

Annual Campus Security Report and Drug Free Campus Policy – 2009

Lincoln College of Technology and Florida Culinary Institute (hereinafter LCT/FCI) is committed to providing a safe working and learning environment at the school. Maintaining a safe working and learning environment for all members of the LCT/FCI community requires the cooperation of all members of the institute’s community. Included with this memo is information pertaining to campus security and drug and alcohol prevention. Under federal law, LCT/FCI must publish annually and distribute to all employees and students each year, campus security policies, procedures, victim’s rights and services as well as the number of crimes reported to campus authorities. These same reports are available to prospective students and potential employees upon request. LCT/FCI must also distribute to each employee and student, information pertaining to the institute’s drug and alcohol prevention program annually. If you have any questions or comments regarding the information provided in the attached documents, please contact the Office of the President at 561-712-5100.

INCIDENCES OF CRIMINAL OFFENSES REPORTED

This information is provided as part of LCT’s and FCI’s commitment to student and employee safety. It complies with the federal Student Right to Know and Campus Security Act of 1990 and reflects incidences, which have been reported to the Vice President of Operations of LCT/FCI through on campus security and local police departments.

Mangonia Park Facility

CRIME	2008				2007				2006			
	*P	C	NC	H	*P	C	NC	H	*P	C	NC	H
Murder or Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses – Forcible	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses – Nonforcible	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Rape (hate crimes only)	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	1	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	4	0	0	0	4	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	1	0	0	0	0	0	0
Arrests:												
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
Campus Disciplinary Referrals:												
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0

***P = On Adjacent Public Property; C = On Campus; NC = On Non-campus Property; H = Hate Crime**

West Palm Beach Facility

CRIME	2008				2007				2006			
	*P	C	NC	H	*P	C	NC	H	*P	C	NC	H
Murder or Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses – Forcible	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offenses – Nonforcible	0	0	0	0	0	0	0	0	0	0	0	0
Forcible Rape (hate crimes only)	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	4	0	0	0	3	0	0	0	2	0	0
Motor Vehicle Theft	0	0	0	0	0	1	0	0	0	0	0	0
Arrests:												
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0
Campus Disciplinary Referrals:												
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0

***P = On Adjacent Public Property; C = On Campus; NC = On Non-campus Property; H = Hate Crime**

A. POLICIES REGARDING PROCEDURES AND FACILITIES FOR THE REPORTING OF CRIMINAL ACTIONS AND OTHER EMERGENCIES

Any criminal action or emergency should be reported immediately to an on campus security officer. If an on campus security officer is not immediately available, contact the Vice President of Operations, or if they are not available the administrative staff will assist you.

The on campus security officer or administrative staff will make an incident report to the Campus Vice President of Operations. As necessary, the security officer or the Campus Vice President of Operations will notify local authorities of the situation. If a situation poses a continued threat, LCT will notify the community, students and employees through notices.

Should neither an on campus security officer, the Campus Vice President of Operations, nor administrative staff member be available, local authorities (police, fire, or medical emergency) should be called as appropriate by the person witnessing the criminal activity or emergency. LCT does not provide procedures that allow victims, witnesses or counselors to report crimes on a voluntary, confidential basis.

Timely reports will be made available to members of the campus community regarding the occurrence of crimes and posted on campus bulletin boards. The Vice President of Operations maintains a daily, written incident/crime log of any

incident/crime that occurs on campus, on adjacent public property or on non-campus property used by LCT. The log is available for public inspection (except for information in which disclosure of the information is prohibited by law or information would jeopardize the confidentiality of the victim) during business hours.

Criminal activities including murder, rape, other forcible or non-forcible sex offenses, robbery, aggravated assault, burglary and motor vehicle theft require immediate notice to local authorities. Victims have the option to be assisted by the campus authorities in notifying local law enforcement authorities. Care should be taken to preserve evidence to assist in the investigation of such criminal activities.

The City of West Palm Beach Police Department can be reached at 561.653.3400.

B. POLICIES CONCERNING SECURITY AND ACCESS TO CAMPUS FACILITIES

Campus buildings are open for business from approximately 7:00 a.m. to 11:00 p.m. Monday through Thursday, and from approximately 7:00 a.m. to 4:30 p.m. on Fridays and on selected Saturdays when classes are scheduled. Security officers are on campus during morning and evening hours of operation.

There is no access to buildings and facilities when the school is not open for business.

Normally, labs are locked when classes are not in session. If an individual student wishes to work in a lab when classes are not officially in session, the student must be supervised by an instructor or lab assistant.

C. POLICIES CONCERNING CAMPUS LAW ENFORCEMENT

Security officers do not carry weapons and have no greater authority to make an arrest than any other citizen. Their presence on campus is intended to be a deterrent to criminal activity. Any security officer may call local authorities to make an arrest on campus after consulting with his or her supervisor, or at his or her own discretion if the supervisor cannot be reached.

