



**FAYETTEVILLE**  
**STATE UNIVERSITY™**



**2018 ANNUAL SECURITY  
AND FIRE SAFETY REPORT**

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## Message from the Associate Vice Chancellor of Police & Public Safety

On behalf of Fayetteville State University Police and Public Safety, I want to thank you for taking the time to read our annual security report and let you know that we take your safety and security here on campus serious. Fayetteville State University Police and Public Safety works in collaboration with various campus departments to assist in keeping the campus community safe. These departments include but are not limited to the following: Student Affairs, Center for Personal Development, Title IV, Student Government, Residence Life and others. We also work with outside law enforcement agencies like the Fayetteville Police Department, Cumberland County Sheriff's Office and Alcohol Law Enforcement.



The Fayetteville State University Police and Public Safety Department operates 365 days a year, 24 hours a day, seven days a week. Police Officers with the Fayetteville State University Police and Public Safety Department have full powers of arrest on campus property and property owned or leased by the university. Our office is in the Mitchell Building. We encourage students, employees and visitors to report crimes and suspicious activity occurring on campus property. To contact the Fayetteville State University Police and Public Safety Department, use the following numbers:

**Emergency: (910) 672-1911 or 1911 or 911** from an in-house telephone.

Non-Emergency: (910) 672-1775.

As we thrive to keep the campus community safe, I encourage you to learn the locations of the emergency call boxes located throughout the campus. We also have over 400 cameras to assist in detecting and deterring criminal activity. I would like to invite you to download our LiveSafe app to your smartphone. The LiveSafe app provides students, faculty, and staff with a direct connection to campus police so that everyone can easily communicate all their safety needs. Its easy-to-use features help you stay safe every day and enable us to better protect you. The LiveSafe app is free from Google Play or the App Store. Download the LiveSafe Mobile App, and then select Fayetteville State University in your settings.. Use the attached link:

<https://play.google.com/store/apps/details?id=com.livesafe.activities>. I also encourage you to sign up to receive emergency notifications should we need to communicate with you during a campus emergency. Please sign up for Bronco Alerts: <https://uncfsu.bbcportal.com/>.

The Fayetteville State University Police and Public Safety Department provides various crime prevention programs to the campus community such as: Rape Aggression Defense, Active Shooter and other safety related training. Please feel free to contact our office for more details.

With the help of you working in conjunction with the Fayetteville State University Police and Public Safety Department, we can make Fayetteville State University an institution where all feel safe learning and working.

A handwritten signature in black ink that reads "Renarde D. Earl". The signature is written in a cursive, flowing style.

Renarde D. Earl  
Associate Vice Chancellor for Police/Public Safety

## Message from the Clery Compliance Officer and Accreditation Manager

Dear Campus Community,

Hello! I am Erica Cooper. First and foremost, I would like to take this opportunity to introduce myself to you. I serve as your Clery Compliance Officer and Accreditation Manager here at Fayetteville State University. I am a new resident of North Carolina, having moved from Detroit, Michigan to join the FSU family on April 16, 2018. I am not new to the Clery Act as I served in a similar compliance capacity at my previous university, Eastern Michigan University, within the Student Conduct Office for the past 12 years.



Now you are probably thinking what exactly is the Clery Act? *The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* is a consumer protection law (consumers in this case are students, staff, faculty, visitors of the university) that requires all colleges and universities who receive federal financial aid under Title IV to share information about crime on campus and their efforts and initiatives to improve campus safety.

So, what exactly is my role here at the university? To put it simply, I ensure compliance with the Jeanne Clery Act. The Clery Act requires Fayetteville State University to collect crime data, analyze and report that data to the campus community, and submit those crime statistics to the Department of Education. Additionally, we must have security policies for campus, analyze threats to campus, and notify the community of dangerous crimes via Timely Warnings (Bronco Alerts) and Emergency Notifications. All this information (and much, much more) is made publicly accessible through the Fayetteville State University's Annual Security and Fire Safety Report, available each year on October 1<sup>st</sup>. I am also responsible for managing the FSU Campus Police Department's process of obtaining accreditation under the Commission on Accreditation for Law Enforcement Agencies (CALEA).

Since I started here at FSU, I have created trainings, presentations, and forms for our Campus Security Authority program, analyzed campus police reports from 2017, compiled the crime statistics for the campus, written the 2018 Annual Security and Fire Safety Report, met many new friends, and a whole lot more! If you have not met me personally, I would love to meet you! My office is located in Williams Hall, room 201, or you'll probably find me and my family at the football game (Bronco Pride!)

I am excited for the opportunity Fayetteville State University has given me to partner with the community and make an impact here on our campus.

Yours in Service,

A handwritten signature in black ink that reads "ECOOPER" with a long horizontal flourish extending to the right.

Erica M. Cooper  
Clery Compliance Officer and Accreditation Manager  
Fayetteville State University  
[ecooper8@uncfsu.edu](mailto:ecooper8@uncfsu.edu)  
910.672.2462



# ANNUAL SECURITY REPORT

## Introduction

Fayetteville State University (FSU) is located in Fayetteville, North Carolina and is a constituent institution of the University of North Carolina. FSU had an enrollment of 6,226 students (5,393 undergraduate) for the fall 2017 semester. FSU is committed to providing a safe and secure environment for its students, employees and visitors. FSU offers various educational programs on crime and fire safety and prevention. Members of the campus community are encouraged to be responsible for their personal safety and that of others.



