



# ANNUAL SECURITY REPORT

# 2018

Main Campus,  
Center for Marine Science and  
D.C. Virgo Preparatory Academy



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## A Message from the Director of Title IX and Clery Compliance

The Office of Title IX and Clery Compliance at the University of North Carolina Wilmington is committed to the equitable treatment of all persons and transparency of campus safety information. Through educational engagement, professional development, and campus-wide collaboration, we provide programs, resources, and statistical information to promote a safe university environment.

This collaborative approach starts from the institution as a whole as UNCW takes a communal approach to campus safety and security. The University Police Department leads the charge with visible patrols and a community policing model. Their sworn officers, non-sworn security officers, administrators, and support staff regularly collaborate with other offices including Housing and Residence Life, the Office of the Dean of Students, CARE, Crossroads, and the Office of Title IX and Clery Compliance to further UNCW's commitment to safety.

With the focus of safety in mind, UNCW's Annual Security Report is published each year in compliance with the *Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Act [20 USC 1092 (f)]*. This report includes statistics for the previous three years concerning certain categories of crimes that occurred on campus, in off-campus buildings or property owned or controlled by UNCW, and on public property within or immediately adjacent to and accessible from the campus. The report also includes institutional policies concerning campus security, sexual misconduct, emergency response, and other matters. A hard copy of this report can be obtained by contacting the UNCW Police Department or the Office of Title IX and Clery Compliance.

We hope that you find this report informative and helpful and that your time at UNCW will be both successful and safe.

Warm regards,



Amber L. Resetar, Esq.  
Director of Title IX and Clery Compliance

## **Commitment to Equal Education and Employment Opportunity**

The University of North Carolina at Wilmington is committed to and will provide equality of educational and employment opportunity for all persons regardless of race, sex (such as gender, gender identity, marital status, childbirth, and pregnancy), age, color, national origin (including ethnicity), religion, disability, sexual orientation, political affiliation, veteran status, military service member status, genetic information, or relationship to other University constituents—except where a protected status represents bona fide educational or occupational qualifications or where marital status is a statutorily established eligibility criterion for state-funded employee benefit programs.

This affirmation is published in accordance with 41 CFR Part 60 and is implemented in accordance with the following laws and their amendments: Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972 (20 USC § 1681); the Equal Pay Act of 1963; Executive Order 11246; the Age Discrimination in Employment Act of 1967; the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990; ADA Amendments Act of 2008; the Vietnam Era Veterans' Readjustment Assistance Act of 1974; the Civil Rights Restoration Act of 1988; N.C. General Statutes Chapters 116 and 126; and Title II of the Genetic Information Non Discrimination Act of 2008.

To ensure that equal educational and employment opportunity exists throughout the University, a results-oriented equal opportunity/affirmative action program has been implemented to overcome the effects of past discrimination and to eliminate any artificial barriers to educational or employment opportunities for all qualified individuals that may exist in any of our programs. The University of North Carolina at Wilmington is committed to this program and is aware that with its implementation, positive benefits will be received from the greater representation and development of previously under-utilized human resources.

## **Preparation of the Annual Security Report and Disclosure of Crime Statistics**

As part of the annual statutory requirement set forth in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990, the University of North Carolina Wilmington prepares an Annual Security Report to help current and future students, as well as their parents and/or guardians, understand the campus security trends, campus security policies and programs aimed at identifying, deterring or curtailing crime. The University uses information maintained by University Police, information provided by other University offices such as the Student Affairs Division which contains, the Office of Title IX and Clery Compliance, the Office of the Dean of Students, and Housing and Residence Life; the Office of International Programs; Athletics; and other Campus Security Authorities. Each of these offices provides updated policy information. Information is also provided by local law enforcement agencies surrounding the UNCW campus. Crime statistics are also gathered from the jurisdictions that student organizations, athletic teams, and other student groups travel to or utilize for educational purposes.

This report provides statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned, leased or controlled by UNCW. This report also includes institutional policies concerning campus security, such as policies regarding sexual assault, alcohol and other drugs.

Main campus, the Center for Marine Science (CMS), and DC Virgo are covered by this report. All policies herein apply to all sites unless specifically noted herein. Separate statistics will be denoted for CMS. No statistical data will be included for DC Virgo in this report as DC Virgo was not part of UNCW until summer 2018.

The University distributes a notice of the availability of this Annual Security Report by October 1 of each year to every member of the University community. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting the Office of Title IX and Clery Compliance at 910-962-3557 or by visiting <http://www.uncw.edu/police/>.

## **Campus Law Enforcement Policies**

University Police protects and serves the UNCW community 24 hours a day, 365 days a year. The department supports and delivers a number of campus safety and security programs including community safety and crime prevention programming, physical security, behavioral threat assessment, and special event management. The department operates a communications center that is staffed and equipped to receive and respond to telephone, electronic, and radio communications 24 hours a day. Through contractual agreement, the New Hanover County 911 Center provides dispatch and emergency communications functions to UNCW.

University Police is a fully functional police agency empowered under North Carolina General Statute 116-40.5. Police officers are certified under the North Carolina Department of Justice Criminal Justice Education and Standards Commission and possess full arrest authority. Generally, University Police is responsible for providing immediate emergency response to and investigating reports of criminal actions and/or initiating or providing assistance to other agencies and departments for other types of emergencies occurring on property owned, leased and managed by UNCW. University Police also refer students to the Campus Conduct System for minor violations and violations of campus policy. The police department is located on the East side of campus, on Lionfish Drive. We encourage all UNCW community members to immediately report all crimes that occur on campus or other University property to the University Police at 910-962-2222 or by immediately dialing 911.

### **Working Relationships with Local, State, and Federal Law Enforcement**

University Police benefits from an excellent working relationship with surrounding law enforcement agencies. Local and state agencies are all participants in a comprehensive countywide communication system that allows direct linkage between the various agencies. Local and state agencies provide support to University Police when requested. Additionally, University Police has mutual aid agreements with all UNC System schools and has entered into an agreement with New Hanover County that provides a limited expansion of the University's law enforcement

jurisdiction. The terms of the agreements establish the conditions under which either agency may request and/or provide assistance to the other and the circumstances of the expanded jurisdiction. It should be noted that University Police does not patrol or respond to routine calls for service in the areas of expanded jurisdiction. The Wilmington Police Department and the New Hanover County Sheriff's Office also cooperate for training on pre-planned large-scale exercises and events.

### **Crimes Involving Student Organizations at Off-Campus Locations**

University Police is not aware of any off-campus buildings or properties owned or controlled by any officially-recognized student organizations.

### **Reporting Crimes and Other Emergencies**

The University has a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to appropriate University officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire University community that you immediately report all incidents to University Police to ensure an effective investigation and appropriate follow-up actions, including issuing a crime alert, timely warning, or emergency notification.

### **Reporting to University Police**

The University encourages all members of the University community to report all crimes and other emergencies that occur on campus to University Police in a timely manner. In an emergency, dial 911. University Police has a dispatch center that is available by phone at 910-962-2222 or in person, twenty-four (24) hours a day at 5126 Lionfish Drive. Though there are many resources available, University Police should be notified of any crime, whether or not an investigation continues, to ensure the University can assess any and all security concerns and inform the community if there is a significant threat to the University community.

### **Voluntary, Confidential Reporting**

If you are the victim of a crime or want to report a crime you are aware of, but do not want to pursue action within the University or criminal justice system, we ask that you consider filing a voluntary, confidential report. Depending upon the circumstances of the crime you are reporting, you may be able to file a report while maintaining your confidentiality. The purpose of a confidential report is to comply with your wish to keep your personally identifying information confidential, while taking steps to ensure your safety and the safety of others. The confidential reports allow the University to compile accurate records on the number and types of incidents occurring on campus. Reports filed in this manner are counted and disclosed in the Annual Security Report. In limited circumstances, the police department may not be able to assure confidentiality and will inform you in those cases.

Anyone may call University Police at 910-962-2222 to report concerning information. Callers may remain anonymous.

## Anonymous Reporting

If you are interested in reporting a crime anonymously, you can access the police through the Department's website: [www.uncw.edu/police](http://www.uncw.edu/police). By policy, we do not attempt to trace the origin of the person who submits this form, unless such is deemed necessary for public safety. Persons may also report crimes through the TEXT A TIP. Begin your message via phone to "CRIMES" or via the web site [www.tip708.com](http://www.tip708.com). You can also submit tips through New Hanover County Crime Stoppers at 800-531-9845 or 910-763-3888.

## Reporting to Other Campus Security Authorities

While the University prefers that community members promptly report all crimes and other emergencies directly to University Police at 910-962-2222 or 911, we also recognize that some may prefer to report to other individuals or University offices. The Clery Act recognizes certain University officials and offices as "Campus Security Authorities (CSA)." The Act defines these individuals as "official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution."

The following University officials or members of designated offices, by virtue of their titles and position, are required to notify the police department of incidents of offenses occurring in certain geographic locations associated with UNCW:

1. UNCW Police: All personnel
2. Office of Housing and Residence Life: All professional staff, resident assistants and desk receptionists, including contracted security guards
3. Office of the Dean of Students: All professional staff
4. Athletic Department: Athletic director, other administrators, trainers and coaching staff
5. Campus Recreation: All professional staff
6. Campus Life: All professional staff
7. Director of the Student Health Center
8. UNCW faculty/staff advisors of registered student organizations
9. Director of the Student Health Center
10. Victim advocates
11. UNCW Director of Title IX and Clery Compliance
12. DC Virgo: Student resource officer; principal; assistant principal; lab school implementation coordinator

## Confidential Resources

The trained professionals designated below can provide counseling, information, and support in a confidential setting. These Confidential Resources will not share information about an individual (including whether that individual has received services) without the individual's express permission, unless there is a continuing threat of serious harm to the patient/client or to others or there is a legal obligation to reveal such information (e.g., suspected abuse or neglect of a minor; or a Clery obligation to provide statistical, non-personally identifiable information,

including from sexual assault advocates or the Director of the Health Center). These professionals are also available to help an individual make a report to the University.