The college encourages accurate and prompt reporting of all on-campus criminal activities and emergencies. Reports are to be made to security officers who will file an incident report as above. LCT does not provide procedures that allow victims, witnesses or counselors to report crimes on a voluntary and confidential basis.

D. PROGRAMS DESIGNED TO INFORM STUDENTS AND EMPLOYEES ABOUT SECURITY PROCEDURES

Annually, all students and employees are notified through a leaflet which describes drug and crime policies of the school.

In December of each year in cooperation with the City of West Palm Beach Police Department, the campus community is invited to a free seminar to inform students and employees about campus security procedures, prevention of crime, and to encourage students and employees to be responsible for their own security and the security of others. For more information on this program contact the Office of Student Services at 561.712.5135.

E. PROGRAMS TO INFORM STUDENTS AND EMPLOYEES ABOUT THE PREVENTION OF CRIME

All students and employees are advised to take reasonable care in securing belongings and are encouraged to report all criminal activities to appropriate authorities. Security issues are reviewed at orientation for new students and for new employees.

F. MONITORING OFF CAMPUS ORGANIZATIONS FOR CRIMINAL ACTIVITY

No off campus student organizations exist.

G. POLICY CONCERNING POSSESSION, USE, OR SALE OF ALCOHOLIC BEVERAGES OR ILLEGAL DRUGS; AND DRUG ALCOHOL ABUSE EDUCATION PROGRAMS

LCT/FCI DRUG-FREE CAMPUS POLICY

Lincoln College of Technology and Florida Culinary Institute prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees as part of any of LCT/FCI activity or on LCT/FCI property.

Lawful consumption of alcohol at selected school functions where consumption is authorized by those of legal drinking age is not prohibited.

LEGAL SANCTIONS

Federal law requires that we inform you of a description of the applicable legal sanctions under local, state or federal law for the unlawful possession or distribution of illicit drugs and the abuse of alcohol. Federal Penalties and sanctions for illegal possession of a controlled substance are as follows

21 USC 844(a)

1st conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.

After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.

After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both.

Special sentencing provisions for possession of crack cocaine: Mandatory at least 5 years in prison, not to exceed 20 years and fined up to \$250,000, or both, if:

- (a) 1st conviction and the amount of crack possessed exceeds 5 grams.
- (b) 2nd crack conviction and the amount of crack possessed exceeds 3 grams.
- (c) 3rd or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.

21 USC 853(a)(2) and 881(a)(7)

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment. (See special sentencing provisions re: crack)

21 USC 881(a)(4)

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21 USC 884a

Civil fine up to \$10,000 (pending adoption of final regulations).

21 USC 853a

Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offenses.

18 USC 922(g)

Ineligible to receive or purchase a firearm.

State penalties and sanctions for alcohol violations are as follows:

For a first offense for possession of alcohol by a person under the age of 21, a violator is guilty of a second degree misdemeanor is punishable by a fine of \$500 and may be imprisoned up to 60 days. Second offense, is punishable by a fine of \$1,000 and may be imprisoned up to 1 year. DMV may also withhold, suspend or revoke the violator's driver's license. (34 FS 562.111)

For purchasing alcohol for, or procuring alcohol for a minor, a violator shall be guilty of a second degree misdemeanor is punishable by a fine of \$500 and may be imprisoned up to 60 days. Second offense, is punishable by a fine of \$1,000 and may be imprisoned up to 1 year. DMV may also order community service or withhold, suspend or revoke the violator's driver's license. (34 FS 562.11)

For the unlawful drinking and misrepresentation by underage persons, the violator shall be guilty of a second degree misdemeanor is punishable by a fine of \$500 and may be imprisoned up to 60 days. Second offense, is punishable by a fine of \$1,000 and may be imprisoned up to 1 year. DMV may also order community service or withhold, suspend or revoke the violator's driver's license. (34 FS 562.11)

Miscellaneous

Revocation of certain federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., are vested within the authorities of individual federal agencies.

Source: Florida Statutes and Federal Register/Vol. 55, No. 159/Thursday, August 16, 1990/Rules and Regulations/ Pg.33589

HEALTH RISKS ASSOCIATED WITH THE USE OF ILLICIT DRUGS AND THE ABUSE OF ALCOHOL

1. Alcohol

Although alcohol is "legal", it is the most commonly abused substance in college environments and in the workplace. It can lead to:

- poor judgment and coordination
- drowsiness and mood swings
- liver damage and heart disease

2. Marijuana

Recent studies suggest that marijuana is addictive. In addition, marijuana is much stronger than it was twenty years ago. It can cause:

- impaired short term memory
- slowed reaction time
- lung disease and infertility

3. Prescription Drugs

Prescription drugs are not safe unless they are taken as prescribed. If abused they can lead to:

- sluggishness or hyperactivity
- impaired reflexes
- addiction and brain damage

4. Cocaine and Crack

Highly addictive, cocaine and crack can speed up performance but the effect is short lived. More long lasting effects are:

- shortened attention span
- irritability and depression
- seizure and heart attack

HELP IS AVAILABLE

Breaking free of the cycle of abuse is a difficult move for the drug user or alcoholic. But help is nearby – within LCT/FCI and within your community. When the user reaches out for help, everyone benefits from better relationships, health and safety, and the ability to work together as a team.

