, eating or brushing their teeth;
- If clothes are changed, soiled clothes should be placed in a paper bag (plastic can destroy crucial evidence).

What happens during the medical exam?

- Even if you have no apparent injuries after the assault, it is still a good idea to seek medical care. Going to the hospital, even though it might be difficult, is an important way for you to start taking care of yourself. You can decide what medical care you want or don't want. You may go to any hospital you choose. At the hospital, you will be asked questions about your general health. If you are female, you will be asked about your menstrual history and your use of contraception. You will also be asked specific questions about the assault. Medical providers ask specific questions to find out what to look for when they examine you. The information you give helps them conduct a thorough physical evaluation.
- Then you can choose to have a general physical exam and, if you are female, a pelvic exam. The clinician will check for external and internal injuries and test for any sexually transmitted infections. You may be given antibiotics to prevent infection. For females, a pregnancy test will be done, and, with your permission, you may be given emergency contraceptive pills to prevent unintended pregnancy.

The medical providers will, with your permission, collect physical evidence to be used if you decide to prosecute. Collecting this physical evidence is called a "rape kit." This must be done at a certified emergency room or hospital. Depending on the types of sexual contact that occurred, the search for physical evidence may include taking samples from the vagina, mouth or rectum to test for sperm cells and semen. Other evidence may be obtained from fingernail scrapings, foreign matter on your body and the clothes you were wearing at the time of the assault.

All exam findings are completely confidential and can only be released with your written consent. If you have visible injuries, you may be asked to have photographs taken. Photographing injuries is important because by the time your assailant is prosecuted, the injuries may have healed. Going to the hospital does not mean that you have to make a report to the police. That is your choice. However, the police can be called in the collection of evidence. The hospital staff will probably ask you to come back for a follow-up checkup, or advise you to follow up with a medical provider of your choice. A counselor will always be available to talk with you. Additional ongoing counseling will be available to you through the support resources of your choice.

If I choose to report the incident, what are my options?

We will help you file a DMAC incident report and assign a female or male member of management, as appropriate, to handle the initial interview. We will offer you the option of contacting the Boca Raton Police when you report a sexual assault to us. It is extremely important to preserve evidence as proof of a criminal offense. We will honor and respect your decision to pursue or not to pursue some course of criminal or civil action. If the case alleges a crime of violence (including, but not limited to, sexual assault and rape), the accuser and accused have a right to know the outcome of the proceedings.

Based upon the specifics of the case, DMAC’s Title IX Coordinator may also choose to conduct an administrative investigation according to the College’s Discrimination and Sexual Harassment Policy. Whether the assault happened recently or a long time ago, you may consider reporting the incident. Reporting is a personal, difficult decision. Only you can decide if you want to report the incident and to whom to report it. The various reporting options are outlined on the following chart. These options are not mutually exclusive; you may pursue any or all of them. It is common for a person who has been sexually assaulted to change his/her mind or have questions about reporting. Please refer to the following reporting options.

<u>Seeking Confidential Assistance</u>	<u>Reporting Sexual Assault to DMAC</u>	<u>Reporting Sexual Assault to the Police</u>
<p>Choose this option if you want to report the incident, but do not want any further action to be taken. This report is not a police report, and no investigation will occur as a result. If you choose this option, you can decide to make a formal and/or criminal report in the future.</p> <p>You can make an anonymous or confidential report by contacting 2-1-1 or 1-866-882-2991.</p>	<p>Choose this option if you want to formally report sexual assault.</p> <p>If the accused is a DMAC student or employee, you can file a complaint alleging a violation with the Title IX Coordinator, the President, the Executive Director and Chief Academic Officer or any other member of DMAC management.</p> <p>Communications will not be disseminated to others except on a need-to-know basis (and the Title IX Coordinator). The College must balance the wishes of the reporting person, while protecting the overall College community and assuring appropriate disciplinary measures are taken.</p> <p>This report will collect statistical information about the incident (date, location, whether the person assaulted is a DMAC student). You can make this report for yourself or for someone you know. No identifying information will be included in the report. When appropriate, incident information will be reported anonymously for mandatory reporting statistics.</p>	<p>Choose this option if you wish to report an assault and, possibly pursue criminal prosecution.</p> <p>Off-campus incidents will need to be reported to law enforcement in the town where the incident occurred. However, the Title IX Coordinator can assist you with facilitating this process. If the incident occurred off campus, in Boca Raton, you can file a report with the Boca Raton Police Emergency: 911; Non-emergency: 561-338-1333; or Rape Hotline: 561-833-7273.</p> <p>If you choose to file a police report, the Title IX Coordinator can assist you.</p> <p>All victims of sexual assault on DMAC’s campus (students, employees, and guests) can report the incident to the Title IX Coordinator.</p>