This Annual Security and Fire Safety Report describes the guidelines, policies, programs, and practices FSU has implemented to address the safety and security of the campus. The report also informs the community about crime that occurred on the campus in 2017 and the two prior years. It should be noted that the policies described herein are current through the date of the publication of this Annual Security and Fire Safety Report. These policies may be updated from time to time throughout the year. To review the most updated policies, please visit <https://www.uncfsu.edu/faculty-and-staff/departments-and-offices/office-of-legal-affairs/policies-and-procedures>.

## Preparing the Annual Security and Fire Safety Report

This report is being prepared by the FSU Police Department in collaboration with other FSU campus partners, including the Office of Legal Affairs, Student Conduct, Residence Life as well as others. This report's crime statistics for property owned or controlled by the institution are gathered from campus security authorities and local police. The Clery Compliance Officer may be contacted at 910-672-2462.

FSU is publishing this Annual Security and Fire Safety Report pursuant to the following legal requirements:

- The Crime Awareness and Campus Security Act of 1990, along with its 1998 amendments renamed the law the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), requires higher education institutions to prepare, publish, and distribute by October 1 of each year, to all current students and employees, information pertaining to crime awareness and personal safety.
- The Higher Education Opportunity Act of 2008 requires higher education institutions to disclose additional information about the security and fire safety policies and standards in their annual security report.
- The Violence Against Women Reauthorization Act of 2013 (VAWA) requires higher education institutions to, among other things, collect and report statistics,

establish disciplinary proceedings, and ensure training awareness regarding sexual assault, domestic violence, dating violence, and stalking.

This 2018 Annual Security and Fire Safety Report is available at <https://www.uncc.edu/life-fsu/our-campus/campus-safety/annual-crime-reports> on request to any applicant for enrollment or employment. In this report, members of the campus community will find the following:

- Information about how to prevent and report crimes;
- Information about how FSU responds to the reporting of crimes and missing persons;
- Information regarding how FSU notifies members of the campus community in the event of a significant emergency or dangerous situation on campus;
- Information on how FSU secures its facilities;
- Policy statements governing the use and/or sale of alcoholic beverages and illegal drugs;
- FSU's sexual misconduct, domestic violence, dating violence, and stalking policy statements, educational awareness, and disciplinary procedures;
- Information relating to fire safety standards and measures that are taken by FSU; and
- Crime and fire statistics for the campus.

More detailed information on the above subjects may be obtained from the FSU Department of Police and Public Safety (FSU Police Department).

## History of the Jeanne Clery Act



In April 1986, **Jeanne Clery** was raped and murdered in her residence hall at Lehigh University in Bethlehem, Pennsylvania. Jeanne Clery, who was a student at the time of her death, was killed by another student who was intoxicated and entered her residence hall via doors that were left unsecured and propped open with pizza boxes. The intoxicated male student entered her unsecured room, strangled, cut, raped and murdered Jeanne Clery. As Connie and Howard Clery learned more about their daughter's death, they grew convinced that their daughter had died because of "slipshod" security on campus. Connie and Howard Clery, who believed Lehigh University had failed to share vital information with its students regarding campus safety, campaigned for legislative reform for several years following their daughter's death. Their sustained efforts ultimately resulted in the passage of the Clery Act, a federal law requiring all universities and colleges receiving federal student financial aid programs to report crime statistics, alert campus of imminent dangers, and distribute an Annual Security and Fire Safety Report (ASFSR) to current and prospective students and employees.



The Jeanne Clery Act, a consumer protection law passed in 1990 [Congress enacted the *Crime Awareness and Campus Security Act of 1990* (Title II of Public Law 101-542), which amended the *Higher Education Act of 1965 (HEA)*]. This was later renamed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in honor of Jeanne Clery. The Act requires all colleges and universities who receive federal funding to share information about crime on campus and their efforts to improve campus safety as well as inform the public of crime in or around campus. This information is made publicly accessible through the university's annual security and fire safety report.

Connie and Howard opened the Clery Center for Security on Campus. Their mission is to work with college and university communities to create safer campuses. Their vision is a world where all college students are safe and can learn and grow in environments of compassion and respect.

<http://clerycenter.org/our-mission>



## Enforcement Authority of the FSU Police Department

North Carolina General Statute 116-40.5 allows for the establishment of a campus law enforcement agency with all the powers of law enforcement generally, including the power to arrest. The FSU Police Department is maintained as authorized by NCGS 116-40.5. The territorial jurisdiction of the FSU Police Department includes all property owned or leased by FSU and that portion of any public road or highway passing through such property and immediately adjoining it, wherever located.

The FSU Police Department works closely with the City of Fayetteville Police Department and the Cumberland County Sheriff's Department. The FSU Police Department has entered into a memorandum of understanding with the Fayetteville Police Department that allows the Fayetteville Police Department to assist the FSU Police Department with conducting criminal investigations. The FSU Police Department may also request investigative assistance from the North Carolina State Bureau of Investigation.

## FSU Police Department

### FSU Police Department

The Department of Police and Public safety is made up of five divisions. The divisions are: Administrative Division; Patrol Division; Investigations Division; Property Security/Traffic Enforcement; and Emergency Management.