Within LCT/FCI

All faculty, students and staff are invited to use the confidential resources of the Student Services Office. The Office of Student Services will act as a resource to refer individuals to private and public sources of assistance.

Within the Community

Most communities offer a wide variety of resources. They include groups such as Alcoholics Anonymous, Narcotics Anonymous, hospitals, mental health centers, social service agencies, and private therapists. Some provide free services. Most of these groups are listed in your telephone book.

Some other sources of assistance are:

National Institute on Drug Abuse Hotline
1-800-662-HELP

National Cocaine Hotline
1-800-COCAINE

National Council on Alcoholism
1800-NCA-CALL

DISCIPLINARY SANCTIONS FOR VIOLATIONS

Illegal drug or alcohol possession, use, or distribution on campus is subject to action by local, state and federal law enforcement agencies. Under Public Law 101-226, LCT/FCI is now required to report convictions under local and state law to the federal government.

Any student or school employee who is convicted of unlawful possession, use, or distribution of illegal drugs or alcohol on school property or as part of any LCT/FCI activity will be encouraged to complete an appropriate rehabilitation program at a public or private facility.

Conviction of criminal offenses including murder, rape, other forcible or non-forcible sex offense, robbery, aggravated assault, burglary, motor vehicle theft, or illegal drug or alcohol possession, use or distribution on campus may also result in expulsion

from school for a student and termination of employment for an employee. Decisions concerning such actions will be rendered after a hearing, if such a hearing is requested, with a Disciplinary Committee convened to consider such matters.

At this hearing, extenuating and mitigating circumstances will be considered. In addition, the accuser and the accused are entitled to the same opportunities to have others present during a campus disciplinary proceeding; and both the accuser and the accused shall be informed of the outcome of any campus disciplinary proceeding brought alleging a sexual assault.

The Drug-Free Workplace Act of 1988 requires that we notify the Department of Education for infractions of the policy.

As a condition of employment, employee will abide by the terms of the DFWP policy, and will notify the employer (Vice President of Operations) of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;

LCT will notify the agency within ten days after receiving notice from an employee or otherwise receiving actual notice of such conviction.

LCT will take one of the following actions, within thirty days of receiving notice with respect to any employee who is so convicted: 1) take appropriate personnel action against such an employee, up to and including termination; or 2) require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency.

H. POLICY TO PREVENT SEXUAL ASSAULT

PROGRAMS TO PREVENT SEXUAL ASSAULT

LCT/FCI offers workshops about preventing sexual assault through the Office of Student Services. Workshops are available to both students and employees of the institute to promote awareness of rape, acquaintance rape and other forcible and non-forcible sex offenses. Contact the Office of Student Services for information about future workshops.

PROCEDURES TO FOLLOW IF A SEXUAL ASSAULT OCCURS

- a) Contact security and/or local law enforcement immediately. All sexual assaults will be reported as criminal offenses to local authorities. Security or any institute staff or faculty member, may be requested to assist in reporting an offense to local authorities.
- b) Request medical examination as appropriate.

- c) Assist authorities in preserving evidence for the proof of a criminal offense.

COUNSELING SERVICES FOR VICTIMS OF SEXUAL ASSAULT

Counseling services are available for victims of sexual assault through the Office of Student Services. Outside referrals will be made as appropriate. At the option of the victim of a sexual assault, the institute will assist in changing academic and living situations if those changes are reasonably available.

DISCIPLINARY PROCEDURES FOR INCIDENCES OF SEXUAL ASSAULT

The office of Student Services will investigate all incidences of sexual assault occurring on campus in accordance with the procedures set forth in the institute's sexual harassment policy. Both accuser and accused shall be informed of the outcome of any institutional disciplinary proceedings which have been brought alleging a sexual offense.

The accuser and accused are entitled to have others present during a disciplinary hearing.

SANCTIONS FOR SEXUAL OFFENSES

Any student, faculty or staff member found guilty of an on campus sexual offense will be dismissed.

DISCLOSURE

Federal law requires that institutions of higher education provide the campus community where law enforcement agency information may be obtained regarding registered sex offenders within the state of Florida. The Florida Department of Law Enforcement Sexual Predator/Offender Registry may be found at http://www.fdle.state.us/sexual_predators.

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