Procedures for Institutional Student Conduct Process (Disciplinary Action) – Alleged Domestic Violence, Dating Violence, Sexual Assault or Stalking.

What happens after a report is filed with DMAC?

1. The student is offered support by the Title IX Coordinator who will outline all the options for a student victim (medical treatment, file a criminal complaint, as well as DMAC's Student Conduct Policy process). The Title IX Coordinator will advise the victim that the College has a duty to investigate the complaint. When the student requests that his/her name not be revealed to the accused, or that no investigation occur, the College will weigh this request against the College's obligation to provide for campus safety. Under some circumstances, the College may be able to cede to the complainant's request. In other circumstances, the balance of factors may compel the College to move forward with an investigation. DMAC's ability to fully investigate and respond to a report may be limited if the student requests that his/her name not be disclosed to the respondent or declines to participate in an investigation. However, DMAC will take all reasonable steps to eliminate the misconduct, prevent its reoccurrence and address its effects.
2. The investigation will be discreet and only disclosed on a "need to know" basis. In cases where the student decides to file an official DMAC report, DMAC will take reasonable care to protect the privacy of victims, and other necessary parties by using the student victim's ID number (and not name) in incident reports, and in publicly available recordkeeping (without the inclusion of identifying information about the victim).
3. If interim actions are necessary, such as a "no contact" order, separating the complainant and the respondent from attending the same classes, the Title IX Coordinator will take action. DMAC will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of DMAC to provide the accommodations or protective measure.
4. Where DMAC has determined that it must move forward with an investigation, the DMAC Title IX Coordinator will meet promptly with the individual (complainant) who alleges an occurrence of inappropriate sexual behavior.
5. Both parties will be treated fairly and equitably.
6. Both parties are entitled to a representative of their choice. Any representative may participate as a silent observer in any meeting or proceeding related to the investigation or adjudication.
7. Both parties may provide witnesses and relevant evidence during the investigation.
8. Both parties may have timely access to the information that will be used in the Student Conduct Policy, including the investigation report and the other party's written statements.
9. Upon completion of the fact-finding, the investigator will make a preliminary determination if there is a preponderance of evidence (more likely than not) that an accused individual committed a Student Conduct Policy violation.
10. There will be a formal hearing to hear all the facts of the case. Both parties will be allowed to present witnesses. Additionally, both parties may ask questions of each other through the chair of the hearing. Students may not question each other directly. DMAC will also accommodate a request by a complainant to be present with a screen or alternative electronic means (Skype, FaceTime, video-conferencing).
11. The process will make a determination if a violation of the Student Conduct Policy has occurred. If the process finds that a violation of the Student Conduct Policy has occurred, the College will then decide the appropriate sanction.
12. Both parties may appeal the sanction, if one is given. Either the victim or the respondent may appeal the decision if there is a procedural error, or if new evidence becomes available that was not previously available through due diligence.
13. If DMAC's representative (Executive Director and/or President) determines there is merit for an appeal (procedural error or new evidence), one of the following may occur:
 - a. The Student will be found not responsible for the violation of the Student Conduct Policy.
 - b. The Student's original sanction will be upheld.
 - c. The Student's original sanction may be modified.
14. In student cases, if an appeal is made, the President will make the final recommendation. No appeal is granted beyond this point.