### **CARE (Collaboration for Assault Response & Education)**

The CARE Office is located on the second floor of DePaolo Hall, across from the Student Health Center, in the CARE suite. CARE can be contacted at 910-962-CARE. Emergency or after-hours consultation is also available by calling the CARE responder at 910-512-4821 or at [care@uncw.edu](mailto:care@uncw.edu).

Hours: Monday - Friday 8:00AM - 5:00PM

### **Counseling Center**

The Counseling Center is located on the second floor of DePaolo Hall and provides confidential services to students. The Counseling Center can be contacted at 910-962-3746. Emergency or after-hours consultation is available by contacting the University Police.

Hours: Monday - Friday 8:00AM - 5:00PM

The University does not have written procedures requiring professional and pastoral counselors (who are exempt under federal law from the requirement to report crime statistics) to inform individuals they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. It is standard practice, however, for the University's professional and pastoral counselors to discuss with their clients the various options (including anonymous reporting) for reporting criminal incidents.

### **Student Health Center**

The Student Health Center is located on the second floor of DePaolo Hall, across from the CARE offices. The Student Health Center can be contacted at 910-962-3280.

Hours: Monday through Wednesday and Friday 8:00AM - 5:00PM, Thursday 9:00AM - 5:00PM

### **Mandatory Reporting of Child Abuse**

Individuals who suspect that a child is being harmed or observe a child being harmed should contact law enforcement by calling 911. In addition, under North Carolina law, individuals who reasonably suspect that a child under the age of 18 has been abused or neglected by a parent, guardian, or caregiver have an obligation to report that suspicion to a county department of social services. The New Hanover County Department of Social Services may be reached at 910-798-3400.

### **Emergency Phones and Call Boxes**

There are more than 150 emergency phones and call boxes located across the campus, in the parking deck, and in elevators to make obtaining assistance convenient and easy to find.

Standing tall and prominently, “blue-light” fixtures reflect the University’s commitment to a greater level of personal security for all students, employees, and visitors. Call boxes require only the push of a button to contact University Police through a speakerphone. A bright strobe light on the top of the call box is activated when you push the button, helping police quickly locate you. If you are unable to speak or need to seek safer shelter, there are indicators in place to let police dispatchers know which call box has been activated. Police officers will respond any time a call box is activated, whether someone speaks into the speaker or not. A quick button press can make the difference in solving or even preventing a crime. In addition to using the call box to report emergencies, you should also use them to report simple suspicious activities that may warrant immediate police attention, or anytime you wish to contact University Police.

For a map of campus call box locations, please visit [https://uncw.edu/ba/flash/callbox\\_map.pdf](https://uncw.edu/ba/flash/callbox_map.pdf). You should study the locations that lie along your regular routes of campus travel so you will know how to find the closest call box in an emergency.

The police department provides regular spot-check maintenance of the campus call boxes. To report any kind of problem relative to the operation or appearance of a campus call box, please call the police department at 910-962-2222.

## Timely Warning Procedures

In an effort to provide timely notice to the campus community in the event of a Clery Act crime that may pose a serious or ongoing threat to members of the community, University Police issues timely warnings. University Police will generally issue a timely warning for the following crimes when they meet the criteria below: arson; aggravated assault; criminal homicide; robbery; burglary; sex assaults; and hate crimes. The timely warning is provided to students and employees in a manner that is timely, withholds as confidential the names and other identifying information of victims, and will aid in the prevention of similar crimes. Students, faculty, and staff are encouraged to read these timely warnings as soon as they receive them.

University Police may post these warnings through any of the following methods: e-mail, broadcast voicemail, website postings on the UNCW homepage or on University Police’s page, community meetings, print media, televised media, public postings, telephone, and personal communication.

The University also may send text message alerts to those whose cell phone numbers are registered for UNCW Alert messages. Text messaging can be a very effective way to send important information to the campus community. All students are automatically enrolled for UNCW Alert messages. If any other member of the UNCW community wishes to receive UNCW Alert messages, they may log onto [mySeaport](#), scroll down the left side navigation and click “Register to Receive UNCW Emergency Texts,” provide an up-to-date phone number and/or email address, and click “submit” to enroll.

The purpose of these timely warnings is to notify the campus community of an incident and to provide information that may enable community members to protect themselves from similar incidents. A timely warning may be issued when a Clery crime is reported to the UNCW

Police Department. Through distribution of timely warnings, the University will often ask members of the University community for their help in gathering information about an incident or in identifying those responsible. Individuals are encouraged to contact University Police by calling 910-962-2222 or in person, twenty-four (24) hours a day at 5126 Lionfish Drive.

At UNCW, to determine whether a timely warning will be issued, an assessment will be conducted by the UNCW Police Department, the Office of Title IX and Clery Compliance, and other appropriate offices to determine whether the reported Clery crime is considered a serious or continuing threat to students and employees. This assessment will further take into account the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law. If a timely warning is required, the aforementioned offices will work to draft and disseminate the timely warning. However, in emergency situations, any police supervisor may authorize, draft, and disseminate a timely warning.

## **Emergency Response and Evacuation Procedures**

### **Emergency Notification**

UNCW is committed to ensuring the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members. UNCW has several means of communicating emergency notifications, including the emergency notification system called the “UNCW Alert” Emergency Communication System. UNCW Alert is an emergency notification service available to students, faculty, and staff. UNCW Alert includes nearly 20 different communication tools that the University may deploy during an emergency. Emails, text messages, phone calls and other communications from "UNCW Alert" are official UNCW emergency updates and are simulcast to the University community via our news wire at <https://sites.google.com/site/uncwalert/>, UNCW’s Facebook page, Twitter, or at the subscriber’s choice, a secondary e-mail account.

In addition to UNCW Alert, methods of emergency notification could also include verbal announcements within a building and public address system on police cars. The University also posts updates during a critical incident on the homepage. The Seahawk Siren System is an option which is used for emergencies requiring shelter in place to stay safe. The siren will be utilized during certain emergencies, such as tornadoes, hazardous materials incidents, or active shooters. A Campus Intercom System can be utilized as well. It is used to notify persons indoors in a manner similar to the Seahawk Siren System. It may be used to provide shelter in place or evacuation information as necessary for a variety of emergencies. The active listening function of this system will only be used by law enforcement in actual emergencies.

UNCW performs a University-wide annual test of the system. The following procedures outline the process the University uses when issuing emergency notifications.

## **Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System**

Generally, University Police is responsible for providing immediate emergency response to and investigating reports of criminal actions and/or initiating or providing assistance to other agencies and departments for other types of emergencies occurring on property owned, leased and managed by UNCW.

Once a significant emergency or dangerous situation involving immediate threat to the health or safety of students or employees is confirmed by University Police, the campus community shall be notified, unless University Police determines that issuing an immediate notification would place the community at a greater risk or would compromise efforts to contain the emergency. Any delay in notification shall be for as short a time as possible.

It is anticipated that initial notifications will be the responsibility of University Police. However, it is recognized that any number of circumstances may cause this responsibility to fall to University Relations or, in some cases, another designated office(s) or department(s), including the Office of Title IX and Clery Compliance, among others.

### **Determining the Contents of the Emergency Notification**

The University has developed a number of template messages addressing several different emergency situations. The individual authorizing the alert will select the template message most appropriate to the on-going situation, modify it to address the specifics of the present incident, determine the appropriate segment(s) of the community that should receive the message, and disseminate it accordingly. In those cases where there are no pre-determined template messages in the system, the individual authorizing the alert will develop the most succinct message to convey the appropriate information to the appropriate segment(s) of the community. The initial message shall advise the community on what action to take, such as whether to seek shelter, secure doors, avoid or evacuate a location(s) or take other action as needed. The goal is to ensure individuals are aware of the situation and that they know the steps to take to safeguard their personal and community safety.

Additional messages may be released by University Police as the incident or situation warrants and as time permits. In situations where the initial emergency notification was made by University Police, University Relations has responsibility for broadcasting further messages to the UNCW community. The Chief of Police, or designee, shall notify University Relations of the incident and shall notify that office when University Police has transferred responsibility for further notifications to them. University Police will work to continue to update and brief University Relations staff on incident developments, advising on the content and timing of further communications.

### **Procedures for Disseminating Emergency Information to the Greater Community**

If the University activates its emergency notification system in response to a situation that poses an immediate threat to members of the campus community, several offices at the University are responsible for notifying the larger community about the situation and steps the University has

taken to address the emergency, primarily the Office of University Relations (OUR).

### **Enrolling in the University's Emergency Notification System**

All students are automatically enrolled for UNCW Alert messages. The University encourages all other members of the campus community to enroll in the UNCW E-Mail and Text Alert Emergency Notification and regularly update their information at the same site. If any other member of the UNCW community wishes to receive UNCW Alert messages, they may log onto [mySeaport](#), scroll down the left side navigation and click "Register to Receive UNCW Emergency Texts," provide an up-to-date phone number and/or email address, and click "submit" to enroll.

### **Emergency Response and Evacuation Procedures**

If University Police determines that a building or area must be evacuated, University Police will contact appropriate personnel to advise them of the nature of the evacuation. University Police initiates and supervises the evacuation with the cooperation of Environmental Health & Safety, Facilities, and/or the Division of Student Affairs.

When an evacuation alarm sounds, individuals should evacuate the building calmly and quietly to a distance of at least 500 feet from the building and out of the way of emergency personnel. Individuals should not use the elevators because they may become inaccessible. If possible, abled individuals should assist disabled individuals in exiting the building or to the closest stairwell (and should notify University Police of the disabled person's location). Disabled individuals who cannot use stairs should proceed to the closest stairwell and wait until help arrives. Individuals should not return to the building until instructed to do so by University Police officers or authorized personnel.

### **Procedures to Test Emergency Response and Evacuation Procedures**

The University's alerting methods are tested at least bi-annually to ensure all faculty, staff, and students are familiar with emergency alerts and what their individual roles are during an actual situation.

A fire and evacuation drill is coordinated by Environmental Health & Safety four (4) times per year in each residential facility and annually in each academic building. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of emergency. In addition to educating occupants of each building about evacuation procedures during the drills, the process also provides Environmental Health & Safety with an opportunity to test the operation of fire alarm system components.

Evacuation drills are monitored by Environmental Health & Safety to evaluate egress and behavioral patterns. Reports are prepared by Environmental Health & Safety and identify deficient equipment so that repairs can be made immediately. Recommendations for improvements are also submitted to the appropriate departments for consideration.

