University Police prepares this report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be found at www.uncw.edu/police. Crime statistics include alleged criminal offenses reported to the UNCW Police Department, other law enforcement agencies and other University officials who have “significant responsibility for student activities.” The data collected does not necessarily reflect prosecutions or convictions for crime. Because some statistics are provided by non-police authorities and anonymous reports, the data is not directly comparable to data from the FBI’s Uniform Crime Reporting System, which only collects statistics from police authorities. The Campus Security Act requires that colleges and universities:

- Publish an annual report every year by October 1 that includes three years of campus crime statistics and certain campus security policy statements
- Disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement and other university officials who have “significant responsibility for student and campus activities”
- Provide “timely warning” notices of those crimes that have occurred and pose an ongoing “threat to students and employees”
- Disclose in a public crime log “any crime that occurred on campus...or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department”
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A message from the Chief

Embedded within the strategic goals of the University of North Carolina Wilmington is an enduring commitment to safety. The services, collaborations and culture of UNCW are designed to support this strategic goal and to enhance the campus learning environment. Each of us has a role in providing for a safe community.

University police officers are sworn and certified law enforcement officers who are armed, have full powers of arrest and are trained far beyond the minimum required of North Carolina law enforcement officers. Many of the university’s police officers have extensive military and civilian law enforcement experience and have purposely chosen campus policing as a career. The university’s police department works closely with other law enforcement agencies in the region, specifically the Wilmington Police Department and New Hanover County Sheriff’s Office. These agencies share response plans, training opportunities, information and other resources. The police department also works very closely with other areas of the university to meet the needs of an active campus community 24 hours a day.

The services of the university’s police department extend far beyond traditional law enforcement services and those of many on campuses. Examples include assistance jump-starting cars, random patrols of residence halls and other campus buildings, security escorts, assistance obtaining domestic violence protection and civil no contact orders (restraining orders) regardless of residence status, and the facilitation of a variety of educational programs ranging from self-defense to property security and community response protocols.


This report includes statistics for the previous three years concerning crimes that occurred on campus, in certain off-campus buildings or property owned/ 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 assault and other matters. A copy of this report can be obtained by contacting the UNCW Police Department.

I hope you will partner with us to keep UNCW safe!

Yours in service,

David M. Donaldson
Chief of Police
Where do we get our data?

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

1. University 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. UNCW faculty/staff advisors of registered student organizations
8. UNCW Title IX Coordinator

Clarification was given to those considered to be campus security authorities as a result of the 1998 amendments to 20 U.S.C. Section 1092 (f), which notes that campus "pastoral counselors" and campus "professional counselors," when acting as such, are not considered to be campus security authorities and are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, they are encouraged to, if and when they deem it appropriate, inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

The rulemaking committee defines counselors as:

Pastoral counselor: An employee of an institution who is associated with a religious order or denomination and is recognized by that religious order or denomination as someone who provides confidential counseling and functioning within the scope of that recognition as a pastoral counselor.

Professional counselor: An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

The UNCW Police Department also requests required statistical data from the law enforcement agency with primary jurisdiction for providing law enforcement services to locations referenced as "non-campus property" and "public property,” defined as:

- **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
UNCW Police, who are we?

The University of North Carolina Wilmington provides 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. UNCW Police also refers students to the Campus Judicial system for minor violations and violations of campus policy. The police department is located on the East side of campus on Lionfish Drive. The department provides around the clock police and security services to the university community 24 hours a day, 365 days a year. 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.

Response to crimes and other emergencies

Generally, the UNCW Police Department (UPD) 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.

Through contractual agreement, the New Hanover County 911 Center provides dispatching services to UNCW.
How to report crimes and other emergencies

Community members, students, family, staff, faculty and guests are encouraged to report all crimes and public safety related incidents to the UNCW Police Department in a timely manner.

Report all crimes to the UNCW Police Department:

**Emergency 911**

Non-emergency - on campus ext.2-2222, off campus 910.962.2222

Anonymously - on campus ext. 2-8477 (2-TIPS), off campus 910.962.8477

Anonymously send email from the Police Department website: [www.uncw.edu/police](http://www.uncw.edu/police)

Activate an emergency call box

**TEXT-A-TIP** anonymous crime reporting: Begin message with “Tip 708“ and send your message via phone to “CRIMES” (274637) or online at [www.tip708.com](http://www.tip708.com)

The police department monitors emergency call boxes as well as emergency telephones located on university properties. Elevators are equipped with an emergency telephone, and some locations within some buildings have intercoms that connect directly to the University Police Department.

The UNCW Police Department allows victims and witnesses to report sexual assaults (forcible and non-forcible sex offenses) in a voluntary, confidential manner. These reports are collected for statistical purposes only. For more information regarding this procedure, please review the section *University Policies and Procedures Regarding Sexual Assault.*

Response to missing/endangered persons

It is the policy of the UNCW Police Department to thoroughly investigate all reports of missing persons. It is the policy of this agency 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. Any university member who has knowledge of or
receives a report that a student is missing is required to immediately report the information or evidence to the UNCW Department of Housing and Residence Life or the UNCW Police Department.

**UNCW Policy 04.140 Missing Residential Student Policy** outlines the following:

A. Residential students are to be informed that he/she has the option to identify an individual to be contacted by the institution not later than 24 hours after the time that the student is determined missing.

B. Residential students who are under 18 years of age and not emancipated individuals are to be informed that the university is required to notify a custodial parent or guardian no later than 24 hours after the time that the student is determined to be missing.

C. Residential students are to be informed that the university will notify the appropriate law enforcement agency not later than 24 hours after the time that the student is determined missing.

D. Residential students are to be informed that he/she has the option to confidentially identify an individual, and his or her telephone number(s), 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 up-to-date and accurate.

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 which exist relating to the reported missing student.

1. A staff member will attempt to contact the subject student via his or her telephone, email and/or by other methods of communication.
2. If the subject student cannot be reached, two staff members will visit the room of the Residential 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.
3. 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.
4. If there is no response when the staff members knock on the door of the room or there are occupants, who do not know of the subject student’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.
5. If the student is not found in the room, the residence life staff will attempt to gain information on the student’s whereabouts from roommates, other members of the residential community, or other 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.

6. At any step in the process, staff members will immediately report any suspicious findings to UNCW Police.

7. 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, UNCW Police will be contacted to investigate further.

8. If the missing student is determined to be under the age of eighteen, 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 within 24 hours. If the missing student is determined to be over the age of eighteen, 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.

9. 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 UNCW Police to document that a missing student investigation was begun and apprise them of the student’s state of health and well-being.

**UNCW Police Department’s relationship with other law enforcement agencies**

The UNCW Police Department benefits from an excellent working relationship with surrounding law enforcement agencies. The Wilmington Police Department, New Hanover County Sheriff’s Office, Wrightsville Beach Police Department, Carolina Beach Police Department, Kure Beach Police Department, the N.C. State Highway Patrol, N.C. Alcohol Law Enforcement, and N.C. State Bureau of Investigation are all participants in a comprehensive countywide communication system that allows direct linkage between the various agencies. Each of the above agencies has supported and continues to support the UNCW Police Department when requested.