Located in the Mitchell Building on Martin Luther King Dr, the FSU Police Department is open 24 hours a day, 365 days a year. The FSU Police Department is a full-service agency that provides comprehensive law enforcement services. The department is comprised of sworn police officers, security officers, and administrative employees. The Communications Center is staffed with trained telecommunicators who answer calls for service, monitor alarms, and dispatch officers to calls for service.

### FSU Police Mission Statement

Our mission is to protect students and personnel; personal and state property; create a safe living and working environment; and the maintenance of order.

### Proactive Patrolling

Uniformed police officers and security personnel engage in patrol activities that go beyond merely being visible on campus. Those activities include foot patrol and patrolling in vehicles. The patrol activities are designed to make officers more accessible thereby resulting in more positive interactions with students.

## Officer Training

Officers at FSU complete a minimum of 24 hours of law enforcement training per year. They also participate in specialized training including crime scene, suicide, domestic violence, sexual assault investigation, and active shooter/rapid response training.

## FSU Law Enforcement Reporting Policy

The FSU Police Department encourages the prompt and accurate reporting of criminal activity when the victim of a crime elects to, or by other individuals when the victim is unable to make such a report. Individuals may report criminal activity by calling the FSU Police Department or by submitting the information through the department's "Online Crime Tips" form

<https://publicdocs.maxient.com/incidentreport.php?FayettevilleStateUniv>

which allows anonymous reporting via the FSU Police Department and Residence Life website. All reports of criminal activity are investigated to the fullest extent possible.



## Reporting Crime and Other Emergencies

All crimes that occur on campus should be reported to the FSU Police Department. This helps ensure that incidents are properly included in the annual disclosure of crime statistics and that a Timely Warning can be issued when necessary.

### Who Is Responsible for Enforcing Criminal Laws?

The FSU Police Department is responsible for the emergency response, reporting of statistics, and the enforcement of criminal laws set forth by the State of North Carolina. The FSU Police Department operates a Telecommunications Center with emergency operation services 24 hours a day, 365 days a year for the purpose of responding to emergency calls for service, reporting criminal activity and other emergencies that occur on campus. The center is staffed by trained emergency services dispatchers.

### How does a person report a crime or emergency?

To report a crime or an emergency, an individual should either call the FSU Police Department at 910-672-1911 or Ext. 1911 (from a FSU telephone) or activate one of forty-three (43) standalone call boxes, which are strategically located throughout campus, or the emergency phone box that is attached to Capel Arena. An individual may also make a report through the LiveSafe App on their smart phone. Police must respond to every 911 call, whether on a cellphone or a landline, even if the caller hangs up without saying anything. If 911 is accidentally dialed, the caller should stay on the line and tell the operator that it was an error. This will save the police an unnecessary trip.



### **How quickly will there be a response to a crime report?**

If you contact 910-672-1911 or Ext.

1911, a dispatcher will answer your call. The police dispatcher is capable of instantaneously accessing the FSU Police Department, Fayetteville City Police Department, and the Cumberland County Sheriff's Department. Once contacted, the dispatcher will request specific information and dispatch FSU Police Department personnel. The dispatcher will also contact additional personnel, such as fire and emergency medical services, if needed. The Chief of Police may contact one or more FSU administrators, if such contact is necessary.



### **Safety and Investigation**

Upon receipt of a criminal complaint or report of an emergency, initial police actions are focused on ensuring the safety of those involved in the incident. Subsequently, an officer will interview all available witnesses to obtain information about the incident. A written report will be filed, normally the same day. The serious crimes and incidents listed in the FSU Clery Crime Statistics of this Annual Security and Fire Safety Report receive further investigation or action and may involve members of the Fayetteville City Police Department and/or the State Bureau of Investigation.

### **Daily Crime Log**

FSU maintains a daily crime log that may be accessed by visiting the FSU Police Department 24/7, or by going online at <https://www.uncfsu.edu/life-fsu/our-campus/campus-safety/security-alerts>. The crime log must be updated within two (2) business days of a report made to the FSU Police Department.

### **What are Call Boxes?**

There are call boxes located across campus for the general public to use. All of these call boxes provide a direct line to the Dispatch Center (911) at the FSU Police Department. There are 43 call boxes located across the campus (identifiable at night by the blue lights on top).

Call boxes require only the push of a button to contact FSU Police through a speakerphone. A bright strobe light on the top of the call box is set off when the button is pushed, helping police quickly locate the caller. If the caller is unable to speak or needs to seek safe shelter, there are indicators in place to let police dispatchers know which call box has been activated. FSU Police will respond quickly any time a call box is activated, whether someone speaks into the speaker or not. In addition to using the call box to report emergencies, callers should also use them to report simple suspicious activities that may warrant immediate police attention.

For more information or to arrange a call box demonstration, call the FSU Police Department at 910-672-1775. To report any kind of problem relative to the operation or appearance of a campus call box, please call 910-672-1775.

### **Police Officer**

Look for an officer on patrol or go to the FSU Police Department at the Mitchell Building for assistance. It is open 24 hours a day.

### **Non-Emergency Calls**

For routine calls, please call the FSU Police at 910-672-1775.