The Housing and Residence Life Staff are trained in these procedures and act as an ongoing resource for students living in residential facilities.

Environmental Health & Safety documents each test it conducts, including a description of the test, the date the test was held, the time the test started and ended, and whether the test was announced or unannounced.

Environmental Health & Safety publicizes the University's emergency response procedures in an email notification in conjunction with at least one regularly scheduled test of the University's emergency plans and capabilities.

## **Security of and Access to University Facilities**

In general, at UNCW, administrative offices are open from 8:00 a.m. until 5:00 p.m., Monday through Friday. Academic buildings generally are open from 7:00 a.m. until 11:00 p.m. Academic buildings are scheduled to be open on weekends only as needed. Access to individual classrooms and laboratories is limited to those enrolled in the courses meeting there. Likewise, access to most programs is limited to those enrolled in the program or otherwise authorized access. Academic, administrative and support buildings are secured each evening at the conclusion of the scheduled activity for the facility by building staff, housekeeping staff, University Police, or electronically through a computerized access control system administered by Access Management. Only those who have a demonstrated need are issued keys to a building.

Reservations and requests for facility use are administered by the Campus Life Reservations Office for Campus Life Facilities, the Facilities Use Manager for Academic Space, Information Technology Systems for IT Facilities, Athletics Facilities and Event Management for Athletic Facilities, or department building coordinators.

Many cultural and athletic events held in the University facilities are open to the public. Other facilities such as the bookstore, library, and Fisher Student Center and Union are likewise open to the public.

### **Special Considerations for Residence Hall Access**

At the University, all ground floor accessible doors to UNCW's traditional style residence halls as well as the Seahawk Landing, Seahawk Village, and Seahawk Crossing are locked 24 hours per day, seven days a week. These residence halls operate under a computerized access control system. Identification cards are coded so that only students who are residents in a particular hall are authorized electronic access entry to that hall; the system denies entry to all unauthorized persons. These are present on all main entrance doors. All other ground accessible doors are alarmed. When any exterior door is left ajar, an audible alarm is activated. When a door is malfunctioning, personnel are summoned for immediate repair or to secure it. All residence hall and apartment exterior doors are equipped with locks and with crash bars to ensure a quick emergency exit.

Only residents and their invited guests are permitted in the living areas of the residence halls. Guests are not provided with room keys or door access cards nor are they authorized to use their host's card temporarily for access. Guests must be escorted by a resident of the building at all times. It is the responsibility of residents and staff members to challenge or report individuals who cannot be identified as residents or the guests of residents. When University Police receive a report of an unescorted person in a residence hall, a police officer is dispatched to identify that

person. Officers and security guards patrol in and around the residence hall complexes. Contracted Security Personnel are assigned in the residence hall areas from 12:00 a.m. until 8:00 a.m.

During the summer when groups who are not regularly associated with UNCW are using the University residence halls, exterior doors remain locked 24 hours a day. Each guest is issued an identification card that allows access to their assigned building via the electronic access control system. Residence Halls are staffed 24 hours per day. Police officers randomly patrol common hallways throughout residence halls and the exterior grounds.

### **Desk Receptionists (DRs)**

DRs are student staff members who work at the front desk of each of the traditional residence halls between the hours of 8 a.m. to midnight. The DR is primarily responsible for providing security in the hall by maintaining an awareness of residents and others entering and leaving. The DR may request individuals entering the building to show a UNCW ID and may inspect bags/backpacks.

### **Night Security Staff**

Security guards work at the front desks in each residential area from midnight to 8 a.m., seven days a week whenever a building is open for residents. These individuals perform many of the same duties as the DR staff and they closely monitor access to each of the residential areas.

### **Residence Assistants (RAs)**

RAs are UNCW students of sophomore standing or above who are responsible for: familiarizing students with residence hall and University rules and regulations, assisting with the enforcement of these rules and regulations, acting as a liaison between residents and the Office of Housing and Residence Life, and being on duty in the evening from 5 p.m. until 8 a.m. and on the weekend from 5 p.m. on Friday until 8 a.m. on Monday on a rotating basis.

### **Residence Coordinators (RCs)**

RCs are full-time professionals who live on campus and are assigned to administer a specific residence hall or area; supervise a graduate assistant and resident assistants; and enforce University policy. Each RC is also a campus conduct officer who adjudicates on-campus student discipline. One of these professional staff members is on duty each evening to respond to emergencies in the residential facilities.

Residence hall rules and regulations may be accessed through the following link:  
<https://uncw.edu/housing/documents/CampusLivingHandbook.pdf>.

## **Security Considerations for Maintenance of Campus Facilities**

UNCW is committed to campus safety and security. Generally, the responsibility for maintaining campus buildings and grounds falls to the Physical Plant, a department within the University's Office of Facilities. Physical Plant personnel conduct inspections of academic and administrative buildings and the campus grounds. Each business day, police personnel report maintenance issues observed as being in need of care or correction to the Office of Facilities and

others. Housing and Residence Life staff regularly makes rounds of the facilities to check for maintenance problems that may pose a hazard to residents' safety and security as well. Annually, representatives from the student body and several University departments, including the Office of Housing and Residence Life, Environmental Health & Safety, University Police, Physical Plant, and others walk the campus to identify security issues and prompt corrective actions. A centralized online work order system is available for UNCW employees to submit specific maintenance items. These actions are in addition to routine maintenance and repair programs administered for the safety and security of campus facilities.

Community members are encouraged to promptly report any security concern, including concerns about locking mechanisms, lighting, or landscaping to Facilities, Housing and Residence Life, or University Police.

## **Education Programs**

University Police services focus on one primary concern: to protect and serve all who come to campus. The services of the department center on enhanced customer service, reduction of crime, and the improvement of the quality of life for students, faculty, staff and visitors at UNCW. To make UNCW a safer community, community members are encouraged to take steps to protect themselves by calling University Police if there is a safety concern or noting suspicious activity. In an emergency, individuals should call 911 or use an emergency call box.

Information is an important component in the continuing effort to increase campus safety. A well-informed campus can better protect itself. Every student, faculty member, and staff member shares the responsibility for providing a safe campus. Every campus community member should be educated and aware of the services University Police offers. University Police is founded on the values of community policing and crime prevention. To this end, the department provides crime prevention information, materials and education to the campus throughout each school year. One of the goals of University Police is to prevent crimes before they occur.

### **Crime Prevention and Education**

University Police coordinates crime prevention and community policing activities through formal policing models, identified at UNCW as Police and Community Networking (PAC'N) and Patrol Areas of Responsibility (PARs). These policing models allow individual police officers and patrol squads to give particular and regular emphasis to the residential areas of the campus while also maintaining services to the greater campus community. To this end, police staff works especially closely with resident students, as well as Housing and Residential Life resident assistants and residence coordinators and other designated personnel across the campus. The PAC'N and PARs platforms are designed to allow officers to regularly assist all UNCW community members in defining problems, developing solutions, and implementing strategies to solve problems and prevent crimes throughout the year. A variety of formal and informal educational programs are facilitated through these initiatives including bike registration, bike safety and security, and traffic injury prevention.

Information on these and other programs provided through University Police is available at the following link, <https://uncw.edu/police/program.html> or by contacting the police department at 910-962-2222. Additional programming and presentations can be coordinated through University Police. Some of these programming efforts include:

### **Operation ID**

Operation ID is a nationwide program designed to discourage burglary and theft of valuables. It also provides a means for law enforcement to identify stolen property and prove ownership. University Police participates in Operation ID to assist in the prevention of crime. This particular program also assists in enabling the campus community to take responsibility for their own security.

Operation ID sets up a framework to assist community members in marking items with a permanent identification number, such as a driver's license number and state abbreviation, as such identification may prevent the criminal from selling them and lead the criminal to look for an easier and more profitable target. In order to effectuate this, engravers and inventory sheets are available from University Police year round. University Police provide tips for alternatives to marking if engraving or writing on an item is not possible, including taking a photo of the item and retaining records of property (including serial numbers and other markings, makes/models, value, and date of purchase) in a safe location. Examples of such items include: computers, laptops, stereo equipment, calculators, textbooks, jewelry, cellular phones, compact discs, and computer games.

### **Rape Aggression Defense/Resisting Aggression with Defense**

As part of its crime prevention effort, the police department offers RAD classes throughout the year for both men and women. The RAD system is a program of realistic self-defense tactics and techniques. RAD is a comprehensive course that begins with awareness, prevention, risk reduction and avoidance. RAD teaches physical self-defense as a viable option for an individual who is attacked. Multiple sessions of RAD are offered each semester and are promoted on the police department's website, through academic classes, on public bulletin boards, and discussed in community meetings.

### **Buckled and Sober at 25**

University Police, along with other local and state law enforcement agencies, is a proud participant in the North Carolina's Governor's Highway Safety Initiative. This program is the University Police Department's traffic campaign intended to reduce incidents of impaired driving and increase voluntary compliance with passenger restraint and speed laws.

In addition to the many programs offered by the Police and other University offices, the University has established an initiative related to ensuring a reasonably safe campus community. A description of that initiative follows:

### **Student Behavioral Intervention Team / Workplace Violence Assessment Team**

In order to extend our efforts on emergency preparedness and prevention, UNCW has established a Student Behavioral Intervention Team and a Workplace Violence Assessment Team.

The objective of these teams is to put in place a structured process for evaluating potentially threatening situations that occur at the University. The multi-disciplinary team is comprised of members from around the University community and meets regularly throughout the year.

## **Alcohol, Drug, and Weapons Policies**

### **Alcohol Policy**

UNCW Policy 05.303 is designed to promote the positive use or nonuse of alcoholic beverages in a responsible manner. In accordance with North Carolina law it is illegal for a person under 21 years of age to purchase, possess, or consume, or aid or abet such a person in purchasing or consuming any alcoholic beverage. It is unlawful for any person to drink alcoholic beverages or to offer a drink to another person or persons, whether accepted or not, on any public road or street, parking lot, sidewalk or other publicly owned or leased place within the city of Wilmington.