Additionally, the UNCW Police Department has mutual aid agreements and has entered into agreements with the City of Wilmington and New Hanover County that provide 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 the UNCW Police Department does not patrol or respond to routine calls for service in the areas of expanded jurisdiction.

**Crimes occurring at off-campus locations by recognized student organizations**

UNCW does not have any officially recognized off-campus student organizations.
Community policing and crime prevention

Every student, faculty member, and staff member shares the responsibility of providing a safe campus. Every campus community member should be educated and aware of the services the department offers. The police department was founded on the value 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.

Police and Community Networking (PAC’N)
For more than a decade, the police department has coordinated crime prevention and community policing activities through the PAC’N Program. PAC’N officers, will place significant emphasis on the residential areas of the campus. These specially trained and selected police officers work especially closely with resident students, as well as Housing and Residence Life resident assistants and residence coordinators. PAC’N officers assist these community members in defining problems, developing solutions and implementing strategies to solve problems and prevent crimes. In addition, PAC’N officers conduct investigations and facilitate a variety of educational programs including:

- Sexual Assault Education and Prevention
- Property Security - Operation Identification
- Traffic Injury Prevention
- Basic Car Maintenance
- Bike Registration, Safety and Security
- Drug and Alcohol Awareness
- Personal Safety and Property Security
- Response to emergencies such as an active shooter

Contact a PAC’N officer at (910) 962-2222 for more information.

Rape Aggression Defense (RAD)
As part of its crime prevention effort, the police department offers RAD - Rape Aggression Defense - classes throughout the year. The RAD system is a program of realistic self-defense tactics and techniques. RAD is a comprehensive course for women that begin with awareness, prevention, risk reduction and avoidance. RAD teaches physical self-defense as a viable option for women who are attacked. In addition to being offered as a co-curricular activity, RAD is an elective lab for PED 101. 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.
Crime warnings and timely notifications

In an effort to provide timely notice to the university community notifications to the community are usually made when a crime poses an ongoing threat to students and employees. Notice will usually be given when one of the following incidents is reported to the UNCW Police Department: Arson, Aggravated Assault, Murder/Criminal Homicide, Robbery, Sex Offenses, and other incidents as deemed appropriate. In all cases, including in instances of a violent crime occurring between two individuals who know each other, police personnel will assess the circumstances that have been reported or are available to determine if the suspect poses an ongoing threat to the campus community and issue a warning where appropriate.

Notifications may be disseminated by any of the following methods:

- Email
- Broadcast voicemail
- Website postings
- Community meetings
- Print media
- Televised media
- Public postings
- Telephone
- Personal communication

The UNCW Police Department maintains a daily crime log through the following link: [www.uncw.edu/police](http://www.uncw.edu/police). The information in the Crime Log typically includes the following as it relates crimes: date reported, date and time of occurrence, nature, general location, and disposition. The Crime Log is normally updated within two business days, excluding days UNCW is closed. Hardcopies of the log are available for public inspection, upon request, during normal business hours.
Sexual misconduct and sexual assaults are forms of sexual harassment under Title IX contained in 20 USC §168(a). The University’s Title IX Coordinator is designated to assure all policies and procedures are properly followed. The Title IX Coordinator is:

Dr. Terrence Curran
Associate Provost
Academic Affairs
Campus Box 5900
Alderman Hall 109A
(910) 962-3876
currant@uncw.edu

Suspected incidents of sexual misconduct should be immediately reported to the University Title IX Coordinator or the University Police.

RESOURCES

University Resources

Title IX Coordinator 910.962.3876
UNCW Police 911 or 910.962.2222
UNCW Counseling Center 910.962.3746
Student Health Center 910.962.3280
Office of the Dean of Students 910.962.3119
Housing and Residence Life 910.962.3241
UNCW CARE 910.962.2273
after hrs at 910.512.4821

Local Resources

Rape Crisis Center 910.392.7460 or (800) 672.2903
Domestic Violence Shelter & Services 910.343.0703
New Hanover Regional Medical Center 910.343.7799
Cape Fear Memorial Hospital 910.452.8100
Emergency notification, response and evacuation procedures

EMERGENCY NOTIFICATION, RESPONSE AND EVACUATION PROCEDURES

Authority: Chancellor
History: Established August 21, 2009; Revised August 21, 2012
Source of Authority: UNC Code, Appendix 1, Section XV
Related Links: UNCW Police; Emergency Operations Plan (EOP)
Responsible Offices: UNCW Police, University Relations, Environmental Health & Safety

I. Purpose

These procedures are established in compliance with the Higher Education Opportunity Act (§485(f)(1)(J); 20 U.S.C.S. §1092(f)) to provide emergency response, notification and evacuation procedures for campus.

II. Scope

These procedures apply to all university members and visitors to campus.

III. Reporting Emergencies

Individuals should report all emergencies by calling 911 from any telephone, whether cellular, landline or campus extension, by pushing the emergency intercom button or the blue light emergency phone buttons (Emergency Call Boxes), which are available at various locations on the campus properties. False alarms or abuse of the notification system is a violation of campus policies as well as North Carolina law.

IV. Responsibility for Emergency Response and Notification

A. Generally, the UNCW Police Department (UPD) 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.

B. Once a confirmed significant emergency or dangerous situation involving immediate threat to the health or safety of students or employees is occurring on campus, the campus community shall be notified, unless UPD determines and pronounces 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 UPD. However, it is recognized that that any number of circumstances may cause this responsibility to fall to the University Relations or, in some cases, another designated
office(s) / department(s). Additional messages may be released by UPD as the incident or situation dictates and as time permits. In situations where the initial emergency notification was made by UPD, 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 UPD has transferred responsibility for further notifications to them. UPD will work to continue to update and brief University Relations staff on incident developments, advising on the content and timing of further communications.

C. The initial message shall be brief and direct to notify the community and advise on, such as whether to seek shelter, secure doors, avoid or evacuate a location(s) or take other action as needed. Any of the following emergency communications, as well as others as deemed appropriate, may be utilized depending on the type and nature of the emergency:

1. Seahawk Siren System – used for emergencies requiring shelter in place to stay safe. The siren will be utilized during sudden emergencies such as tornadoes, hazardous materials incidents, or active shooters.

2. University’s emergency notification system, which sends the message to all UNCW email addresses and sends voice and text messages to cell phone numbers voluntarily provided by students, faculty and staff. This system also has the capability of populating social media, RSS and CAP.

3. Campus Intercom System – The campus intercom system may be 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.

4. In-person communication by one individual to another person or group of persons.

D. University Police and University Relations shall test the notification systems no less than annually and its effectiveness will be monitored by Environmental Health & Safety emergency management function.

E. At a minimum this policy shall be publicized as follows:
   1. Annually in the Campus Crime and Security Report
   2. At http://www.uncw.edu/emergencyandsafety/index.html
   3. New Student Orientation
   4. Publication in the UNCW Emergency Action Plan
Security of and access to campus facilities

Police Officers randomly patrol common hallways throughout residence halls and the exterior grounds. The University Apartments, University Suites, Seahawk Landing, Seahawk Village, and Seahawk Crossing are considered private residences, as are rooms within the traditional residence halls. Therefore, the interior spaces of these facilities are not randomly patrolled.