## Off-Campus

In an emergency, dial 911 to reach local police. To reach these agencies in non-emergency situations:

- Fayetteville Police Department: 910-433-1529
- Crime Stoppers Program: 910-483-8477
- Cumberland County Sheriff Office: 910-323-1500

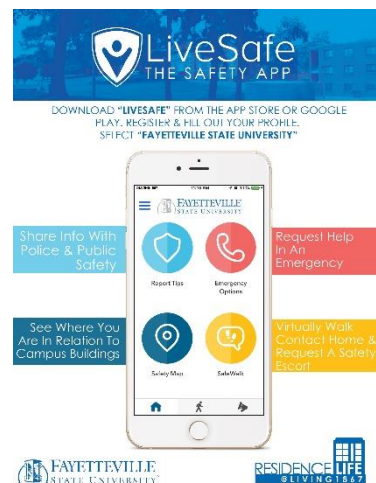
## LiveSafe

To help the campus community remain safe, both on and off campus, FSU provides a smartphone app, LiveSafe, that turns cell phones into personal safety devices.

LiveSafe is the world's leading mobile safety communications platform delivering crowd-sourced safety and security intelligence, preventing incidents, and connecting people to the help they need. LiveSafe fosters a safe and secure learning environment, while enabling students, faculty, and staff to contribute to campus safety through quick, easy, and discreet two-way communications with campus safety officials.

With LiveSafe, users can:

- Share information, tips and safety concerns with campus safety via text messaging, including picture, video, and audio attachments, or even through live chat.
- Stay anonymous anytime or send their user information and location to FSU Police as soon as they call or message, allowing faster response times.
- View a helpful Safety Map that geographically displays building and places that provide safety resources to students, faculty and staff.
- Link to campus emergency procedures.
- Activate SafeWalk, a GPS-tagged monitoring feature to let their friends and family keep them covered until they arrive safely to their destination.
- Receive timely and emergency notifications with important safety information from campus police.



From the App Store or Google Play, users can download the LiveSafe app to their iPhone or Android. Select “Fayetteville State University” as their affiliation, and fill in their user profile information to begin using the app.

To find out more about the app and how to download it, visit: [www.uncfsu.edu/life-fsu/our-campus/campus-safety/livesafe](http://www.uncfsu.edu/life-fsu/our-campus/campus-safety/livesafe)

## Bronco Alert

To help the campus community remain safe, both on and off campus, the University also uses Blackboard Connect to maintain a database of registered users to receive messages. Users sign up for the Bronco Alerts, and will receive push notifications to their cellular phones that they register.

With Bronco Alert, users will:

- Receive timely and emergency notifications with important safety information from campus police.
- There are additional subscriptions you can add on the subscriptions page.

### **What if a person wants to make an anonymous report or a confidential report to ensure that a crime is included in the annual statistics?**

Victims or witnesses may select to report crimes on a voluntary, confidential basis for statistical reporting purposes to any of the individuals listed below. Victims and witnesses may also make confidential or anonymous reports at: <https://cm.maxient.com/reportingform.php?FayettevilleStateUniv>

For allegations involving Title IX complaints, federal law requires FSU to investigate and take reasonable action in response to the complaint even if the complainant wishes to remain anonymous. See FSU's *Prohibited Sexual Conduct* policy at: <https://www.unccfsu.edu/assets/Documents/Office%20of%20Legal%20Affairs/TITLEIXRev.pdf>.

### **Campus Security Authorities**

Members of the FSU community are encouraged to report crimes and incidents directly to FSU Police. However, it is understandable that some may prefer to report to other individuals or offices within FSU. As such, the campus community can also report crimes to Campus Security Authorities. The Clery Act requires the University to designate employees with significant responsibility for student and campus activities, outside of normal classroom instruction as CSAs. CSAs must immediately inform the FSU Police Department of any Clery crime.

These CSAs include, among others: Academic Deans and Associate Deans; the Vice Chancellor, Associate Vice Chancellor and Assistant Vice Chancellor for Student Affairs; Resident Advisors (RAs), Assistant Resident Directors (ARDs) and Resident Directors (RDs); the Director and Associate Directors of Athletics; Athletic Coaches and Assistant Coaches.

Pastoral and professional counselors acting in the scope of their professional license are not considered CSAs and are not required to report crimes for inclusion in this report. However, they are encouraged to share information with reporters about the various support and reporting options on campus and in the community with those they serve.

While the University has identified many CSAs, the following offices have been officially designated places where FSU community members should report crimes:

- **FSU Police Department:** Mitchell Building  
910-672-1775
- **Clery Compliance Officer:** Williams Hall, room 201  
910-672-2462
- **Division of Academic Affairs:** Barber Building, room 256  
910-672-1460
- **Division of Student Affairs:** Collins Building, room 202  
910-672-1201
- **Office of Student Conduct:** Williams Hall, room 101  
910-672-1788
- **Housing and Residence Life:** Williams Hall  
910-672-1884
- **Athletics:** Health & Physical Education Complex, room 328  
910-672-1314
- **Title IX Coordinator:** Barber Building, room 242  
910-672-2325

## Confidential Resources

The trained professionals designated below can provide counseling, information, and support in a confidential setting. These confidential resources will not share information identifying 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). These professionals are also available to help an individual make a report to the University.

### On Campus:

**Student Health Services:** 910-672-1259

<https://www.uncfsu.edu/faculty-and-staff/divisions-departments-and-offices/division-of-student-affairs/student-health-services>

- Sexually Transmitted Infections (STIs) screening, treatment and counseling
- Pregnancy tests
- Pharmacy Services

### **After Hours Care:**

Students may contact the Student Blue Nurse Advice Line called "HealthLine Blue" at 877-477-2424 for non-life-threatening issues. Nurses are available 24/7 by phone in both English and Spanish. For any life-threatening emergency, students should contact 911. For other emergency situations, please contact Campus Police at 910-672-1911 or the Residence Hall Advisor/Director.