UNCW permits alcohol to be consumed at special activities and programs and in the privacy of residence hall rooms subject to applicable law. The use of alcoholic beverages at a University event shall be subject to the approval of the Chancellor or designee and will comply with applicable federal and state laws and University policy. Alcoholic beverages are not permitted to be sold by any person, organization or corporation on the campus of the University, including property leased by the University.

Primary responsibility for the enforcement of applicable alcohol laws and policies is retained by University Police. It should be noted that any federal, state, or local agency with appropriate jurisdiction may also take enforcement action. Any person, group or organization violating policies or laws may be subject to arrest, citation and or referral to the campus conduct system.

### **Illegal Drug Policy**

The possession, use, manufacture, or distribution of illegal substances or drug paraphernalia of any kind or in any amount is strictly prohibited on the properties of the University of North Carolina Wilmington. Primary responsibility for enforcement of applicable drug laws and policies is retained by University Police. It should be noted that any state, local, or federal agency with appropriate jurisdiction may also take enforcement action. Any person, group or organization violating policies or laws may be subject to arrest, citation and or referral to the campus judicial system. The University complies with the requirements of the Drug-Free Schools and Communities Act Amendments of 1989.

### **Alcohol and Drug Education, Prevention and Counseling**

UNCW's Substance Abuse Prevention and Education Program, Crossroads (<https://uncw.edu/crossroads/>) provides a wide range of programs dedicated to the advancement of thoughtful and healthy decision-making regarding the use of alcohol, tobacco and other drugs. Crossroads also serves as an educational tool and resource for those students who receive sanctions from the UNCW conduct system.

The University provides a program of education designated to help all members of the University community avoid abuse of illegal drugs. Education programs:

- A. Provide a system of accurate, current information exchange on the health risks and symptoms of drug use for students, faculty and staff.
- B. Promote and support institutional programming that discourages substance abuse.
- C. Establish collaborative relationships between community groups and agencies and the institution for education, treatment and referral.
- D. Provide training programs for students, faculty and staff to enable them to detect problems related to drug use and refer persons with these problems for appropriate assistance.
- E. Include information about drugs for students and family members in the student orientation programs. The use of prescription and over-the-counter drugs will be addressed.
- F. Support and encourage faculty in incorporating education about drugs into the curriculum where appropriate.
- G. Develop a coordinated effort across campus for drug related education, treatment and referral.

Some of the programs that Crossroads regularly offers to meet the above educational goals include:

### **Drinking: Are you doing it right?**

This program challenges common collegiate perceptions of drinking by encouraging students who choose to drink to practice techniques to drink responsibly. Based on the BASICS curriculum, this program creates an interactive experience to discuss these common perceptions about topics like tolerance, blackouts, and hangovers.

### **He Drinks, She Drinks**

Using interactive activities and discussions, the goal of this program is to increase awareness about safer drinking. This program also addresses alcohol expectations, positive and negative consequences from drinking, and how to navigate the college party scene even if an individual does not drink.

### **The Tiki Bar**

This is an award-winning program featuring interactive stations for students to pour and measure "drinks," to compare the effects of different mixers, and identify helpful and harmful strategies. Students receive instant feedback about their choices.

### **Marijuana: Myths vs. Fact**

This program features several rounds of questions related to the health effects and science of marijuana use, medical marijuana, campus statistics, and more.

For a complete list of programs offered through Crossroads, please go to <https://uncw.edu/crossroads/topics.html>.

## Weapons Policy

UNCW Policy ([http://www.uncw.edu/policies/documents/05-501\\_Weapons\\_on\\_Campus.pdf](http://www.uncw.edu/policies/documents/05-501_Weapons_on_Campus.pdf)) prohibits the possession and use of weapons on University owned or controlled property, except as allowed by law. [N.C. General Statute § 14-269.2](#) grants the possession of weapons on state property in the following circumstances:

### **Individuals with Valid Concealed Handgun Permits**

Any person who has a valid concealed handgun permit or who is exempt from obtaining a concealed handgun permit may possess a handgun on campus only in the following manner:

#### **1. Locked Vehicles or Containers**

The handgun must be in a closed compartment or container within the person's locked vehicle or in a locked container securely affixed to the person's vehicle.

#### **2. Entry or Exit of Vehicle**

The person may unlock his/her vehicle for entry or exit provided the handgun remains in the closed compartment at all times and the vehicle is locked immediately following the entrance or exit.

## Missing Students

All reports of missing students or suspected missing students should be made to University Police at 910-962-2222. If any University faculty or staff member receives a report of a missing student, they should immediately inform University Police of the report. Every report of a missing student should be forwarded to University Police regardless of how long the student is believed to have been missing.

It is the policy of University Police to thoroughly investigate all reports of missing persons and to support and assist missing person investigations originating outside our jurisdiction. In addition, the department holds that every person reported missing will be considered at risk until significant information to the contrary is confirmed. There is no required waiting period for reporting a missing person. A person may be declared "missing" when his or her whereabouts are unknown and unexplainable for a period of time that is regarded by knowledgeable persons as highly unusual or suspicious in consideration of the subject's behavior patterns, plans, or routines. When University Police receive a missing student report, the department will notify the Office of the Dean of Students, Housing and Residence Life, and/or any other necessary administrators of the missing student report so that appropriate investigation and contact may occur.

Residential students have the option to confidentially identify an individual to be contacted by the institution not later than 24 hours after the time that the student is determined missing. The Office of Housing and Residence Life will collect and maintain the confidential contact information. The student is responsible for ensuring that the contact information is current and accurate. Any contact information provided to the Office of Housing and Residence Life is

accessible only to authorized University officials and it is not disclosed except to law enforcement personnel in furtherance of a missing person investigation. In cases where the missing student is a residential student under 18 years of age and not emancipated, the University is required to notify a custodial parent or guardian and any other designated contact person no later than 24 hours after the time that the student is determined to be missing. The University will also notify the appropriate law enforcement agency no later than 24 hours after the time that the student is determined missing.

If the student is a residential student, the staff of the UNCW Department of Housing and Residence Life will conduct a preliminary investigation in order to verify the situation and to determine the circumstances that exist relating to the reported missing student. A staff member will attempt to contact the subject student via his or her telephone, email and/or by other methods of communication. If the subject student cannot be reached, two staff members will visit the room of the resident student in question to verify their whereabouts and/or wellness, and, in some cases, deliver a message to contact a parent or family member who is searching for them. If the residential student is not at the room, but it is occupied, the residence life staff will attempt to gain information on the student's whereabouts and/or wellness from questioning the occupants.

If there is no response when the staff member knocks on the door of the room or there are occupants who do not know of the subject's whereabouts, the residence life staff will enter into the room in question, by key if necessary, to perform a health and safety inspection. The staff members will take note of the condition of the room and look for visible personal property (wallet, keys, cell phone, clothing, etc.), which might provide clues as to whether the subject student has taken an extended trip, or leave from the residence hall. If the student is not found in the room, the residence life staff will attempt to gain information of the student's whereabouts from roommates, members of the residential community, or friends. The residence life staff will also attempt to acquire additional phone numbers for the subject student (if not already on file) and use them to initiate contact.

At any step in the process, staff members will immediately report any suspicious findings to University Police. If all of these steps do not provide residential staff with an opportunity to speak with the missing resident or to learn his or her whereabouts within 24 hours, University Police will be contacted to investigate further if they have not been contacted already.

If the missing student is determined to be under the age of eighteen (18), Housing and Residence Life staff will notify the Office of the Dean of Students so that contact will be made with the student's parents/guardians and any other designated contact person within 24 hours. If the missing student is determined to be over the age of eighteen (18), Housing and Residence Life staff will notify the Office of the Dean of Students so that contact will be made with the student's confidential contact within 24 hours. If these steps provide residential staff with an opportunity to speak with the missing residential student, verification of the student's state of health and intention of returning to campus is made. If needed, a referral will be made to the UNCW Counseling Center. The Division of Student Affairs shall contact University Police to document that a missing student investigation was begun and apprise them of the student's state of health and well-being.

## Policies and Procedures Related to Sexual Assault, Dating Violence, Domestic Violence, and Stalking

Acts of sex or gender-based discrimination, harassment, and sexual misconduct, including sexual assault, dating violence, domestic violence, and stalking, will not be tolerated at UNCW. UNCW is committed to providing programs, activities, and an educational environment free from sex discrimination, and expects all members of its community to act in a respectful, responsible, and civil manner towards one another. The Student Gender-Based/Sexual Misconduct Policy and the Unlawful Discrimination, Harassment, and Sexual Misconduct Policy set forth resources available to students, faculty, and staff, describe prohibited conduct, and establish procedures for responding to reports of gender-based/sexual misconduct (including sexual harassment, sexual assault, dating violence, domestic violence, stalking, and other unwelcome sexual and gender-based behavior). DC Virgo also maintains the Prohibition Against Discrimination, Harassment & Bullying Policy as well as the Discrimination, Harassment & Bullying Complaint Procedure for their students. These policies apply regardless of the victim's or respondent's sexual orientation, sex, gender identity, gender expression, age, race, nationality, class status, ability, or religion.

### Training and Education

The University provides information and training for students and employees to assist in the awareness of the University's response and resources for those who have experienced sexual assault, stalking, dating violence, and domestic violence. These training initiatives include the following information:

- A statement that the University prohibits sexual assault, stalking, dating violence, and domestic violence;
- The definition of sexual assault, stalking, dating violence, and stalking under VAWA (as set forth hereunder);
  - a. Sexual assault: Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
    - i. Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
    - ii. Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
    - iii. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
    - iv. Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.
  - b. Dating violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be based on the reporting party's statement and with

consideration of the length of the relationship, the type of relationship, and the frequency of interaction between persons involved in the relationship. For purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

- c. Domestic violence: A felony or misdemeanor crime of violence committed:
  - i. By a current or former spouse or intimate partner of the victim;
  - ii. By a person with whom the victim shares a child in common;
  - iii. By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
  - iv. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or,
  - v. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- d. Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to a) fear for the person's safety or the safety of others; or b) suffer substantial emotional distress. For the purposes of this definition:
  - i. Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property;
  - ii. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim; and
  - iii. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- The definition of sexual assault, stalking, and domestic violence under North Carolina Law. No definition of consent or dating violence exists in the jurisdiction, but definitions under UNCW policy are set forth at the programs to supplement.
  - a. **Sexual Assault**
    - i. § 14-27.20. Definitions. As used in this Article, unless the context requires otherwise:
      - (1) "Mentally disabled" means (i) a victim who suffers from mental retardation, or (ii) a victim who suffers from a mental disorder, either of which temporarily or permanently renders the victim substantially incapable of appraising the nature of his or her conduct, or of resisting the act of vaginal intercourse or a sexual act, or of communicating unwillingness to submit to the act of vaginal intercourse or a sexual act.
      - (2) "Mentally incapacitated" means a victim who due to any act committed upon the victim is rendered substantially incapable of either appraising the nature of his or her conduct, or resisting the act of vaginal intercourse or a sexual act.