Academic, administrative and support buildings are secured each evening at the conclusion of the scheduled activity for facilities by building staff, housekeeping staff, the UNCW Police Department or electronically through a computerized access control system administered by Business Applications and Access Management. Reservations and requests for facility use are administered by the Reservations Office, the Division of Student Affairs, or department building coordinators.

Card Access

All ground floor accessible doors to UNCW’s traditional-style residence halls and Seahawk Landing, Seahawk Village and Seahawk Crossing are locked 24 hours a day, seven days a week. All main entrance doors in residence halls have a card reader which will only admit residents of that hall. All other ground accessible doors are alarmed.

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. DRs are responsible for answering front desk telephones, providing loaner keys and issuing supplies. The DR is also responsible for providing security in the hall by maintaining an awareness of residents and others entering and leaving. The DR may request that 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 to residents. These individuals perform many of the same duties as the DR staff and they closely monitor access to each of the residential areas.

Resident Assistants (RA)

RAs are UNCW students of sophomore standing or above who are responsible for: (1) getting to know each person on the floor or in the assigned area, (2) familiarizing students with residence hall and university rules and regulations, (3) assisting with the enforcement of these rules and regulations, (4) helping residents to maintain an environment conducive to studying and learning, (5) acting as a liaison between residents and the Office of Housing and Residence Life, (6) facilitating student-to-student and student-to-staff interaction, (7) assisting in the development of
educational and social programs and (8) 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 report to the associate director of residence life. These individuals live on campus and are assigned to administer a specific residence hall or area; supervise a graduate assistant; resident assistants; coordinate the educational, social and recreational programs; and enforce university policy. Each RC is also a campus conduct officer who adjudicates on-campus student discipline. In addition, they assist Housing and Residence Life by performing specific administrative duties. It is the responsibility of the RC to work actively with staff and students to promote a positive community environment. One of these professional staff members is on duty each evening to respond to emergencies in residential facilities.

**Assistant Residence Coordinators**

The Office of Housing and Residence Life employs graduate assistants. They serve in an area of campus where they assist the residence coordinator by helping supervise RA staff and DR staff, advising hall government and coordinating area programming effort.

Residence hall rules and regulations may be accessed through the following link: [http://www.uncw.edu/stuaff/housing/rulesandregs/rulesandregshome.html](http://www.uncw.edu/stuaff/housing/rulesandregs/rulesandregshome.html)

**Residence Hall Maintenance**

Maintenance of lighting in the residence areas is the responsibility of Housing and Residence Life and/or the Physical Plant. Light bulbs or fluorescent tubes that are burned out are considered top priority and are changed out immediately. Housing staff is also responsible for lighting in the stairwells of the University Apartments, University Suites, Seahawk Village, Seahawk Landing, and Seahawk Crossing. Routine checks in the evening by the Housing and Residence Life staff are done in order to report any lights not working.

**Fire Safety**

Fire safety is an A-1 priority. All campus housing facilities have state-of-the-art fire detection and alarm systems as well as fire suppression sprinkler systems. The systems are tested and certified on a yearly basis and in conjunction with the Department of Insurance, the UNCW Environmental Health and Safety (EH&S) and Physical Plant electrical shop. Fire drills are conducted by the Housing and Residence Life staff and EH&S once each during the fall and spring semesters. The vacating of the buildings during these drills is overseen by the Housing and Residence Life staff, the UNCW Police Department, and EH&S. The Wilmington Fire Department and the UNCW Police Department respond to every general fire alarm.
UNCW Annual Fire Safety Report and Fire Log

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. 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 institutions 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. The report and fire log can be accessed at the following link:
http://www.uncw.edu/ehs/documents/annual_fire_safety_report.pdf

Off Campus Properties and their Locations

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<tr>
<th>Airlie Commons</th>
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<tr>
<td>1612 Military Cutoff Road</td>
<td>720 Saint James Drive</td>
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<tr>
<td>5001 Masonboro Loop Road</td>
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<td>Leland, NC 28451</td>
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<td>9 Seawater Lane</td>
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<tr>
<td>444 Western Boulevard</td>
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<td>Jacksonville, NC 2456</td>
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I. Purpose

The University of North Carolina Wilmington permits alcohol to be consumed at special activities and programs and in the privacy of residence hall rooms subject to applicable law. This policy is designed to promote the positive use or nonuse of alcoholic beverages in a responsible manner.

II. Scope

University policies concerning the possession and consumption of alcoholic beverages do not contravene federal, state or municipal law regarding their purchase, possession or consumption. This policy is applicable to all property owned or leased by the university.

III. Prohibited Behavior

A. In accordance with North Carolina law, it is illegal for any person under 21 years of age to purchase, possess or consume, or for anyone to aid or abet such a person in purchasing or consuming any alcoholic beverages.

B. 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.

C. 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. Refer to policy statement IV.C. for the special events exclusion allowed for access-controlled areas.

D. State funds and student fees collected by the university cannot be used to purchase alcoholic beverages.
E. Employees of the university may not consume alcohol during regular working hours, unless they take leave and do not return to work.

IV. Approval and Guidelines for University Events

A. The use of alcoholic beverages at a university event shall be subject to the approval of the Chancellor or designee.
   1. The Alcohol Beverage Permit must be filed with the Associate Vice Chancellor – Business Services seven (7) days prior to the event.
   2. An authorized representative of the UNCW department or sponsoring organization must sign the Alcohol Beverage Permit, acknowledging that all regulations stated in the Alcohol Policy are understood.

B. Student events at which alcoholic beverages may be consumed can be held only under circumstances in which the sponsoring organization demonstrates reasonable means of insuring the safety of participants and adherence to state law.
   1. The advisor or authorized representative to a sponsoring student organization must have supervised the planning.
   2. An advisor or authorized representative to a sponsoring student organization must be present for the entire event.

C. Special events at which alcoholic beverages may be brought in by participants; e.g., athletics tailgating events, are only permitted by departments or department-sponsored programs, within guidelines established by the department representative, in coordination with Office of Risk Management and Insurance, UNCW Police, and Environmental Health and Safety. Permits and/or waivers will be reviewed and approved in advance by the Chancellor’s Designee, or the Associate Vice Chancellor – Business Services, at least 14 days prior to the event.

D. Consumption of alcoholic beverages is only permitted within the approved area designated for the event.
   1. Possession and consumption of alcoholic beverages at approved events on the university campus shall be restricted to areas which are not in the public view of students attending classes or students attending planned undergraduate activities, events or programs. Exceptions will be subject to approval of the Chancellor or designee.
   2. Use of an Event Manager is encouraged for events that permit alcohol to be served.
   3. Use of an approved Event Manager is required for events in which alcohol will be present, but not served by ARAMARK. The area must have controlled access.

E. Consumption of alcoholic beverages during regular working hours of the university (e.g., 4-5 pm) is only permitted when the majority of event participants are not university employees. Exceptions will be subject to approval of the Chancellor or designee.
F. Non-alcoholic beverages and sufficient quantities of food must be available at the same place as the alcoholic beverages featured as prominently as the alcoholic beverages. Quantities of alcoholic beverages purchased for an event shall be in compliance with guidelines set forth by the National Institute on Alcohol Abuse and Alcoholism.