**Center for Personal Development (CFPD):** 910-672-1222

<https://www.uncfsu.edu/faculty-and-staff/divisions-departments-and-offices/division-of-student-affairs/fsu-center-for-personal-development>

- Individual and group counseling and referral

**Employee Assistance Program:** On-Campus Contact Terri Tibbs 910-672-1146

<https://www.uncfsu.edu/faculty-and-staff/departments-and-offices/office-of-human-resources/employee-relations/employee-assistance-program>

- ComPsych 866-465-8933

### Off Campus:

**Cape Fear Valley Medical Center Emergency Room:** 910-615-4000

- After-hours medical care
- Sexual assault exams/evidence collection
- Screening and treatment of STIs
- Emergency contraceptives
- Pregnancy tests

**Rape Crisis Volunteers of Cumberland County:** 910-485-7273

<http://www.rapecrisisonline.org/>

- 24-hour Crisis Hotline
- 24-hour Emergency room responders
- Counseling
- Support Groups
- Court Room Advocacy
- Community Awareness
- Address Confidentiality Program



## Emergency Notification and Timely Warnings

### General Policy Statement

FSU recognizes the importance of having emergency response and evacuation procedures in the event of an on-campus emergency. The FSU Police Department, including the department's Office of Emergency Management, coordinates emergency response and evacuation procedures for the campus in accordance with FSU's Emergency Operation Plan (EOP). The EOP includes details about how FSU (1) will notify the campus community in the event of a significant emergency or dangerous situation on campus, (2) publicize emergency response and evacuation procedures, and (3) test emergency response and evacuation procedures. For more information about FSU emergency management and the EOP, visit <https://www.uncfsu.edu/life-fsu/our-campus/campus-safety/emergency-management>.

### Process for immediately notifying the campus upon confirmation of a significant emergency or dangerous situation

The EOP outlines the process for notifying the campus of all-hazard dangerous situations. In the event that there is a significant threat of a criminal nature, FSU Police Department policy allows the Chief of Police or the Chief's designee to immediately broadcast an alert. However, when there is a verified imminent threat of a criminal nature to the loss of life or when the potential for injuries would be exacerbated by a delayed notification, the ranking officer in the field may immediately cause an alert to be broadcast.



### How does FSU confirm that there is a significant emergency or dangerous situation?

In the event of a significant emergency incident, the Chancellor is ultimately responsible for FSU's response to the emergency. The Chief of Police shall serve as the senior advisor to the Chancellor (or designee) in regard to all-hazard emergency operations and recovery. The decision to activate the EOP when there is a security threat shall be made by the Chancellor (or designee), in consultation with

the Emergency Management Director and the Chief of Police. In any event, if the Chancellor is not available, the line of succession shall be as follows:

- Chancellor's designee
- Chief of Police or Chief's designee
- Emergency Management Director

Once an all-hazard emergency has been declared as described above, the Chancellor will make the decision to activate all or part of the emergency notification system.

Nothing in this procedure shall prohibit the Chief of Police or designee or the ranking officer on duty at the time of the threat from immediately notifying the campus of an immediate, significant threat of a criminal-nature to campus prior to activation of the EOP by the Chancellor.

### Process for determining the content of the emergency notification

In the event of a significant emergency or dangerous security threat on campus, the FSU Police Department in consultation with the Associate Vice Chancellor for Communications will, without delay, and taking into account the safety of the community, determine the content of the notification and activate the emergency notification system, unless the activation of the emergency

notification system will, in the professional judgment of the Chief of Police, or the Chief's designee, compromise efforts to assist victims or contain, respond to, or otherwise mitigate the emergency.

### **FSU's emergency notification system and methods of notice dissemination.**

FSU has the ability to utilize multiple notification methods to inform and update the campus community of a significant emergency or dangerous situation on campus. In order to provide emergency alert messages to members of the campus community in the event of an on-campus emergency, FSU utilizes a centrally located campus siren, forty-three (43) emergency call boxes, which are strategically located throughout the campus, and an indoor emergency notification system, which is strategically located in eight (8) buildings on campus. The siren, call boxes, and indoor emergency notification system are capable of broadcasting pre-recorded or live voice messages to the campus community. Additionally, FSU utilizes text and voice mail messaging in order to send emergency messages to members of the campus community. Members of the campus community may register to receive text and voice mail alerts on their telephones by registering their telephone number at the Bronco Alert site (<https://uncfsu.bbcportal.com/Home>), which is managed by the Associate Vice Chancellor for Communications. In addition to the above-mentioned emergency notification methods, FSU also utilizes the campus email system to send campus wide email alerts. FSU also posts messages regarding on-going campus emergencies on the FSU website, located at [www.uncfsu.edu](http://www.uncfsu.edu) and Bronco Alert. In addition, students who download the LiveSafe App and select to receive information from FSU will receive timely and emergency notifications with important safety information from campus police.

In the event that emergency conditions disrupt power and telephone service, emergency information and emergency communications will be profoundly restricted. Until these systems are restored, messengers, radios, and cellular phones will be used.

### **How does FSU determine the appropriate segment of campus to notify?**

FSU disseminates each emergency notification to all faculty, staff, and students of the campus.