(3) "Physically helpless" means (i) a victim who is unconscious; or (ii) a victim who is physically unable to resist an act of vaginal intercourse or a sexual act or communicate unwillingness to submit to an act of vaginal intercourse or a sexual act.

(4) "Sexual act" means cunnilingus, fellatio, anilingus, or anal intercourse, but does not include vaginal intercourse. Sexual act also means the penetration, however slight, by any object into the genital or anal opening of another person's body: provided, that it shall be an affirmative defense that the penetration was for accepted medical purposes.

(5) "Sexual contact" means (i) touching the sexual organ, anus, breast, groin, or buttocks of any person, (ii) a person touching another person with their own sexual organ, anus, breast, groin, or buttocks, or (iii) a person ejaculating, emitting, or placing semen, urine, or feces upon any part of another person.

(6) "Touching" as used in subdivision (5) of this section, means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim. (1979, c. 682, s. 1; 2002-159, s. 2(a); 2003-252, s. 1; 2006-247, s. 12(a); 2015-181, s. 2.)

ii. § 14-27.21. First-degree forcible rape.

(a) A person is guilty of first-degree forcible rape if the person engages in vaginal intercourse with another person by force and against the will of the other person, and does any of the following:

(1) Employs or displays a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon.

(2) Inflicts serious personal injury upon the victim or another person.

(3) The person commits the offense aided and abetted by one or more other persons.

(b) Any person who commits an offense defined in this section is guilty of a Class B1 felony.

(c) Upon conviction, a person convicted under this section has no rights to custody of or rights of inheritance from any child born as a result of the commission of the rape, nor shall the person have any rights related to the child under Chapter 48 or Subchapter 1 of Chapter 7B of the NC General Statutes - Chapter 14 Article 7B 2

b. **Domestic Violence:** § 50B-1. Domestic violence; definition.

(a) Domestic violence means the commission of one or more of the following acts upon an aggrieved party or upon a minor child residing with or in the custody of the aggrieved party by a person with whom the aggrieved party has or has had a personal relationship, but does not include acts of self-defense:

(1) Attempting to cause bodily injury, or intentionally causing bodily injury; or

(2) Placing the aggrieved party or a member of the aggrieved party's family or household in fear of imminent serious bodily injury or continued

harassment, as defined in G.S. 14-277.3A, that rises to such a level as to inflict substantial emotional distress; or

(3) Committing any act defined in G.S. 14-27.21 through G.S. 14-27.33.

(b) For purposes of this section, the term "personal relationship" means a relationship wherein the parties involved:

(1) Are current or former spouses;

(2) Are persons of opposite sex who live together or have lived together;

(3) Are related as parents and children, including others acting in loco parentis to a minor child, or as grandparents and grandchildren. For purposes of this subdivision, an aggrieved party may not obtain an order of protection against a child or grandchild under the age of 16;

(4) Have a child in common;

(5) Are current or former household members;

(6) Are persons of the opposite sex who are in a dating relationship or have been in a dating relationship. For purposes of this subdivision, a dating relationship is one wherein the parties are romantically involved over time and on a continuous basis during the course of the relationship. A casual acquaintance or ordinary fraternization between persons in a business or social context is not a dating relationship.

(c) As used in this Chapter, the term "protective order" includes any order entered pursuant to this Chapter upon hearing by the court or consent of the parties. (1979, c. 561, s. 1; 1985, c. 113, s. 1; 1987, c. 828; 1987 (Reg. Sess., 1988), c. 893, ss. 1, 3; 1995 (Reg. Sess., 1996), c. 591, s. 1; 1997-471, s. 1; 2001-518, s. 3; 2003-107, s. 1; 2009-58, s. 5; 2015-181, s. 36.)

c. **Stalking:** § 14-277.3A. Stalking.

(a) Legislative Intent. - The General Assembly finds that stalking is a serious problem in this State and nationwide. Stalking involves severe intrusions on the victim's personal privacy and autonomy. It is a crime that causes a long-lasting impact on the victim's quality of life and creates risks to the security and safety of the victim and others, even in the absence of express threats of physical harm. Stalking conduct often becomes increasingly violent over time.

The General Assembly recognizes the dangerous nature of stalking as well as the strong connections between stalking and domestic violence and between stalking and sexual assault. Therefore, the General Assembly enacts this law to encourage effective intervention by the criminal justice system before stalking escalates into behavior that has serious or lethal consequences. The General Assembly intends to enact a stalking statute that permits the criminal justice system to hold stalkers accountable for a wide range of acts, communications, and conduct. The General Assembly recognizes that stalking includes, but is not limited to, a pattern of following, observing, or monitoring the victim, or committing violent or intimidating acts against the victim, regardless of the means.

(b) Definitions. - The following definitions apply in this section:

(1) Course of conduct. - Two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, is in the presence of, or follows,

monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

(2) Harasses or harassment. - Knowing conduct, including written or printed communication or transmission, telephone, cellular, or other wireless telephonic communication, facsimile transmission, pager messages or transmissions, answering machine or voice mail messages or transmissions, and electronic mail messages or other computerized or electronic transmissions directed at a specific person that torments, terrorizes, or terrifies that person and that serves no legitimate purpose.

(3) Reasonable person. - A reasonable person in the victim's circumstances.

(4) Substantial emotional distress. - Significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.

(c) Offense. - A defendant is guilty of stalking if the defendant willfully on more than one occasion harasses another person without legal purpose or willfully engages in a course of conduct directed at a specific person without legal purpose and the defendant knows or should know that the harassment or the course of conduct would cause a reasonable person to do any of the following:

(1) Fear for the person's safety or the safety of the person's immediate family or close personal associates.

(2) Suffer substantial emotional distress by placing that person in fear of death, bodily injury, or continued harassment.

(d) Classification. - A violation of this section is a Class A1 misdemeanor. A defendant convicted of a Class A1 misdemeanor under this section, who is sentenced to a community punishment, shall be placed on supervised probation in addition to any other punishment imposed by the court. A defendant who commits the offense of stalking after having been previously convicted of a stalking offense is guilty of a Class F felony. A defendant who commits the offense of stalking when there is a court order in effect prohibiting the conduct described under this section by the defendant against the victim is guilty of a Class H felony.

(e) Jurisdiction. - Pursuant to G.S. 15A-134, if any part of the offense occurred within North Carolina, including the defendant's course of conduct or the effect on the victim, then the defendant may be prosecuted in this State. (2008-167, s. 2.)

d. **Dating Violence (as defined by UNCW):** Dating violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such relationship shall be determined based on the complainant's statement and with consideration of the following factors: the length of the relationship; the type of relationship; and/or the frequency of interaction between the persons involved in the relationship.

e. **Consent (as defined by UNCW):** The definition of consent is central to the recognition of both sexual assault and sexual misconduct. The university defines consent as mutually voluntary permission to engage in sexual activity demonstrated by clear actions and/or words. This decision must be made freely, consciously, knowingly and actively by all participants, as shown by the totality of the circumstances.

- i. **Intoxication is not an excuse for failure to obtain consent.**
  - ii. Silence, passivity, acquiescence, or lack of active resistance does not constitute or imply consent on its own.
  - iii. Previous participation in sexual activity, however recent, does not indicate current consent to participate, and consent to one form of sexual activity does not imply consent to another form of sexual activity.
  - iv. Consent can be withdrawn at any time.
  - v. **Consent has *not* been obtained in situations where the individual:**
    1. is forced, coerced (defined as a unreasonable amount of pressure), manipulated, or has reasonable fear as the result of a threat (such as, the individual or another will be injured if the victim does not submit to the act); or
    2. is incapacitated by alcohol, other drugs, sleep, etc. Because consent must be given consciously, sexual activity is prohibited with someone one knows to be, or should know to be, incapacitated. Incapacitation means the individual cannot make rational, reasonable and informed decisions; or
    3. has a mental or physical disability which inhibits or precludes his/her ability to give knowing consent.
  - vi. In North Carolina, a minor (meaning a person under the age of 16 years) cannot consent to sexual activity. This means that sexual contact by an adult with a person younger than 16 years old may be a crime, as well as a violation of this policy, even if the minor willingly engaged in the act.
- A description of safe and positive options for bystander intervention;
  - Information on risk reduction;
  - A description of the University's ongoing prevention and awareness campaigns for students and employees;
  - Procedures victims should follow if a crime of sexual assault, stalking, dating violence, or domestic violence has occurred (including the importance of preserving evidence, how and to whom the alleged offense should be reported, options to notify law enforcement authorities, the option to be assisted by campus personnel in notifying authorities, the option to be assisted by campus personnel in notifying authorities, and the option to decline to notify authorities);
  - Options for no-contact orders and orders of protection issued by local courts;
  - Information about how the University will protect confidentiality; and statements that
    - a. The University will provide written notification about existing counseling, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services (both within the University and in the community) to victims; and
    - b. The University will provide:
      - i. Written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations if so requested and reasonably available, regardless of whether the victim chooses to report the crime to law enforcement authorities; and
      - ii. An explanation of the procedures for campus disciplinary action. In addition, the University informs students and employees that it will provide

a written explanation of rights and options to students and employees who report offenses.

- c. The University will also inform students and employees that disciplinary proceedings will:
  - i. Include a prompt, fair, and impartial process from the initial investigation to the final result;
  - ii. Be conducted by officials who at a minimum receive annual training on issues related to sexual assault, stalking, dating violence, and domestic violence and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;
  - iii. Provide the victim and the respondent with the same opportunity to have others present, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. Students and employees will be informed that the University will not limit the choice of advisor or presence in any meeting or disciplinary proceeding, except that the University has established restrictions regarding the extent to which the advisor may participate in the proceedings; and
  - iv. Simultaneously notify, in writing, both parties of the result of any disciplinary proceeding, procedures for appeal, any change to the result, and when the result becomes final.