G. Alcohol shall only be served by the university’s food service contractor, except for events as noted in Section IV.C.
   1. The university’s food service contractor is responsible to ensure proper identification is provided at the time of the event. Only a governmental-issued picture ID displaying date of birth will be accepted as valid identification.
   2. A student, 21 years of age or older, may purchase, possess or consume alcohol within the approved area designated for the event, but is prohibited from aiding or encouraging anyone under the age of 21 to possess or consume alcoholic beverages on campus.
   3. Alcohol shall not be served to those exhibiting unusual behavior or impaired speech or motor coordination when such behavior appears to be the result of substance abuse.

H. Individuals and/or sponsoring organizations or units who fail to comply with this policy and the guidelines for alcohol consumption on campus will be subject to disciplinary action. For employees, such disciplinary action would follow the pertinent misconduct procedures. Students who violate this policy will be referred to the Office of the Dean of Students for disciplinary action.

I. The signing of the Alcohol Beverage Permit by an authorized person of a UNCW department or sponsoring organization acknowledges that breaking of this agreement may justify revocation of privileges to seek future permission to hold activities where alcoholic beverages can be consumed.

J. The university shall hold any person who violates the law or any university policy while intoxicated fully responsible for his or her action and the consequences thereof.
Alcohol use/possession in residential areas

The University of North Carolina Wilmington abides by North Carolina State laws and statutes. Students 21 years of age and older may possess and consume beverages within the privacy of their bedroom or private living area. Underage students are subject to an alcohol fee, through the Campus Judicial System, of at least $50.00 on the first offense and at least $75.00 thereafter.

In accordance with University Policy, alcoholic beverages may not be consumed in public areas, including hallways, lounges, and apartment balconies/porches or outside the buildings. The sale of any alcoholic beverage on the UNCW campus is prohibited. Students are not permitted to possess kegs, or any other common source container of alcohol including beer bongs in the Residential area. Students are not allowed to play drinking games that encourage binge drinking, including but not limited to, beer pong, flip cup, card games, etc. Students are not allowed to construct or own a table used for the purpose of beer pong.

Residents who are under 21 years of age are not allowed to host people with alcohol regardless of the guest’s age. Non-UNCW students and UNCW students living off-campus are not allowed to bring alcohol into residential facilities. The Office of Housing and Residence Life staff reserves the right to stop people from bringing alcohol into the building(s). No drinking is allowed in the common rooms of suites or apartments if anyone under the age of 21 is present; even residents that live there.

Residents must drink in their room behind closed doors when other residents or visitors under the age of 21 are present in the apartment/suite. Please label all alcohol in fridges. All alcohol kept in a common location, i.e., refrigerator, kitchen cabinets, etc., should be properly labeled with the owner’s name in order to ensure the protection of other individuals.

A student and his/her guest may be asked to open all backpacks, bags, coolers and other containers when entering a residence hall. This procedure is a safety and security measure, which prevents most unwanted or unauthorized materials from being brought into the halls. All students’ cooperation with staff requests is expected and appreciated. A resident and his/her guests may be denied entrance if they choose not to cooperate with this request.
I. Purpose

The fundamental purpose of the university is to maintain an environment that supports and encourages the pursuit and dissemination of knowledge. That environment is damaged by illegal drug use. Therefore, all members of the academic community, students, faculty, administrators and other university employees share the responsibility for protecting the environment by exemplifying high standards of professional and personal conduct.

II. Policy and Program

A. The illegal use, possession, sale, delivery and/or manufacture of drugs will not be tolerated and may be grounds for immediate suspension or dismissal of students, faculty, administrators and other university employees.

B. University policies and programs are intended to emphasize the following:

1. The incompatibility of the possession, use or sale of illegal drugs with the goals of the university.
2. The legal consequences of involvement with illegal drugs.
3. The medical implications of the use of illegal drugs.
4. The ways in which illegal drugs jeopardize an individual’s present accomplishments and future opportunities.

C. The university provides a systematic substance abuse education and prevention program designed to reach all segments of the campus community. To assist in accomplishing this mission, CROSSROADS: Substance Abuse Prevention and Education Program has developed a well-integrated, centralized program that is a focal point for campus substance abuse education, training and prevention, which monitors the effectiveness of programs for constituencies served. The Counseling Center provides substance abuse counseling and referral services for students and provides consultation to students, faculty and staff.

III. Education

The university provides a program of education designed 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.

IV. Counseling and Rehabilitation

A. The university provides information about drug counseling and rehabilitation services to members of the university community. Persons who voluntarily avail themselves of university services can be assured that applicable professional standards of confidentiality will be observed. Counseling and rehabilitation services include:

1. Training for professional staff and student staff on drug abuse information, intervention and referral.

2. Education programs for students who have demonstrated abusive behavior with drugs.

3. Assessment, counseling and referrals for students.

4. Consultation, information and referrals for students, staff and faculty.

B. In providing the above strategies, it is recognized that some campus constituents may prefer professional assistance external to the campus. Therefore, CROSSROADS: Substance Abuse Prevention and Education Program will collaborate with the Counseling Center in the development of appropriate referral mechanisms for these individuals. A listing of off-campus resources for assistance and referral is available for those who choose that option. In the development of this program, it is desired that faculty, students, administrators and other employees be comfortable in the manner in which they are served and have a choice in the selection of appropriate assistance. Individuals served in the Counseling Center on campus can be assured that applicable confidentiality will be maintained.
V. Enforcement and Penalties

A. ENFORCEMENT

In seeking to enforce established university policy, the university will:

1. Publicize all drug policies.
2. Consistently enforce drug policies.
3. Exercise appropriate disciplinary action for drug policy violations.

B. PENALTIES

The university shall take actions necessary, consistent with state and federal law and applicable university policy to eliminate illegal drugs from the university community. University policy on illegal drugs is publicized in the university catalog, student and faculty handbooks, student orientation materials, on-line resources, letters to students and parents, residence hall meetings and faculty and employee meetings.

Students and faculty members, administrators and other employees are responsible as citizens for knowing about and complying with the provisions of the North Carolina law that makes it a crime to possess, sell, deliver or manufacture drugs designated collectively as “controlled substances” in Article V, Chapter 90 of the North Carolina General Statutes (see State Law I). Any member of the university community who violates that law is subject both to prosecution and punishment by the civil authorities and to disciplinary proceedings by UNCW. It is not “double jeopardy” for both the civil authorities and the university to proceed against and adjudicate a person for the same specified conduct. The university will initiate its own disciplinary proceedings against the student, faculty member, administrator or other employee when the alleged conduct is deemed to affect the interest of the university.

Penalties will be imposed by the university in accordance with procedural safeguards applicable to disciplinary actions against students (see Code of Student Life, Section II), faculty members (see Policies of Academic Freedom and Tenure, UNCW, Section VII), and administrators and other employees (see Procedure No. PER 6.10 and Personnel Policies for Designated Employment Exempt from State Personnel Act - EPA Administrative Positions). Note: Rules of the State Personnel Commission govern the disciplinary actions that may be taken against SPA employees. Under current commission regulations discharge, rather than suspension, is the applicable penalty for SPA employees in those instances where this policy otherwise requires suspension.