### **How does FSU disseminate emergency notifications or written warnings to the FSU community?**

The Associate Vice Chancellor for Communications will coordinate with the Policy Group to ensure accurate and timely release of written information to the FSU community and the public. Written information may be posted by text, email, the FSU Web Page, Bronco Alert and/or news release.

### **Who is responsible for carrying out the emergency notifications?**

The departments responsible for carrying-out the above emergency notification methods are as following.

- Outdoor Warning Sirens (FSU Police Department)
- Emergency Call Boxes (FSU Police Department)
- Text Messaging (Division of Institutional Advancement)
- Email (Division of Institutional Advancement)
- FSU Web Page and Bronco Alert (Division of Institutional Advancement)
- Television-On Campus Bulletin Board Channel 12 (Division of Institutional Advancement)
- News Releases (Division of Institutional Advancement)
- Building Fire Alarms (Any individual)
- LiveSafe App (FSU Police Department)

Notifications will be deployed as appropriate and upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus:

### **How does FSU publicize emergency response and evacuation procedures?**

FSU publicizes emergency response and evacuation procedures on an on-going basis by posting on the FSU Emergency Management website at <https://www.uncfsu.edu/life-fsu/our-campus/campus-safety/emergency-management> and at least annually in the Annual Security Report. In addition, the FSU emergency management website provides information about the various emergency alert notification options that are used by FSU and information on the location of call boxes on the FSU campus. The site also provides information on emergency preparedness and evacuation procedures.

### **All Clear Messages**

At the conclusion of the emergency, an “All Clear” message will be launched via Bronco Alert when approved by the Emergency Operations Center or University Police. Communication and Marketing will distribute the “All Clear” notification through all channels as well as write and distribute any news releases and other materials for distribution/publication as appropriate.

### **What are FSU’s procedures for testing the emergency response system?**

FSU conducts a minimum of two (2) announced or unannounced tests per year of the emergency response and evacuation procedures. In addition to these tests of the emergency response and evacuation procedures, tests of the campus call boxes are conducted. Additionally, the emergency siren is programmed to conduct a self-test each day. Currently, each test of the emergency response and evacuation procedures requires documentation of the name of the exercise, the date, the time and whether it was announced or unannounced.



### **Timely Warning**

Additionally, the FSU Police Department and/or the Clery Compliance Officer will ensure the issuance of timely written warnings to the FSU community in order to inform the community of emergencies or criminal significant emergencies or dangerous situations involving immediate threat to health or safety that may jeopardize the welfare of the FSU community. The timely written warnings will indicate the crime that triggered the warning and provide advice about how one might protect oneself. The timely report shall withhold the names of any victim as confidential.

### **Informational Emails**

Informational emails are sent to the campus community to make them aware of situations that do not merit a Timely Warning but would otherwise be of interest to the University community. Examples of situations that may result in the distribution of an information email are when a crime or incident occurs outside of FSU’s Clery Geography or when an incident occurs that is not a Clery qualifying crime but is nevertheless a safety concern.

## Security Awareness and Crime Prevention Programs

### Risk Reduction

The FSU Police Department believes it is more beneficial to prevent crimes than to react after the fact. A primary vehicle for accomplishing this goal is a comprehensive crime prevention strategy that includes general safety and crime prevention tips for all members of our community.

1. Watch out for your friends and have your friends watch out for you.
2. Trust your instincts.
3. Be aware of your surroundings.
4. Avoid isolated areas and walk or jog with a friend.
5. Walk with a purpose and try not to load yourself down with packages or bags.
6. Make sure your cell phone is charged and accessible.
7. Avoid putting headphones in both ears.
8. If you suspect that you or a friend has been drugged, contact law enforcement immediately. Local authorities can be reached by calling 911 in most areas of the U.S.
9. Tell a friend where you are going and when you will return. The free LiveSafe App offers a safety check feature called “Safe Walk”. This is a peer-to-peer safety service that allows users to designate friends to receive information.
10. Here are some things you can try if you need to get out of an uncomfortable or scary situation:
  - a. **Remember that being in this situation is not your fault.** You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
  - b. **Use a campus Emergency Phone.** Campus Call Boxes located throughout campus to assist anyone in distress. Activate the light and keep moving. Calling University Police from the LiveSafe App will provide FSU dispatchers with your profile information and internal positioning (for campus buildings only).
  - c. **Have a code word with your friends or family.** If you don’t feel comfortable you can tell them and communicate your discomfort without the person you are knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - d. **Create.** If you don’t want to hurt the person’s feelings it is better to create a reason to leave than to stay and be uncomfortable or scared. Some excuses you can use are:
    - 1) You need to take care of a friend or family member.
    - 2) You don’t feel well.
    - 3) You have somewhere else that you need to be.
  - e. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Where are the windows? Are there people around who might be able to help you? Is there an emergency phone nearby?

### Crime Prevention Programs

In order to educate students and employees about crime prevention measures, the FSU community relies heavily on crime prevention programs presented by various FSU Departments. These programs are scheduled throughout the academic year and are also available upon request.