The ongoing education programs and primary prevention initiatives concerning sexual assault, dating violence, domestic violence, and stalking begins at Orientation with required sessions for all incoming students. Programming continues throughout the year as well and includes some of the following sessions for students:

### **My Stand Mentor Training**

The My Stand Mentor training is a 3-hour training that lays the foundation to be a leader and liaison between students and the CARE office. This program gives an overview of all of the programs that CARE offers and trains students to be an active and engaged resource for their friends and the community. This training provides the skills and knowledge to make a stand, safely intervene as a bystander using the SOAR model, and create positive change at UNCW. Following training, CARE hosts monthly meetings to discuss My Stand materials and the progress of the ongoing relationship between CARE and the student/their organization.

### **Got Consent?**

Through a peer-led discussion about barriers to communication and passive and assertive interaction styles, elements of healthy sexuality are examined. This program leaves the audience with clear definitions of sexual assault, consent, and tips for preventative communication.

### **Mixed Messages 2.0: Alcohol, Sex, and Consent**

This program is designed to explore the ubiquitous relationship that exists in the social media between drinking and sex. Current promotional media images are used to get to the root of deeply embedded cultural issues that influence how we view this familiar relationship.

## Expect Respect: Relationship Check

Expect Respect: Relationship Check uses real scenarios to help participants understand the dynamics of healthy and unhealthy relationships. The session explores the Power and Control Wheel and the Cycle of Violence to explore issues common in unhealthy relationships and to explain why a person may not leave. Tangible ways to help a friend who is experiencing signs of an unhealthy relationship are also discussed.

Other sessions are available for students as well. Primary prevention programming includes Looking for Happily Ever After, Long Distance Relationships, 50 First Dates, Healthy Splits, Pillow Talks, and Kindness Week programming. Ongoing awareness programs include I Care, Speak Out, the Clothesline Campaign, Stalking and Internet Safety, Make a T-Shirt Night, and CARE 101. For a complete list of available programs, please go to CARE's website at <http://uncw.edu/care/presentations.html>. The Office of Title IX and Clery Compliance offers programming sessions throughout the year as well.

The ongoing education programs and primary prevention initiatives concerning sexual assault, dating violence, domestic violence, and stalking include some of the following sessions for employees:

### Harassment Mini-Conference

UNCW employees are required to complete a mini-conference within six months of employment and again every three years. This training covers broad issues of harassment prevention and resolution, including incidences of sexual misconduct, as well as employee reporting responsibility under the Student Gender-Based/Sexual Misconduct Policy. This training is offered in person twice a semester. Additional training is also available on-line through SkillPort.

Other primary prevention sessions include New Faculty/Staff Orientation. Additionally, ongoing awareness sessions are available for employees include, but are not limited to: Stalking and Internet Safety, Care 101, Real Relationships, Dynamics of Relationship Abuse Uncovered, and Sexual Assault and Victimology 101. CARE, the Office of Title IX and Clery Compliance, and Human Resources all offer additional tailored programming sessions throughout the year as well.

### Personal Safety

If you are sexually assaulted:

- Get to a safe place, one that is well-lit and where there are other people, preferably people you know and trust.
- Do not bathe, douche, brush your teeth, drink, change clothing or even comb your hair before seeking medical attention. It is only natural to want to do so, but you may be destroying physical evidence that could be needed later if you wish to pursue criminal charges.
  - If you remove/change clothing, place the clothing in a brown paper bag to ensure evidence preservation.

- As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary action, or the issuance of a protective order more difficult. If a victim chooses not to make a complaint regarding an incident, they should nevertheless consider speaking with University Police or other law enforcement to preserve evidence in the event they later decide to file charges.
- Call for help. People who care and who will provide you with support and information are available 24 hours a day via UNCW CARE at 910-512-4821 or at the Rape Crisis Center at 910-392-7460. Staff members at both centers can help you consider your reporting options, decide what to do next, and accompany you through the process.
- To report the assault, call University Police at 910-962-2222 or ext. 911 on-campus. You may also report your assault to the Office of Title IX and Clery Compliance. A report form may be submitted at any time. The form is located at [www.uncw.edu/titleix](http://www.uncw.edu/titleix).
  - A student has the option to pursue a criminal complaint with the appropriate law enforcement agency, to pursue a complaint through the campus conduct process, or to pursue both processes simultaneously. *See the Student Gender-Based/Sexual Misconduct Policy for more information about reporting options.*
  - An employee has the option to pursue a criminal complaint with the appropriate law enforcement agency, to pursue a complaint through Human Resources, or to pursue both processes simultaneously. *See the Unlawful Discrimination, Harassment, and Sexual Misconduct Policy.*
  - University personnel, including the Director of Title IX and Clery Compliance, will assist the victim in notifying authorities if the victim so requests.
  - Victims also have the option to decline to notify law enforcement.
- Get immediate medical attention. You may have injuries that you may not have realized occurred during the assault.
  - Evidence collection and emergency treatment are available 24 hours a day at the local emergency rooms.
    - i. Treatment to prevent certain sexually transmitted infections is available and is most effective when taken as soon as possible after possible exposure (within 72 hours). Treatment is also available for injuries and to prevent pregnancy.
  - The Abrons Student Health Center can provide students with immediate needs or subsequent follow-care.
  - The North Carolina Rape Victims Assistance Program and Crime Victims Compensation Act covers most, if not all, medical costs related to rape.
- If you wish, call a friend, family member, or other trusted person to be with you.

## Reporting and Confidentiality

If a University faculty or staff member becomes aware of an alleged incident of sexual misconduct against a student including, but not limited to, sexual assault, dating violence, domestic violence, or stalking, they must promptly report that information to the Director of Title IX and Clery Compliance, unless that individual is authorized or required by law to keep that information confidential by virtue of their professional role (counselors or clergy, for example). The reporting form is located at [www.uncw.edu/titleix](http://www.uncw.edu/titleix).

Students also have the option to make anonymous reports at [www.uncw.edu/titleix](http://www.uncw.edu/titleix). Anonymous reports can also be submitted to University Police at [www.uncw.edu/police](http://www.uncw.edu/police). The amount of information detailing the alleged incident or identifying the respondent(s) will determine the University's ability to respond.

The University will seek to protect the privacy and confidentiality of the individuals involved in any report of alleged sexual misconduct including, but not limited to, sexual assault, dating violence, domestic violence, or stalking, to the extent appropriate and allowed by law. The Director of Title IX and Clery Compliance will evaluate any request for confidentiality in the context of the University's responsibility to provide a safe and nondiscriminatory environment to all members of its community.

All University employees, including the confidential resources of the Abrons Student Health Center and UNCW CARE, but not professional or pastoral counselors, are required to report non-identifying statistical information about certain crimes, including any alleged sexual misconduct, dating violence, domestic violence, or stalking, as required by state and federal law, and in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This statistical information is used for compiling the annual UNCW Campus Crime and Security Report and by the Office of Title IX and Clery Compliance and University Police for purposes of advising the campus community of any potential safety risks or concerns. Additionally, victims of gender-based/sexual misconduct should also be aware that University administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. The University will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger. The University will also maintain as confidential any interim measures or remedies provided to the victim to the extent that maintaining confidentiality will not impair its ability to provide the interim measures or remedies.

When a student or employee reports to the University that the student or employee has been a victim of sexual misconduct, including sexual assault, dating violence, domestic violence, or stalking, whether the alleged offense occurred on or off campus, the University will provide the student or employee a written explanation of the student's or employee's rights and options. This includes written notification about existing counseling, mental health, victim advocacy, legal assistance, any available visa or immigration assistance, and other services, both within the University and in the community. The University will also provide written notification to victims about options for, and available assistance in, obtaining a no contact order, obtaining a civil protective order, changing academic, living, transportation, and working situations if so requested and reasonably available, regardless of whether the victim chooses to report the crime to University Police or local law enforcement or pursue campus disciplinary action.

## **Resources and Support Services**

In instances of sexual misconduct, including sexual assault, dating violence, domestic violence, or stalking, support services are both necessary and helpful. Individuals are encouraged to access the resources identified below:

## Confidential Resources on Campus

As indicated previously in the section concerning reporting crimes in general, the trained professionals designated below can provide counseling, information, and support in a confidential setting. These Confidential Resources will not share information about an individual (including whether that individual has received services) without the individual's express permission, unless there is a continuing threat of serious harm to the patient/client or to others or there is a legal obligation to reveal such information (e.g., suspected abuse or neglect of a minor; or a Clery obligation to provide statistical, non-personally identifiable information, including from sexual assault advocates or the Director of the Health Center). These professionals are also available to help an individual make a report to the University.

### *CARE (Collaboration for Assault Response & Education)*

The CARE Office is located on the second floor of DePaolo Hall, across from the Student Health Center, in the CARE suite. CARE can be contacted at 910-962-CARE. Emergency or after-hours consultation is also available by calling the CARE responder at 910-512-4821 or at [care@uncw.edu](mailto:care@uncw.edu).

Hours: Monday - Friday 8:00AM - 5:00PM

### *Counseling Center*

The Counseling Center is located on the second floor of DePaolo Hall and provides confidential services to students. The Counseling Center can be contacted at 910-962-3746. Emergency or after-hours consultation is available by contacting University Police.

Hours: Monday - Friday 8:00AM - 5:00PM

The University does not have written procedures requiring professional and pastoral counselors (who are exempt under federal law from the requirement to report crime statistics) to inform individuals they are counseling of procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. It is standard practice, however, for the University's professional and pastoral counselors to discuss with their clients the various options (including anonymous reporting) for reporting criminal incidents.

### *Student Health Center*

The Student Health Center is located on the second floor of DePaolo Hall, across from the CARE offices. The Student Health Center can be contacted at 910-962-3280.