The penalties to be imposed by the university will vary depending upon the nature and seriousness of the offense and may include a range of disciplinary actions up to and including expulsion from enrollment and discharge from employment. The university may also refer matters to law enforcement for prosecution.

A. For second or subsequent offenses involving illegal drugs, progressively more severe penalties shall be imposed.
B. Students and faculty members, administrators and other employees found to have violated applicable law of university policies concerning illegal drugs may be required to participate in drug education and counseling program, consent to regular drug testing, and accept such other conditions and restrictions, including a program of community service, as the chancellor or the chancellor’s designee deems appropriate. Refusal or failure to abide such conditions and restrictions may result in additional disciplinary action, up to and including, expulsion from enrollment and discharge from employment.

SUSPENSION PENDING FINAL DISPOSITION

a. When a student, faculty, administrator or university employee has been charged by the university with a violation of policies concerning illegal drugs, he/she may be suspended from enrollment and/or employment before initiation or completion of regular disciplinary proceedings if, assuming the truth of the charges, the chancellor, or in the chancellor’s absence the chancellor’s designee concludes that the person’s continued presence within the university community would constitute a clear and immediate danger to the health or welfare of other members of the university community; provided that, if such a suspension is imposed, an appropriate hearing of the charges against the suspended person shall be held in accordance with applicable campus conduct policy.

VI. Assessment

The University must comply with the applicable state and federal law regarding illegal drugs including without limitation, the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989. In accordance with the latter, the university must conduct a biennial review of the effectiveness of its educational programs regarding illegal drugs and the consistency of sanction enforcement, and maintain the results of such reviews on file.
I. PURPOSE

The University takes complaints and the occurrence of sexual misconduct in any form very seriously. In order to provide a safe campus community within which all members are valued and respected, policies and procedures for addressing sexual misconduct have been established in accordance with Title IX requirements and are detailed in the following pages. Complaints of sexual misconduct by and/or against individuals in the University community will be promptly investigated, findings issued, and if sexual misconduct is found, circumstances redressed, and corrective remedies pursued. Acts of sexual misconduct will not be tolerated in our campus community and are punishable under both University policies and North Carolina law. This policy applies to all aspects of University activities, including off-campus activities involving sexual misconduct by a UNCW student(s). Sexual misconduct by other UNCW community members should be reported to UNCW Police and/or Human Resources and/or the Office of the Dean of Students.

It is important to report ANY sexual misconduct. There are several ways to take action: a) adjudication through the Campus Conduct System; b) pursue legal action; or c) engage both processes concurrently or in succession. In any case, the University recommends that victims report the crime to the UNCW Police or local law enforcement officials as soon as possible to ensure proper evidence collection and investigation. This will be of great importance should the person choose to pursue legal charges. UNCW provides confidential resources, support, and reporting advice to students through UNCW CARE, the Counseling Center, and the Abrons Student Health Center. Reports of sexual misconduct received by other UNCW employees will be reviewed by the Dean of Students in consultation with the Office of General Counsel to insure that Title IX issues are being appropriately addressed.

II. SERVICES

The University believes that no person should bear the effects of sexual misconduct alone. The safety, health, and well-being of those community members impacted by sexual misconduct are of paramount concern. UNCW offers a range of services and resources to address these needs and support victims of sexual misconduct.
Through UNCW CARE, the University’s violence prevention and intervention program, the University provides confidential consultation and victim advocacy services to students who have experienced sexual misconduct. CARE responds to students who have been victimized, as well as those affected by someone else’s experience with abuse or assault, providing supportive services, including crisis response, individual advocacy, accompaniment services, acting as an advisor in the campus conduct system, and coordination with both on-campus and off-campus resources. CARE’s Victim Advocates inform and counsel students of their rights and available resources to empower students to make informed decisions and choices in responding to and coping with the effects of sexual misconduct. Students can also access victim advocacy via the Rape Crisis Center. Advocates assist students, but the choice of what actions to pursue belongs solely to the victim. A Victim Advocate from CARE is available at any time by calling 962-CARE or 910-512-4821 after hours. More information for survivors is available at www.uncw.edu/care.

The University also encourages those assaulted to report the incident to University or local law enforcement officers or to University administrators. Reporting the incident enables University administrators to respond appropriately under the given circumstances, and if possible, pursue corrective measures to prevent further misconduct.

In addition to victim advocacy services and law enforcement, the University’s support services include:

Educational programs, awareness events and print and video resources addressing a variety of topics related to sexual misconduct.

Counseling services for those who have been assaulted or who have concerns regarding sexual misconduct.

Referral to off-campus agencies that provide services for persons who have been sexually assaulted or experienced other sexual misconduct.

Assistance to persons who have been sexually assaulted or experienced other sexual misconduct in obtaining medical services.

Procedures for campus conduct action when persons who have been the victim of sexual misconduct wish to pursue campus disciplinary action against the assailant.

Assistance to persons who have been sexually assaulted or experienced other sexual misconduct in pursuing criminal action against their assailants.

A. Sexual misconduct and sexual assaults are forms of sexual harassment under Title IX contained in 20 USC §168(a). The University’s Title IX Coordinator is designated to assure all policies and procedures are properly followed. The Title IX Coordinator is:

Dr. Terrence Curran  
Associate Provost  
Academic Affairs  
Campus Box 5900  
Alderman Hall 109A  
(910) 962-3876  
currant@uncw.edu

III. DEFINITION OF TERMS
Sexual Assault may include any non-consensual sexual act in which a person is threatened, coerced, or forced to engage in against his or her will or while temporarily or permanently incapacitated. Sexual assault may be committed by a stranger or by a person known by the victim. Acts defined as sexual assault include rape, date rape, acquaintance rape, and gang rape, but may also include sexual touching of another person against his or her will or without consent, and forcing an unwilling person to touch another person sexually. Sexual Assault occurs when sexual acts are committed either without consent, by force, threat, or intimidation, or through the use of the victim’s mental or physical helplessness, of which the assailant was aware or should have been aware.

Sexual Misconduct may include any attempted or actual act of non-consensual or forcible sexual touching. This would include, but is not limited to, fondling, kissing, groping, attempted intercourse (whether oral, anal or genital), or attempted penetration with a digit or any other object. Sexual Exploitation includes but is not limited to taking nonconsensual, unjust, or abusive sexual advantage of another for one’s own advantage or benefit; or to benefit or advantage anyone other than the one being exploited; and that behavior does not otherwise constitute rape, sexual assault, or sexual harassment. Examples of Sexual Exploitation include, but are not limited to: prostituting another student, nonconsensual video or audio taping of sexual activity, going beyond the boundaries of consent (such as letting friends surreptitiously watch you having consensual sex or unauthorized distribution of photos or other materials of a sexual nature), engaging in voyeurism, and inducing incapacitation with the intent to rape or sexually assault another person or with the intent to create opportunity for a third party to rape or sexually assault another person. Other Sexual Offenses may include obscene or indecent behavior, which includes, but is not limited to, exposure of one’s sexual organs without physically contacting the victim; or the display of sexual behavior that would reasonably be offensive to others. Sexual assault and sexual misconduct are regarded as extreme forms of sexual harassment. Refer to Policy 02.210 for additional information on subsequent sexual harassment charges.