The standard of preponderance of evidence (more likely than not) will be used in all decision-making. Once the appeal process is completed and a decision is rendered, the Student will receive a written notice of the outcome. There will be no further review of the incident.

Declining to File a Report

The student/employee has the right not to file a report. However, students and employees are highly encouraged to seek medical attention, including counseling, either on- or off-campus. Students/employees who wish to file a report at a later date may do so by contacting the Title IX Coordinator or Director of IT and Facilities. Please note that a delay in reporting could weaken or result in a loss of evidence used to determine whether an individual is responsible for a sexual misconduct/assault.

Retaliation against a person who reports a crime; brings a complaint; pursues legal action; participates in an investigation; or is a witness in any proceeding is prohibited and will not be tolerated. An individual who engages in retaliation may face College disciplinary action.

What is a petition for injunction (also known as a restraining order)?

An injunction is a court order, sometimes referred to as a restraining order, which directs a person not to have contact with you. The individual who files an injunction is called the "petitioner," and the party being filed against is called the "respondent."

What will an injunction for protection (also known as a restraining order) do for you?

It will legally prohibit an alleged abuser (the respondent) from committing any further acts of violence to you or from threatening you.

Depending on the situation, an injunction MAY:

- Restrain the respondent from going to, in or within 500 feet of petitioner's residence, place of employment, place of school, or places you and your family frequent;
- Provide no contact between the parties, in any manner;
- Require the respondent to attend counseling, treatment or a batterer's intervention program;
- Require the respondent not to possess a firearm or to surrender any firearms to law enforcement;
- Provide you sole possession of a dwelling you and respondent shared;
- Address awarding temporary custody of any minor child between the parties, visitation of the child and child support; and
- Address support for petitioner (alimony).

Is there a fee for filing an injunction or protection?

There is no filing fee for an injunction of protection against domestic violence, repeat violence, dating violence or sexual violence.

What happens if the respondent violates the order?

Safety first! Call the police to protect yourself (and your children). File a police report to document the incident, and then proceed to the office clerk of the appropriate circuit court to file a violation.

What if I have questions about filing?

The Title IX Coordinator may be able to assist you in locating information and resources that would be able to explain all of your options, discuss safety planning and assist with filing the injunction for protection. You may also call **2-1-1 or 1-866-882-2991** for confidential information. A trained victim advocate provided by Palm Beach or Broward County is available to provide support and assistance to any student or employee to help make an informed decision regarding reporting options and to offer support/accompaniment through the court and overall reporting process. All services are free.

Public Safety Advisories and Emergency Notifications

If a report of a sex-based offense reveals that there is an immediate threat to the health or safety of students or employees on campus, or that an ongoing serious or continuing threat to the campus community exists, an emergency notification or a public safety advisory will be issued. The purpose of the public safety advisory is to enable individuals to protect themselves and to increase safety awareness, as well as seek information that will lead to the arrest and conviction of the perpetrator. The victim's names and other personally identifiable information will NOT be included in any emergency notification or public safety advisory.

Campus Sex Crimes Prevention Act

Sex Offender Registration – In accordance with the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the following links are provided:

National Sex Offender Registry
<http://www.nsopw.gov/Core/PublicRegistrySites.aspx>

The Florida Sex Offender Registry
<https://offender.fdle.state.fl.us/offender>

The law requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a state concerning registered sex offenders may be obtained. It also mandates sex offenders already required to register in a state to provide notice of each institution of higher education in that state at which the person is employed, carries a vocation or is a student. Unlawful use of the information for purposes of intimidating or harassing another is prohibited by law.