Hours: Monday through Wednesday and Friday 8:00AM - 5:00PM, Thursday 9:00AM - 5:00PM

## **Additional Resources on Campus**

### ***Office of Title IX and Clery Compliance***

Amber L. Resetar, Esq.  
Director of Title IX and Clery Compliance  
Campus Box 5699  
DePaolo Hall 1040  
910-962-3557  
[resetara@uncw.edu](mailto:resetara@uncw.edu)

The Director of Title IX and Clery Compliance has primary responsibility for overseeing all aspects of compliance with Title IX and related regulations across the institution, including, but not limited to: Recruitment, Admissions, Financial Aid, Athletics, Sex-Based Harassment, Pregnant and Parenting Students, Investigations and Adjudication procedures, Academic and Extracurricular Activities, and Employment.

The Director serves as the point of contact for coordinating the University's efforts in response to all forms of gender-based or sexual equity issues and she ensures that the University's response is effective, timely, thorough, and follows all legal mandates. The Director of Title IX and Clery Compliance's core responsibilities related to gender-based/sexual misconduct include overseeing the University's response to Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. The Director may choose an appropriately trained designee(s) as needed.

Dr. Brian Victor  
Deputy Title IX Coordinator/Associate Vice Chancellor for Student Affairs  
Campus Box 5985  
DePaolo Hall 2015  
910-962-7771  
[titleix@uncw.edu](mailto:titleix@uncw.edu)

### ***UNCW Police Department***

5126 Lionfish Drive  
910-962-2222 or 911  
[police@uncw.edu](mailto:police@uncw.edu)

In addition to the Office of Title IX and Clery Compliance, the Office of the Dean of Students is available to address student issues and concerns related to alleged policy violations and disciplinary proceedings.

### ***Office of the Dean of Students***

Campus Box 5941  
Fisher University Union, Suite 2013  
910-962-4265  
[deanofstudents@uncw.edu](mailto:deanofstudents@uncw.edu)

Sexual misconduct, including sexual assault, dating violence, domestic violence, or stalking, allegedly committed by a faculty or staff member may also be reported to Human Resources. Complaints will be handled consistent with applicable procedures in the faculty or staff policies and procedures including, but not limited to, the Unlawful Discrimination, Harassment, and Sexual Misconduct Policy.

### ***Human Resources***

Campus Box 5960  
Friday Annex 178  
910-962-3160  
[hrsearch@uncw.edu](mailto:hrsearch@uncw.edu)

These resources will protect privacy and confidentiality to the extent appropriate and allowed by law, but they are required to inform the Director of Title IX and Clery Compliance of any reports. The Director of Title IX and Clery Compliance will evaluate any request for confidentiality in the context of the University's responsibility to provide a safe and nondiscriminatory environment to all members of its community.

### **Local Resources**

Rape Crisis Center	910-392-7460
Domestic Violence Shelter & Services	910-343-0703
New Hanover Regional Medical Center	910-343-7799
Cape Fear Memorial Hospital	910-452-8100
Wilmington City Police	911 or 910-343-3600
New Hanover County Sheriff's Office	910-341-4200

### **Federal Resources**

U.S. Department of Education, Office for Civil Rights,  
<https://www2.ed.gov/about/offices/list/ocr/index.html>  
U.S. Department of Justice Office on Violence Against Women,  
<https://www.justice.gov/ovw/protecting-students-sexual-assault>

## **Disciplinary Proceedings to Resolve Allegations of Sexual Assault, Dating Violence, Domestic Violence, and Stalking**

The University's disciplinary proceedings provide a prompt, fair, and impartial process from the initial investigation to the final result. The proceedings are conducted by officials who receive at least annual training on issues related to sexual assault, stalking, dating violence, and domestic violence. The officials also receive at least annual training on how to conduct an investigation and adjudication process that protects the safety of victims and promotes accountability. The proceedings are also conducted by officials who do not have a conflict of interest or bias for or against the victim or respondent.

The proceedings provide the victim and respondent the same opportunity to have others present. This includes the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The University does not limit the choice of advisor or presence in any

meeting or proceeding, except that it has established certain restrictions regarding the extent to which the advisor may participate in the proceedings.

The University simultaneously notifies, in writing, both parties of the result of any disciplinary proceeding, procedures for appeal, any change to the result, and when the result becomes final.

Disciplinary proceedings are completed within reasonably prompt time frames designated by each policy (UNCW student, DC Virgo student, faculty, and staff). Time frames may be extended for good cause with written notice to the victim and respondent of the delay and the reason for the delay. Proceedings are conducted in a manner that is consistent with the University's policies, including timely notice of meetings at which the victim, respondent, or both may be present. The proceedings are further structured to provide timely access to the victim, respondent, and appropriate officials to any information that will be used during any related meetings or proceedings.

Following an allegation of sexual assault, dating violence, domestic violence, or stalking, the Director of Title IX and Clery Compliance, Human Resources, and/or the Dean of Students will take appropriate interim measures to protect the victim. These measures include, but are not limited to, the imposition of a no-contact order; academic accommodations; and changes in housing, work space, parking, and transportation, among others. An individual's access to University facilities or activities may be limited pending resolution of the matter. Interim suspension may be imposed pending the resolution of an alleged violation when necessary to protect the safety and well-being of members of the UNCW community.

## Complaints against Students

Procedures for initiating and resolving complaints against students are outlined in the Student Gender-Based/Sexual Misconduct Policy. The Policy can be found in the Code of Student Life. It also can be found at [www.uncw.edu/titleix](http://www.uncw.edu/titleix), [www.uncw.edu/cos1](http://www.uncw.edu/cos1), or [www.uncw.edu/policies](http://www.uncw.edu/policies). DC Virgo also maintains the Prohibition Against Discrimination, Harassment & Bullying Policy as well as the Discrimination, Harassment & Bullying Complaint Procedure for their students. Paper copies are available upon request in the Office of Title IX and Clery Compliance.

To initiate a report, a reporting party or a mandatory reporter may complete the form located at [www.uncw.edu/titleix](http://www.uncw.edu/titleix). The name of the respondent (if known), a description of the violation, and the date, time, and location of the alleged violation (if known) should be provided. Upon receipt of a report, the Director of Title IX and Clery Compliance or a designee will reach out to the victim schedule a meeting via email. Included in the email is a list of resources, support services, and options, including the option to be assisted by an advisor of choice. During the initial meeting, the Director will provide a copy of the relevant policy, review procedures, and inform the victim of available resources, support services, and will reiterate options, including the option to be assisted by an advisor of choice.

Upon the decision to initiate an investigation or other related proceedings, the Director of Title IX and Clery Compliance meets with the respondent to notify the respondent that a report has been filed. The Director provides the respondent with a copy of the relevant policy, reviews procedures, and informs the respondent of available resources, support services and options, including the option to be assisted by an advisor of choice.

Once an investigation is launched, two (2) fact finders are selected and conduct an investigation.<sup>1</sup> After the investigation is complete, the fact finders prepare an Investigation Report, accompanied by any relevant supporting documentation or evidence. The Investigation Report is submitted to the Director of Title IX, the Dean of Students, and General Counsel, who decide whether there is sufficient information to indicate that a policy violation may have occurred. If there is a determination that there is sufficient information, the pre-hearing process begins. A representative from the Office of the Dean of Students (ODOS) meets with each party, provides a copy of the Investigative Report, reviews the alleged violations, explains hearing procedures, and reiterates the rights of the parties, including assistance by an advisor of choice. No later than five (5) calendar days prior to the hearing, the parties are required to provide, in writing, a list of all witnesses they intend to utilize, any additional documentation not submitted during the investigation, and they must designate their University advisor, non-attorney advocate, or attorney advocate of choice. The support person also must be designated at that time. The representative from ODOS will provide then provide the parties with the complete list of witnesses, documentation, and other information that will be presented at the hearing.

The case then proceeds to a hearing with an external adjudicator. The external adjudicator hears the case, including testimony from the investigators, the parties, and all witnesses. Upon hearing all testimony and reviewing all evidence, the external adjudicator utilizes the preponderance of evidence standard to determine whether or not the policy was violated and the respondent is responsible. If the external adjudicator finds the respondent responsible, deliberations on sanctioning immediately occurs. Sanctions range from a written warning through suspension or expulsion, depending upon the violation in question. Other sanctions may include, but are not limited to, disciplinary probation or degree revocation.

Both parties are simultaneously notified in writing of the outcome of the hearing. Additionally, both parties are notified in the same correspondence that they have the right to appeal the decision of the external adjudicator.

### **Complaints against Faculty and Staff**

Complaints against faculty or staff members should be submitted to the Director of Title IX and Clery Compliance or Human Resources. The Unlawful Discrimination, Harassment, and Sexual Misconduct Policy set forth proscribed behavior as well as the resolution of complaints against faculty and staff. The SHRA Employee Grievance Policy, SHRA Disciplinary Action, Suspension, and Dismissal Policy, EHRA Grievance and Appeal Procedure, and Section 603 of

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<sup>1</sup> This is applicable for cases involving UNCW students. For DC Virgo students, one (1) trained fact finder will investigate. The report is then submitted to the Director of Title IX and Clery Compliance and General Counsel for further processing including making a determination about the need for a hearing. A hearing will be held in accordance with the structure set forth for all other conduct hearings at DC Virgo by the principal or designee.

the Code of the Board of Governors set forth disciplinary procedures related to faculty and staff as well.

Links to the aforementioned policies are set forth below in the order in which they are referenced:

- <https://uncw.edu/policies/documents/02205Unlawful%20Discrimination,%20Harassment,%20and%20Sex%20Misconduct%20Policy.pdf>
- <http://uncw.edu/policies/documents/08520SPAGrievance.pdf>
- <https://uncw.edu/policies/documents/08.510%20SHRA%20Discipline.pdf>
- [http://uncw.edu/policies/documents/08\\_521\\_EPA\\_ReviewandAppeal.revSept2009.pdf](http://uncw.edu/policies/documents/08_521_EPA_ReviewandAppeal.revSept2009.pdf)
- [http://uncw.edu/facsen/documents/2012\\_The\\_Code.pdf](http://uncw.edu/facsen/documents/2012_The_Code.pdf)

## HEOA Victim Notification

The University will, upon written request, disclose to the alleged victim of a crime of violence or non-forcible sex offense the results of disciplinary proceedings conducted by the University against a student who is the alleged perpetrator of such crime or offense. If the crime resulted in the victim's death, the University will disclose the results, upon written request, to the victim's next of kin.