Central to the recognition of both sexual assault and sexual misconduct is the definition of consent. The University defines consent as explicit approval to engage in sexual activity demonstrated by clear actions or words. This decision must be made freely, consciously, and actively by all participants, and discerned by the totality of the circumstances. **Intoxication is not an excuse for failure to obtain consent.** Non-verbal communication, silence, passivity, acquiescence, or lack of active resistance does not constitute consent on its own; neither does it necessarily imply consent. In addition, previous participation in sexual activity 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. Consent has *not* been obtained in situations where the individual:

1. Is forced, pressured, manipulated, or has reasonable fear that the individual or another will be injured if the victim does not submit to the act;

2. Is incapable of giving consent or is prevented from resisting due to physical or mental incapacity, which includes, but is not limited to, the influence of drugs or alcohol, being unconscious, asleep or otherwise physically or mentally impaired;

3. Has a mental or physical disability which inhibits or precludes his/her ability to give consent.
IV. 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.

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 UNCW Police at 910-962-2222 or ext. 911 on-campus. 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 Sections VII. and X. for more information about reporting options.

Get immediate medical attention. You may have injuries that you may not have realized occurred during the assault.

Evidence collection and emergency treatment is available 24 hours a day at the local emergency rooms. The Abrons Student Health Center can provide students with immediate needs or subsequent follow-care. The North Carolina Rape Victims Assistant 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.

V. PRIVACY AND CONFIDENTIALITY

A. Confidential Resources. If a student wishes the details of an incident to be kept strictly confidential, they can speak to professional staff at the UNCW Counseling Center, the Abrons Student Health Center, or UNCW CARE. In addition, the Rape Crisis Center and campus ministers will honor confidentiality. Confidential resources may need to share otherwise confidential information where an imminent danger to the student or another individual exists in the opinion of the professional staff or administrator. In addition, all University resources are required by North Carolina law to report abuse or neglect upon a child or any disabled person.

B. Privacy and Reporting Requirements. There are a number of designated University officials who can provide support and assistance to a student who discloses sexual misconduct. These designated officials include the Title IX Coordinator, UNCW Police, Office of the Dean of Students, Housing & Residence Life, Campus Life, Campus Recreation, Athletics, and UNCW faculty/staff advisors of student organizations. The above designated University officials are required by law to notify UNCW Police of any alleged sexual misconduct that occurs on designated University property. All University employees who receive a report of alleged sexual misconduct by a student or regarding a student, on or off-campus, must notify the Dean of Students or the Title IX Coordinator. Students’ personally identifiable information will only be
shared as necessary with as few people as possible, and all efforts will be made to protect their privacy consistent with applicable laws.

i. **Title IX Investigation.** In all instances and to the extent possible, the University will protect the privacy of all parties to a report of sexual misconduct or sexual assault. That said, under federal law, campus officials (with the exception of those listed under section V.A. Confidential Resources, above) who receive a report of sexual assault, whether from the student involved or a third party, must share that information with the appropriate University authorities for investigation and follow-up. The University is obligated under the law to investigate the complaint and to take action to eliminate sexual harassment and sexual assault, prevent its recurrence and address its effects. The University may need to proceed with adjudicating the case at an administrative level, regardless of the wishes of the complainant, in those cases determined to pose a significant danger to the University community, including, but not limited to: cases involving significant violence, cases in which the University has reason to believe that the perpetrator has harmed more than one individual, or cases in which there is deemed to be a threat to the campus community. The Dean of Students, as a Title IX designee, will determine this necessity on a case by case basis.

In the course of the administrative investigation, information will be shared as necessary with people who need to know, such as investigators, witnesses, and the accused. A complainant’s request for anonymity and/or inaction may hinder a response by the University

ii. **Federal Statistical Reporting Obligations.** A Confidential Notification contains information required by state law, federal law, and complies with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Designated University officials, which include the Title IX Coordinator, UNCW Police, Office of the Dean of Students, Housing & Residence Life, Campus Life, Campus Recreation, Athletics, and UNCW faculty/staff advisors of student organizations, will complete a Confidential Notification upon disclosure of a sexual assault. The Abrons Student Health Center, UNCW CARE, and the off-campus agencies Rape Crisis Center, and Domestic Violence Shelter & Services also participate in the Confidential Notification process. The Confidential Notification is then forwarded to UNCW Police where it is filed and used for compiling the annual *UNCW Campus Crime and Security Report* and for purposes of advising the campus community of any potential safety risks or concerns.

VI. **CAMPUS CONDUCT SYSTEM**

Regardless of whether a victim chooses to pursue criminal prosecution, if the assailant is a UNCW student, the victim may file a report in the Office of the Dean of Students. A preliminary investigation, which may result in a hearing, may be conducted by an administrative hearing officer, Campus Conduct Board or the Committee on Extraordinary Disciplinary Emergencies. If the assailant is found responsible, sanctions may range from disciplinary probation to expulsion from the University.

As detailed in Section V., the University may be required to initiate disciplinary/conduct or criminal action, regardless of whether the person who has been assaulted chooses to do so, if a designated University official has been notified of a sexual misconduct allegation.

**Initiation of Disciplinary Proceedings**

Any student may file a written complaint with the Office of the Dean of Students against any student for misconduct. The complaint must include factual information supporting the allegation. Anonymous charges will not be permitted.
Any student charged with an infraction under this policy shall be presumed not responsible until proven responsible by a preponderance of evidence.

Preliminary Investigation
When the Dean of Students/designee receives information that a student has allegedly violated the Sexual Misconduct Policy, the dean/designee shall investigate the alleged violation and inform the Title IX Coordinator that an allegation has been made. After completing a preliminary investigation, normally a determination of whether or not to pursue the charge(s) will be made within 30 calendar days. Reasonable extensions of time are permissible and participants will be notified in writing if any extension is needed.

The dean/designee may:

1. Find no basis for the complaint and dismiss the allegation as unfounded, or
2. Summon the accused student (respondent) for a conference (see Section II-2-G in the Code of Student Life) and then either dismiss the allegation, or
3. Proceed administratively by informing the student of the following options for resolution of the disciplinary charges:

   a. Disagree to the charge(s) and have a regular hearing before Campus Conduct Board (CCB)/Committee on Extraordinary Disciplinary Emergencies (CEDE) where a determination of responsibility will be made. If the student is held responsible by CCB/CEDE, an appropriate sanction will be determined.

   b. Disagree to the charge(s) and request an administrative hearing before the Dean of Students/designee where determination of responsibility will be made. The dean/designee may elect not to hear the case. The case would then be heard by CCB/CEDE. If the student is held responsible by the administrative hearing officer, an appropriate sanction will be determined.

   c. Agree to the charge(s) and elect for CCB/CEDE to determine an appropriate sanction.

   d. Agree to the charge(s) and elect for an administrative hearing before the Dean of Students/designee to determine an appropriate sanction. The dean/designee may elect not to hear the case. The case would then be heard by CCB/CEDE.

The appropriate hearing body will be determined at the sole discretion of the Dean of Students/designee.