#### FSU Police and Public Safety (910-672-2656)– Students Faculty and Staff Training

- **C.P.T.E.D.:** Safe Walk
- **LiveSafe App:** Ongoing programming to educate students about what the LiveSafe App is.
- **Operation Bronco ID:** Property Theft Prevention
- **Do You Know Who You Are Dating?:** Dating Violence & Stalking Prevention



- **R.A.D. (Rape Aggression Defense):** Learning about sexual assault awareness, prevention and self-defense techniques
- **Protecting Minors on Campus:** General Crime Prevention
- **Active Shooter Awareness:** Active Shooter Awareness
- **Hate Crime/Bias Related Crime:** Hate Crime Awareness & Prevention
- **Booze Buggy:** Driving While Impaired Awareness Prevention
- **Target Hardening Your Property:** Property Theft Prevention
- **Intimate Partner Violence:** Dating and Domestic Violence Prevention
- **Human Trafficking Awareness:** Human Trafficking Awareness
- **Police in Your Community:** General Crime Prevention & Police/Community Relations
- **How to Protect Your Property:** General Crime Prevention
- **Interpersonal Communication with Police:** Police communication with person with developmental disabilities

### Title IX Office - Students, Faculty and Staff Training

- **Preventing Violence on Campus:** Domestic Violence Awareness
- **Preventing Sexual Harassment:** Staff and Faculty discussion with managers and supervisors
- **Title IX Training:** General prevention programming
- **Title IX Training for Police/Public Safety:** Trauma informed responses and investigations
- **Title IX Training and Sexual Assault Response:** Community Response Team training and awareness. Team brainstorming for potential programming.
- **Alcohol/Substance Abuse Awareness:** Training with Student Health in Residence Halls
- **New Employee Orientation w/ Human Resources:** Occurs bi-monthly with new employees
- **Freshman Orientation:** 30-minute training with the entire Freshman class the first week of school
- **Title IX for Athletics:** Partnered with NC Coalition Against Sex Assault for training for entire department consistent with NCAA requirements
- **Title IX for Greek Life:** Individual Title IX presentations for respective active Greek letter organizations on campus
- **Title IX for Residence Life:** Summer training for all Residence Life employees including Resident Assistants
- **Title IX for LEAP:** Individual training for summer LEAP students
- **“Sex Signals,” a Catharsis Production:** Free theater improv for campus community to discuss healthy sexual relationships
- **Responsible Employee Training:** Mandatory training for those individuals designated as “Responsible Employee”

### Office of Student Conduct (910-672-1788) – Student Training

- **Student Conduct Board Training:** Training of the selected board members to be able to conduct hearings

**Offices of Residence Life (910-672-1884), Student Activities (910-672-1201), Center for Personal Development (910-672-1222), and Student Health Services (910-672-1259) – Student Training**

- **Residence Hall Association Self Defense Program:** Self-defense program
- **Police Talk:** Safety Program
- **Homecoming Safety Program:** General information about the safety of Homecoming events

**Office of Legal Affairs (910-672-1145) - Faculty and Staff Training**

- **Protecting Minors On-Campus:** FSU Policy, Clery, Title IX, and Other Concerns

**Academic Affairs (910-672-1460) - Students and Faculty Training**

- **Police Interaction Workshop:** General Awareness program

**Office of Human Resources (910-672-1144) - Faculty and Staff**

- **Safety and Security on Campus:** General Awareness program
- **Title IX Compliance:** Occurs bi-monthly with new employees
- **Preventing Sexual Harassment:** Staff and Faculty discussion with managers and supervisors
- **Preventing Violence on Campus:** Domestic Violence Awareness
- **Various online resources:** Offered through Lynda.com

Similar programming has been and will continue to be offered throughout 2018-2019 school year. Contact the FSU Police Department [910-672-1775] or the Division of Student Affairs [910-672-1201] for details about the 2018-2019 programs.



Also, FSU may publish notifications of educational awareness programs by email to your Bronco email account. Upon request, crime prevention educational materials are also provided for students and employees through the FSU Office of Residence Life, FSU Center for Personal Development, FSU Police Department, and FSU Human Resources.

## Missing Residential Students

### Contact Information

Residential Students have the option to confidentially identify an individual, and provide that individual's telephone number(s), for use by FSU in case the Residential Student is determined to be missing. The Residential Student may designate a person who the Residential Student had not previously designated as an emergency contact. Residential Students may provide such confidential contact information at the beginning of each academic year or prior to moving into FSU owned or leased housing. Residential Students are responsible for ensuring that the contact information is up-to-date and accurate. FSU would contact the individual not later than 24 hours after the time that the Residential Student is determined missing by law enforcement personnel.

Residential Students, who are under 18 years of age and not emancipated individuals, are informed that FSU is required to notify a custodial parent or guardian that the Residential Student is missing not later than 24 hours after the time the FSU Police Department determines the Residential Student to be missing.

The Department of Residence Life will collect and maintain such confidential contact information. Such information shall be accessible only to authorized campus officials and shall not be disclosed to anyone other than law enforcement personnel in furtherance of a missing person investigation.

### **Procedures**

Any FSU employee, student, or other individual who receives information that a Residential Student is missing or has independent knowledge that a Residential Student is missing, should immediately refer the information or evidence to the FSU Police Department. The Department of Residence Life shall notify the FSU Police Department not later than 24 hours after the time a Residential Student is reported missing to a Residence Life staff, unless the FSU Police Department was the entity that made the determination that the student is missing. If the FSU Police Department is initially contacted, the FSU Police Department shall notify the Director of the Department of Residence Life, whose staff will determine whether the student is a Residential Student. If the student is not a Residential Student, the FSU Police Department will contact the relevant outside law enforcement agencies.