## Sex Offender Registry

North Carolina law currently requires sex offenders and individuals adjudged to be sexually violent predators to register with the sheriff of the county where they are living. The sheriff in each county accordingly maintains a registry of this information that is available to the public upon request. Offenders who are non-resident students or non-resident workers must maintain registration with the sheriff of the county where the offender works or attends school and must also identify the school he or she is attending or his/her place of employment. Sex offender registration information is available on a searchable website maintained by the North Carolina Department of Justice Division of Criminal Statistics at the following link: NC Sex Offender Registry (<http://sexoffender.ncsbi.gov/disclaimer.aspx>).

## Annual Fire Safety Report

In compliance with the Higher Education Opportunity Act (Public Law 110-315) University of North Carolina Wilmington publishes annually a [Fire Safety Report](#) and Fire Log. This report is published through Environmental Health and Safety and is available through their homepage (<https://uncw.edu/ehs/>). The report contains fire statistics; a description of fire safety systems in each residential housing facility; the number of fire drills held the previous calendar year; the institution's policies on portable electrical appliances, smoking, and open flames in housing facilities; procedures for student housing evacuations; policies for fire safety and training programs for students, faculty, and staff; a list of the titles of each person or organization to which individuals should report a fire has occurred; and plans for future improvements in fire safety, if determined necessary by the institution.

## Crime and Fire Log

University Police maintains a Daily Crime Log that is available to the public during normal business hours and can be accessed in the lobby of the University Police building (5126 Lionfish Drive). This [Crime Log](#) can also be accessed through the University Police Department's website. Environmental Health & Safety maintains the Fire Log, as discussed above under "Annual Fire Safety Report." It also is available to the public during normal business hours and can be accessed at Environmental Health & Safety (Warehouse Extension, Building 42).

## Crime Statistical Disclosure

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) requires colleges and universities across the United States to disclose information about crimes that occurred on campus, in certain off-campus buildings or property owned, leased or controlled by UNCW. University Police maintains a close relationship with all police departments in these areas to ensure that crimes reported directly to these police departments that involve the University are brought to the attention of University Police.

The Office of Title IX and Clery Compliance and University Police collect the crime statistics disclosed in the charts through a number of methods. Police officers enter reports of crime incidents made directly to the department through a field based reporting/records management system. After an officer enters the report in the system, a department administrator reviews the report to ensure it is appropriately classified in the correct crime category. The University Police Department periodically examines the data to ensure that all reported crimes are recorded in accordance with the crime definitions outlined in the FBI Uniform Crime Reporting Handbook and the FBI National Incident-Based Reporting System Handbook (sex offenses only). In addition to the crime data that University Police maintains, the statistics below also include crimes that are reported to various campus security authorizes, as defined in this report. The statistics reported here reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub categories on liquor laws, drug laws and weapons offenses represented the number of people arrested or referred to campus conduct authorities for respective violations, not the number of offenses documented.

### Definitions of Reportable Crimes

#### Primary Crimes:

[Murder/Non-negligent Manslaughter](#) – the willful (non-negligent) killing of one human being by another.

[Manslaughter by Negligence](#) – the killing of another person through gross negligence.

[Sex offenses](#) – any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape** — the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling** — the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest** — sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** — sexual intercourse with a person who is under the statutory age of consent.

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

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

**Burglary** – the unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft** – the theft or attempted theft of a motor vehicle.

**Arson** – any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

### **Hate Crimes:**

**Hate Crimes** – includes all of the crimes listed above that manifest evidence that the victim was chosen based on one of the categories of bias listed below, plus the following crimes.

**Larceny/Theft**—includes, pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.

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

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

**Destruction/Damage/Vandalism of Property (except Arson)**—to willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

### ***Categories of Bias:***

**Race** – a preformed negative attitude toward a group of persons who possess common physical characteristics, e.g. color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g. Asians, African Americans, Caucasians.

**Gender** – a preformed negative opinion or attitude toward a group of persons based on their actual or perceived gender, e.g. male or female.

**Gender Identity** – a preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g. bias against transgender or gender non-conforming individuals.

**Religion** – a preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

**Sexual Orientation** – a preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual orientation is the term for a person’s physical, romantic, and/or emotional attraction to members of the same and/or opposite sex.

**Ethnicity** – a preformed negative opinion or attitude toward a group of persons whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion), and/or ideology that stresses common ancestry.

**National Origin** – a preformed negative opinion or attitude toward a group of persons based on their actual or perceived country of birth.

**Disability** – a preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

### ***Dating Violence, Domestic Violence, and Stalking***

***Dating Violence*** – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between persons involved in the relationship. For purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

**Domestic Violence** – A felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or,
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Stalking** – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

For purposes of this definition:

- Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

## **Arrests and Referrals**

Arrest and referral statistics include the number of arrests and the number of persons referred for disciplinary action for the following violations:

**Liquor Law Violations:** The violation of state or local laws prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

**Drug Law Violations:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

***Weapon Law Violations:*** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

### **Geographical Definitions**

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

***Residential Facilities:*** Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

***Non-Campus Property:*** Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

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

### **Unfounded Crime Definition**

A crime is considered unfounded for Clery Act purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless.

## Crime Statistics<sup>2</sup>

### Main Campus

Geography	On Campus			Residential Facilities			Non-Campus			Public Property		
	2015	2016	2017	2015	2016	2017	2015	2016	2017	2015	2016	2017
<b>Offense (by hierarchy)</b>												
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0
Rape	7	4	11	3	4	9	0	0	0	1	0	0
Fondling	0	2	4	0	1	2	0	1	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	1	0	0	1	0	0	0	0	0	0
Robbery	1	0	0	0	0	0	0	0	1	0	0	0
Aggravated Assault	1	0	2	0	0	1	0	0	0	0	0	0
Burglary	3	1	4	1	1	3	0	0	1	0	0	0
Motor Vehicle Theft	0	3	1	0	0	0	0	0	1	0	0	0
Arson	0	1	1	0	0	0	0	0	0	0	0	0

### Items of Note:

Crimes counted in the Residential Facilities category are also counted in the On Campus category.

<sup>2</sup> As noted above, no statistical data will be included for DC Virgo in this report as DC Virgo was not part of UNCW until summer 2018. Statistical data will be included in the 2019 ASR.

Beginning with the 2015 ASR, the number of unfounded cases were required to be reported.

- For 2015, one (1) Rape was unfounded.
- For 2016, one (1) Aggravated Assault was unfounded.
- For 2017, one (1) Motor Vehicle Theft was unfounded.

Geography	On Campus			Residential Facilities			Non-Campus			Public Property		
	2015	2016	2017	2015	2016	2017	2015	2016	2017	2015	2016	2017
<b>Offense (not by hierarchy)</b>												
Dating Violence	3	6	6	1	3	3	0	0	0	0	0	0
Domestic Violence	0	0	2	0	0	0	0	0	0	0	0	0
Stalking	16	6	9	6	2	2	0	0	0	0	0	0

Geography	On Campus			Residential Facilities			Non-Campus			Public Property		
	2015	2016	2017	2015	2016	2017	2015	2016	2017	2015	2016	2017
<b>Offense</b>												
<b>Liquor Law Violations</b>												
Arrests	44	27	32	20	17	17	0	0	0	2	0	0
Referrals	457	378	463	403	313	425	0	0	0	2	0	0
<b>Drug Law Violations</b>												
Arrests	56	58	91	24	31	39	1	0	3	0	0	1
Referrals	112	54	93	92	39	71	0	0	0	0	0	0
<b>Weapons Law Violations</b>												
Arrests	8	5	4	0	1	0	0	0	1	0	0	0
Referrals	3	11	3	2	7	3	0	0	0	0	0	0

### Hate Crimes

- For 2015, there were no reported Hate Crimes.
- For 2016, there were no reported Hate Crimes.
- For 2017, there were no reported Hate Crimes.

## Center for Marine Science

Geography	On Campus			Residential Facilities			Non-Campus			Public Property		
	2015	2016	2017	2015	2016	2017	2015	2016	2017	2015	2016	2017
<b>Offense (by hierarchy)</b>												
Murder/Non-negligent Manslaughter	0	0	0				0	0	0	0	0	0
Manslaughter by Negligence	0	0	0				0	0	0	0	0	0
Rape	0	0	0				0	0	0	0	0	0
Fondling	0	0	0				0	0	0	0	0	0
Incest	0	0	0				0	0	0	0	0	0
Statutory Rape	0	0	0				0	0	0	0	0	0
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

### Items of Note:

There are no Residential Facilities at CMS; the category has accordingly been omitted.

Beginning with the 2015 ASR, the number of unfounded cases were required to be reported.

- For 2015, no crimes were unfounded.
- For 2016, no crimes were unfounded.
- For 2017, no crimes were unfounded.

Geography	On Campus			Residential Facilities			Non-Campus			Public Property		
Year	2015	2016	2017	2015	2016	2017	2015	2016	2017	2015	2016	2017
<b>Offense (not by hierarchy)</b>												
Dating Violence	0	0	0				0	0	0	0	0	0
Domestic Violence	0	0	0				0	0	0	0	0	0
Stalking	1	0	0				0	0	0	0	0	0

Geography	On Campus			Residential Facilities			Non-Campus			Public Property		
Year	2015	2016	2017	2015	2016	2017	2015	2016	2017	2015	2016	2017
<b>Offense (not by hierarchy)</b>												
<b>Liquor Law Violations</b>												
Arrests	0	0	0				0	0	0	0	0	0
Referrals	0	0	0				0	0	0	0	0	0
<b>Drug Law Violations</b>												
Arrests	0	1	0				0	0	0	0	0	0
Referrals	0	0	0				0	0	0	0	0	0
<b>Weapons Law Violations</b>												
Arrests	0	0	0				0	0	0	0	0	0
Referrals	0	0	0				0	0	0	0	0	0

### Hate Crimes

- For 2015, there were no reported Hate Crimes at CMS campus.
- For 2016, there were no reported Hate Crimes at CMS campus.
- For 2017, there were no reported Hate Crimes at CMS campus.



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