A. Hearing Procedure

Hearing Procedures can be found in the following sections of the Code of Student Life:

- Administrative: Section II-2-E
- Campus Conduct Board: Section II-3-C
- Committee on Extraordinary Disciplinary Emergencies: Section II-6-E

The responsibilities of the Office of the Dean of Students to the respondent can be found in Section II-2-F in the Code of Student Life.

The complainant will be offered the opportunity to have a pre-hearing meeting with the Dean of Students/designee.
Both the complainant and respondent will have the opportunity to review all statements submitted for consideration by the administrative hearing officer, Campus Conduct Board or the Committee on Extraordinary Disciplinary Emergencies.

During an administrative, Campus Conduct Board or Committee on Extraordinary Disciplinary Emergencies hearing, both the complainant and the respondent will be permitted to question the testimony of the other. All questions will be posed to the administrator or chair of the board and if the question is relevant and proper the chair will echo the question to be answered.

Both the complainant and the respondent will have the right to appeal cases involving a violation(s) of sexual misconduct. (See Section VIII– Appeal Process, below).

Pursuant to the Campus Security Act and Title IX, in cases of alleged sexual misconduct, the complainant and the respondent are entitled to have the same opportunities to have an advisor and one support person present during a disciplinary proceeding, neither of which may participate in any way in the hearing.

Mediation is not an appropriate route to resolution of sexual misconduct cases and will not be used by the University to resolve sexual misconduct cases.

Retaliation toward a student who reports sexual misconduct is strictly prohibited. Any act by an accused student, other students or their agents, of reprisal, interference, restraint, discrimination, coercion or harassment against any person using these procedures shall constitute a policy violation and shall be subject to prompt and appropriate disciplinary action.

VII. STATEMENT OF THE RIGHTS OF VICTIMS OF SEXUAL ASSAULT WHO PURSUE CAMPUS CONDUCT ACTION

1. The victim may request a change in living or academic arrangements through the Office of the Dean of Students, if reasonably available.

2. The victim has the right to have both an advisor and one support person of her/his choice to accompany her/him throughout the disciplinary hearing. (Professional victim advocates are available to students through UNCW CARE and the Rape Crisis Center.)

3. The victim has the right to remain present during the entire proceeding, excluding deliberation.

4. During the disciplinary hearing, testimony regarding any party’s past sexual conduct will ordinarily not be permitted, except in those instances where there was a prior sexual relationship between the parties and the testimony may be relevant to the issue of consent.

5. If the accused is found in violation of the Code of Student Life, the victim has the right to make a “victim impact statement” and to suggest an appropriate penalty.

6. The victim has the right to be informed of the outcome of the hearing.
VIII. APPEAL PROCESS

Both the complainant and the respondent have the right to appeal in cases that involve violations of the sexual misconduct policy. Appeals must be filed within two (2) business days after notification of the original decision. Such petition shall be submitted to the Office of the Dean of Students and explain in detail the reason(s) for the student’s appeal (See Section II-2-H, Section II-3-D and Section II-6-F). Original sanctions (with the exception of summary suspension) are normally put into effect only after an appellate decision has been made.

The complainant and respondent will follow the established policy for appeals of Campus Conduct Board, Committee on Extraordinary Disciplinary Emergencies or administrative hearings. The grounds for appeal in cases involving sexual offenses are listed below:

Respondent:
A) An alleged violation of the rights guaranteed the accused has occurred;
B) The sanction is too severe for the violation; or
C) New evidence has developed which has bearing on the outcome.

Complainant:
A) An alleged violation of the rights guaranteed the complainant has occurred;
B) The sanction did not represent the severity of the violation committed; or
C) New evidence has developed which has bearing on the outcome.

Appeal Procedures

Appeal procedures can be found in the following sections of the Code of Student Life:

- Administrative: Section II-2-H
- Campus Conduct Board: Section II-3-D
- Committee on Extraordinary Disciplinary Emergencies: Section II-6-F

IX. PURSUING LEGAL ACTION

The University encourages students to report all incidents of sexual misconduct or sexual assault to the police. Criminal charges stemming from sexual misconduct that occurs on the UNCW campus or property is in the jurisdiction of the UNCW Police. Sexual misconduct that happens off campus would be investigated by the law enforcement of that jurisdiction. Most local off-campus cases would be in the jurisdiction of the Wilmington Police department or the New Hanover County Sheriff’s department.

If you are interested in pursuing legal action, you should contact UNCW Police at 910-962-2222, emergency 911. UNCW Police can assist students in identifying and contacting the appropriate law enforcement agency. Advocates from UNCW CARE are available to give students information about the criminal prosecution process, assist students in notifying appropriate law enforcement agencies, accompany students to interviews and court proceedings, and advocate on behalf of the student to off-campus agencies associated with criminal prosecution.
Students can also directly contact local police agencies regarding off-campus sexual misconduct:

Wilmington City Police 911 or 910.343.3600
New Hanover County Sheriff’s Office 910.341.4200

X. RESOURCES

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>UNCW CARE</td>
<td>910.962.2273</td>
</tr>
<tr>
<td></td>
<td>after hrs at 910.512.4821</td>
</tr>
<tr>
<td>UNCW Police</td>
<td>911 or 910.962.2222</td>
</tr>
<tr>
<td>UNCW Counseling Center</td>
<td>910.962.3746</td>
</tr>
<tr>
<td>Student Health Center</td>
<td>910.962.3280</td>
</tr>
<tr>
<td>Office of the Dean of Students</td>
<td>910.962.3119</td>
</tr>
<tr>
<td>Housing and Residence Life</td>
<td>910.962.3241</td>
</tr>
<tr>
<td>Title IX Coordinator</td>
<td>910.962.3876</td>
</tr>
</tbody>
</table>

Local Resources

<table>
<thead>
<tr>
<th>Service</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rape Crisis Center</td>
<td>910.392.7460 or (800) 672.2903</td>
</tr>
<tr>
<td>Domestic Violence Shelter &amp; Services</td>
<td>910.343.0703</td>
</tr>
<tr>
<td>New Hanover Regional Medical Center</td>
<td>910.343.7799</td>
</tr>
<tr>
<td>Cape Fear Memorial Hospital</td>
<td>910.452.8100</td>
</tr>
</tbody>
</table>
North Carolina 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 and the sheriff maintains a registry of this information that is available to the public upon request. Registrants must furnish the following information: name, sex, address, physical description, picture, conviction date, offense for which registration was required, the sentence imposed as a result of the conviction and registration status. 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 - http://sexoffender.ncdoj.gov/.

Crime Definitions

The following definitions are used for reporting the crimes for purposes of the UNCW Campus Crime and Security Report. The definitions for arson, murder, robbery, aggravated assault, burglary, motor vehicle theft, liquor law violations, drug law violations and weapon law violations, are excerpted in part from the Uniform Crime Reporting Handbook. The definitions of forcible and non-forcible sex offenses are excerpted in part from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Handbook.

Criminal homicide-murder and non-negligent manslaughter: The willful (non-negligent) killing of one human being by another.

Sex offenses-forcible: Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent; includes forcible rape, forcible sodomy, sexual assault with an object and forcible fondling.