SEXUAL ASSAULT RESOURCES AND SUPPORT

Violence Against Women Act (VAWA)

VAWA is a broad-based law formulated in 1994 in response to the increasing violence against women in America. The Act has provisions starting from funding of domestic-violence programs to new civil rights remedies for women who were victims of gender-based attacks.

DMAC has a zero tolerance policy for staff/faculty/students regarding these matters. Individuals can contact any staff or faculty member with whom they feel comfortable speaking.

DMAC provides a student hot line to call for help with all types of domestic and school based issues. Call the Student Hot Line 305.814.6489 and leave details of your issue and contact information. DMAC will route you to the appropriate responder who can help with your situation. In case of an emergency, please dial 9-1-1

GENERAL PRECAUTIONS

Department Chairs and Coordinators are responsible for having knowledge of all art materials and their potential dangers. Faculty are required to use the least toxic products available and the safest methods for disposal of such materials.

Department Chairs and Coordinators should ensure that all art classrooms are kept sanitary and dry. All exits must be recognizable and clear of obstructions.

CAMPUS SECURITY AUTHORITIES (CSAs)

The Clery Act requires "Campus Security Authorities" (CSAs) to report campus crime statistics to the Director of IT and Facilities for inclusion in the Annual Report and to facilitate timely warnings. "Campus Security Authorities," as defined by the Clery Act, include all staff; Executive Directors (or other senior student administrative personnel); Coaches; Directors, Vice Presidents, Executive Director of Students, faculty, overseers and advisors to student clubs and organizations; and other campus officials who have "significant responsibility for student and campus activities." CSAs must promptly share information about Clery crimes reported to them with the Director of IT and Facilities.

Security

DMAC has contracted security services. This security is limited in nature and is not a guarantee of personal or property safety. It is strongly recommended that students and employees take the necessary precautions to exercise daily personal safety.

ANNUAL CRIME AND FIRE SAFETY REPORTS

If a fire occurs at DMAC, immediately activate the fire alarm system, notify the Director of IT and Facilities and the Director will initiate a response. If a member of the DMAC community finds evidence of a fire that has been extinguished, and the person is not sure whether the Director of IT and Facilities has already responded, the community member should immediately notify the Director of IT and Facilities to investigate and document the incident. Fire alarms alert community members of potential hazards. Community members are required to heed their warning and evacuate buildings immediately upon hearing a fire alarm in a facility. Use the nearest exit to leave the building immediately. DMAC community members should familiarize themselves with the exits in the building.

When a fire alarm is activated, occupants should evacuate the building, and move to the designated assembly area.

DMAC publishes this fire safety report as part of its annual Clery Act compliance document, via this guide, which contains information with respect to the fire safety practices and standards for DMAC. This report includes statistics concerning the number of fires, the cause of each fire, the number of injuries and deaths related to a fire, and the value of the property damage caused by a fire.

Fire Protection Equipment/Systems

DMAC is equipped with automatic fire detection and alarm systems that are constantly monitored by Property Management (ZNT Inc, the Fire Department and Emergency response).

Daily Crime and Fire Log

The Director of IT and Facilities maintains a Daily Crime and Fire Log that records, by the date the incident was reported, all crimes and other serious incidents occurring on campus, within non-campus buildings or properties, on public property or within the campus patrol boundaries. The daily log is available for public inspection upon request, the log’s most recent 60-day period may be inspected by the Director of IT and Facilities during normal business hours (8 a.m. to 5 p.m.), Monday through Friday, unless the college is closed. Any portion of the log older than 60 days may be inspected by the Director of IT and Facilities within two business days of being requested. Logs are kept for seven years.

The Daily Crime and Fire Log includes the nature, date, time and general location of each crime reported to the department, as well as the disposition of the complaint, if the information is known at the time of publication. The Department posts incidents in the Daily Crime and Fire Log within two business days of receiving a report and reserves the right to exclude reports under certain circumstances.