Sex offenses-non-forcible: Unlawful, non-forcible sexual intercourse; includes incest, non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law, and statutory rape, non-forcible 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.

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, includes joyriding.
**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.

**Criminal homicide – negligent manslaughter**: The killing of another person through gross negligence.

**Liquor law violations**: The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness, driving under the influence and university policy violations are not included in this definition).

**Drug law violations**: 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.

**Weapon law violations**: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.
Crime Statistics

<table>
<thead>
<tr>
<th>Crimes</th>
<th>On Campus</th>
<th>Non-Campus</th>
<th>Public Property</th>
<th>Residence Halls</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/Non-Negligent Homicide</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Negligent Homicide</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Robbery</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Aggravated Assault</td>
<td>0</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Motor Vehicle Theft</td>
<td>3</td>
<td>8</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Arson</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Burglary</td>
<td>18</td>
<td>16**</td>
<td>31</td>
<td>0</td>
</tr>
<tr>
<td>Sex Offenses Forcible</td>
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<td>3</td>
<td>2</td>
<td>0</td>
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<tr>
<td>Sex Offenses Non-forcible</td>
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<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Liquor Law Violations</td>
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<td></td>
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<tr>
<td>Arrests</td>
<td>5</td>
<td>13</td>
<td>2</td>
<td>0</td>
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<tr>
<td>Disciplinary Referrals</td>
<td>623</td>
<td>598</td>
<td>663</td>
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<tr>
<td>Drug Violations</td>
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<td></td>
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<tr>
<td>Arrests</td>
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<td>11</td>
<td>3</td>
<td>0</td>
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<tr>
<td>Disciplinary Referrals</td>
<td>116</td>
<td>161</td>
<td>98</td>
<td>0</td>
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<tr>
<td>Illegal Weapons Violations</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Arrests</td>
<td>1</td>
<td>1</td>
<td>3</td>
<td>0</td>
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<tr>
<td>Disciplinary Referrals</td>
<td>9</td>
<td>12</td>
<td>8</td>
<td>0</td>
</tr>
</tbody>
</table>

*Crimes listed as Resident Hall are also included in the On Campus category.

** Decrease in Burglaries is a result of the reclassification of the burglary criteria by the FBI and approved by the Department of Education. (Public Law 110-315)

Hate Crimes

2008- There were no reported hate crimes.
2009- There were no reported hate crimes.
2010- There were no reported hate crimes.
### Hazardous Materials Incident
- If the spill exceeds your capabilities (size, familiarity with substance, etc.), call EH&S at ext 3057.
- If EH&S is not available, call University Police at ext 2222.
- Evacuate building by pulling the fire alarm if necessary.

### Severe Weather/Tornado
- A tornado watch means that tornadoes are possible in an area.
- A tornado warning means that a tornado has actually been sighted somewhere in the warning area.
- If you can hear or see thunder or lightning, you should take cover indoors.
- If a tornado is sighted approaching the campus:
  - Move to the interior hallway on the lowest floor, or move to the inside wall of your room/office.
  - Avoid windows, auditoriums, gyms, or structures with wide free-span roofs.
  - Take shelter beneath your desk or heavy furniture.
  - Assume a curled position to protect your head and eyes.

### Tropical Weather Systems
- Hurricane Season lasts from June 1 to November 30.
- A Hurricane Watch means that a hurricane poses a threat to an area within 36 hrs.
- A Hurricane Warning means that hurricane conditions are expected in an area within 24 hrs.
- When a voluntary evacuation is issued, classes will be canceled and students are encouraged to leave.
- When a mandatory evacuation is issued, all students must leave campus. When the university closes, all faculty and staff (except emergency personnel) must leave campus.
- Before evacuating, review departmental checklists to secure offices or consult with R.A.s for housing needs and evacuation information.
- Stay tuned to local media, the UNCW Emergency Information Hotline at ext 3991, and UNCW Web sites for updates and information.

### Gas Leak
- If you smell gas:
  - Call 911 for emergency personnel.
  - Do not move an injured person.
  - Provide care if you are trained to do so.
  - Avoid contact with blood and body fluids.
  - Stay with the victim until police arrive.
- If you can hear or see thunder or lightning, you should take cover indoors.
- If a tornado is sighted approaching the campus:
  - Move to the interior hallway on the lowest floor, or move to the inside wall of your room/office.
  - Avoid windows, auditoriums, gyms, or structures with wide free-span roofs.
  - Take shelter beneath your desk or heavy furniture.
  - Assume a curled position to protect your head and eyes.

### Medical Emergency
- Call 911 for emergency personnel.
- Do not move an injured person.
- Provide care if you are trained to do so.
- Avoid contact with blood and body fluids.
- Stay with the victim until police arrive.

### Crime in Progress
- Report criminal or suspicious activity to emergency personnel immediately by calling 911 or using a call box.
- If possible, get a description of any involved suspects or vehicles and provide information to police.

### Fire
- Upon discovering fire, immediately pull the fire alarm.
- Dial 911 and give details about the fire to emergency personnel.
- Evacuate immediately, close doors behind you and do not stop for belongings.
- Use stairways, not elevators.
- Evacuate to at least 500 feet from building and remain there until accounted for.
- Alert police and fire personnel about potentially trapped victims.
- If the fire is small, use fire extinguishers if you are trained to do so.

### Bomb Threat
- If you find a suspicious package, do not touch it! Call 911 for emergency personnel.
- If you receive a bomb threat by phone, remain calm and try to obtain as much information as possible to relay to police.
- Follow instructions from emergency personnel.

### Winter Weather
- Depending on the amount of snow or ice, a 2-hour delay, 4-hour delay, or university closing will be issued.
- Call the Emergency Information Hotline at ext 3991 for cancellations, delays, and updates and pay attention to local media.
- Faculty and staff should refer to the UNCW Adverse Weather Policy regarding missed work.

### Important Emergency Numbers & Web Sites

<table>
<thead>
<tr>
<th>In an emergency, dial 911</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>University Police (non-emergency)</td>
<td>962-2222</td>
</tr>
<tr>
<td>UNCW Crime Tip Line</td>
<td>962-TIPS (8477)</td>
</tr>
<tr>
<td>EH&amp;S</td>
<td>962-3057</td>
</tr>
<tr>
<td>UNCW Emergency Information Hotline</td>
<td>962-3991</td>
</tr>
<tr>
<td>or (888) 657-5751</td>
<td></td>
</tr>
<tr>
<td>EH&amp;S Web page</td>
<td><a href="http://www.uncw.edu/safety">www.uncw.edu/safety</a></td>
</tr>
<tr>
<td>UNCW Home page</td>
<td><a href="http://www.uncw.edu">www.uncw.edu</a></td>
</tr>
<tr>
<td>@UNCW</td>
<td><a href="https://appserv02.uncw.edu/news/atUNCW.asp">appserv02.uncw.edu/news/atUNCW.asp</a></td>
</tr>
<tr>
<td>National Weather Service, Wilmington</td>
<td><a href="http://www.erh.noaa.gov/erilim">www.erh.noaa.gov/erilim</a></td>
</tr>
</tbody>
</table>

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**EMERGENCIES – DIAL 911**