Policy for Preparing the Annual Disclosure of Campus Crime Statistics

1. The Director of IT and Facilities collects data regarding crime statistics and reviews the statistics with the Executive Director and Chief Academic Officer on a monthly basis.
2. The statistics are drawn from the daily incident reports filed with the Director of IT and Facilities and the Boca Raton Police Department if applicable.
3. The Director of IT and Facilities prepares a monthly report that is submitted to the Executive Director and Chief Academic Officer.
4. The Annual Crime Statistics Report is prepared by the Director of IT and Facilities in accordance with federal guidelines and is distributed by October 1 of each year.
5. The statistics are submitted to the Department of Education via the Crime Statistics Survey.
6. The Annual Security and Fire Report is published to the college community, new students, prospective students, faculty and staff. This guide is available under the Safety & Security section of the college’s website.

FIRE SAFETY REPORT LOG

DMAC Campus – 5400 Broken Sound Blvd. NW, Suite 100, Boca Raton, FL. 33487

YEAR	Total Fires	Date	Time	Cause of Fire	Injuries	Deaths	Property Damage	Case Number
2014	0							
2015	0							
2016	0							

**Number of injuries requiring treatment in a medical facility.*

FIRE SAFETY AMENITIES

DMAC Campus – 5400 Broken Sound Blvd. NW, Suite 100, Boca Raton, FL. 33487

	Fire Alarm Monitoring Done Offsite	Partial 1 Sprinkler System	Full 2 Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans/Placards	Number of (Fire) Drills Each Academic Year
DMAC	YES	YES	YES	YES	YES	YES	2

CAMPUS CRIME STATISTICS

2014, 2015 and 2016 Crime Statistics On and Off-Campus – DMAC, 5400 Broken Sound Blvd. NW, Suite 100									
	On Campus ¹			Noncampus ²			Public Property ³		
OFFENSES	2014	2015	2016	2014	2015	2016	2014	2015	2016
Homicide									
• Murder and non-negligent manslaughter	0	0	0	0	0	0	0	0	0
• Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Sexual Assault									
• Rape									
• Fondling	0	0	0	0	0	0	0	0	0
• Incest									
• Statutory Rape									

Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
Hate Crime ⁴	0	0	0	0	0	0	0	0	0
ARRESTS									
Drugs	0	0	0	0	0	0	0	0	0
Alcohol	0	0	0	0	0	0	0	0	0
Weapons	0	0	0	0	0	0	0	0	0
VAWA OFFENSES									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

CAMPUS DISCIPLINARY REFERRALS

	<i>On Campus¹</i>			<i>Noncampus²</i>			<i>Public Property³</i>		
	2014	2015	2016	2014	2015	2016	2014	2015	2016
Drugs	0	0	0	0	0	0	0	0	0
Alcohol	0	0	0	0	0	0	0	0	0
Weapons	0	0	0	0	0	0	0	0	0

¹**On Campus:** Buildings or property the college owns and controls, and uses to support its educational goals (classroom, libraries, laboratories, etc.). Also, property that the college owns that someone else controls on campus or within the geographical area, such as fast-food restaurants and stores that students frequently use.

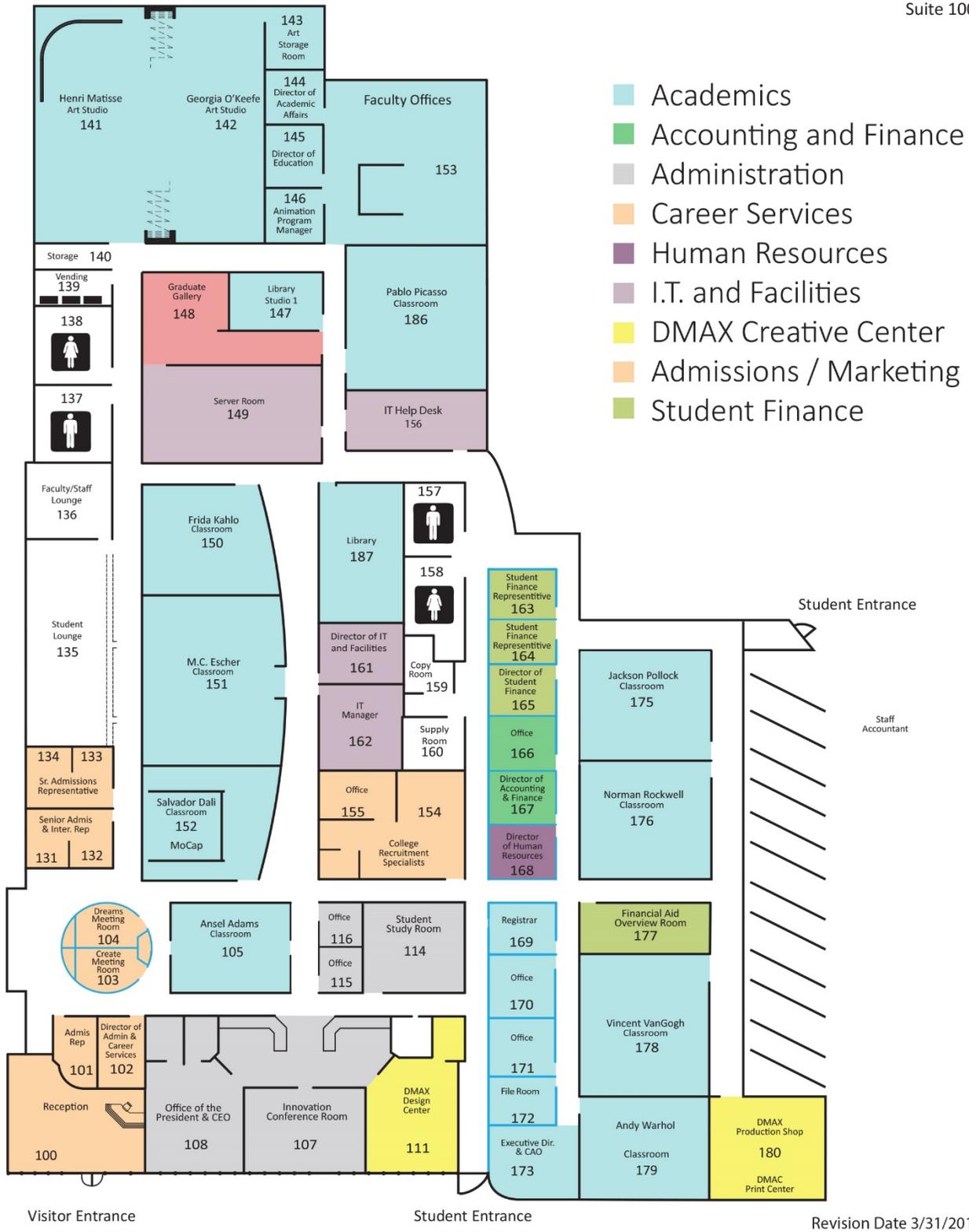
²**Noncampus:** Buildings or property owned or controlled by an officially recognized student organization, and buildings or property owned or any building not within the same reasonable contiguous geographical area of the main institution that the institution owns and operates in support of its educational goals that is frequently used by students (e.g., fraternities and sororities).

³**Public Property:** All public property, including thoroughfares, streets, sidewalks and parking facilities, that is within campus or immediately adjacent to and accessible from campus.

⁴**Hate Crime:** There were no Hate Crimes reported in 2014, 2015 and 2016.

Digital Media Arts College

5400 Broken Sound Blvd NW, Boca Raton, FL 33487
Suite 100



DIGITAL MEDIA ARTS COLLEGE

2017 SECURITY & FIRE SAFETY REPORT



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