In the event that a Residential Student is identified as a missing person, FSU Police Department personnel will file the appropriate reports and begin an investigation to determine the student's location. If additional assistance is needed in conducting the investigation or locating the student, FSU Police Department personnel will request assistance from other law enforcement agencies. Once police personnel have determined that the student is missing and have gathered identifying information, the student will be entered into the National Criminal Information Center (NCIC) database as a missing person.

Once the FSU Police Department has been notified, the Residence Hall Director will notify the Director of Student Conduct. Not later than 24 hours after a determination by the FSU Police Department that a Residential Student is missing and has not returned to campus, the Director of Student Conduct shall contact the student's parents if the student is under age eighteen and not emancipated. Regardless of age, not later than 24 hours after a determination that a Residential Student is missing, the Director of Student Conduct will notify the student's designated confidential contact and any other contact person designated in writing by the student.

For more information about the Missing Residential Student Policy, go to

<https://www.unctsu.edu/assets/Documents/Office%20of%20Legal%20Affairs/MissingResidentialStudentNotification.pdf>.

## Physical Security and Access to Campus

Maintaining building security is a major priority for the University to protect individuals living on campus and those who come to campus to use University facilities.

### Instructional and Administrative Facilities

Normally, the public may access instructional and administrative facilities during regular business hours. After regular business hours, the FSU Police Department secures these facilities. The general public cannot access the facilities after regular business hours.

Deans and vice chancellors may request keys to their facilities. Key control is also delegated to these individuals and facilities are rekeyed upon their request. FSU Police Department personnel may provide access to employees without keys, but not without first viewing a picture identification and then ascertaining their FSU affiliation.



FSU Police Department personnel also frequently patrol the grounds and facilities after hours to observe any suspicious activity. While patrolling these areas, officers look for damage to security hardware, non-operational lights, and other potential security problems. In addition to police personnel physically patrolling the campus, there are over 400 security cameras located throughout the campus. Dispatchers with the FSU Police Department monitor these cameras. Property Security Personnel work from 11:30 PM to 7:30 AM.

In addition to the above-mentioned security measures, lighting surveys are conducted frequently to assess walkways, corridors, and shrubbery throughout the campus.

### Athletic Facilities

Security related to major athletic and entertainment events held in FSU athletic facilities is under the jurisdiction of the FSU Police Department.

### Residence Life Facilities

Each student is issued a key or access card, which allows the student access to his/her residence hall room and the locked exterior doors. Keys and access cards remain FSU property. Keys and access cards are issued at the beginning of the semester and are collected when the student's residence life contract is terminated. Students who lose their keys or access cards and who do not return them at the end of the semester are charged for the cost of changing the lock. Locks are changed within twenty-four (24) hours of the resident notifying the hall director or the Facilities Maintenance Supervisor of a lost key.

If residents are locked out of their room, suite, or apartment, the residents may contact the RA on duty or front desk personnel for assistance. A staff member will confirm a resident's identity using a picture ID or Bronco card before giving access to the room and will need to complete a Lock Out Form. After the first courtesy transaction, residents will be charged \$5.00 for each subsequent lock out. Charges will be assessed at the end of each semester.



## Safety and Security

The hall community is home to thousands of students. It is important for residents to be safe and secure in the halls. All community members must be actively involved with creating a safe and secure environment, so all students can focus on academic success and building lasting friendships.

### Building and Lobby Security

- Residents must not prop open outside doors.
- The main entrance and all outside doors to each building are secured at all times. All residents are required to sign their guest in during visitation hours.
- From 11p.m. to 7a.m., all halls will be staffed with security officers who will provide security during the night and control access.
- Current residents must show their current hall entry card and Bronco Card to gain entrance into their hall during access control hours (11p.m. to 7a.m.).
- Guests of current residents must have one of the following forms of identification to gain access into the hall with their hosts: current Bronco one card, State issued Driver's License, State issued ID, Passport, or Military ID. \*On-campus residents visiting from other buildings must show their hall entry card in addition to any of the items listed previously.
- Residents and guests are required to show proper identification to Housing and Residence Life staff upon reasonable request. Without proper identification, residents and guests may be asked to leave the building.
- Video recording may occur in the hall public areas.
- Any guest who is found in violation of this policy, with regards to not being signed in, may be required to vacate the premises.

### Room Security

- Residents are expected to lock their rooms and carry their key, Bronco card, and hall entry card with them whenever they are not in their rooms.
- Engaging in acts that may endanger the safety of others (e.g. blocking a person in a room, dangerous "pranks" etc.) is prohibited.

### Misuse of Keys/Bronco Card

Residents shall not:

- Hand over possession of one's room key to another person.
- Hand over possession of one's Bronco/Hall Entry card to another person.
- Have possession of a residence hall room key not issued by FSU.
- Allow one's room key, Bronco card, or Hall Entry card to be duplicated or modified.
- Use of a key, Bronco card, or Hall Entry card to gain entry into a building/room other than one's current building or residence.

### Fire Evacuation Procedures

- All residents and staff in each hall must participate in periodic fire drills.
- Once evacuated, residents must remain outside until the building has been cleared by the appropriate officials.
- Assembly sites are provided for your safety and to allow the fire department personnel adequate access to the building. When an alarm sounds, students must assemble in the area designated by Housing and Residence Life staff.

## Visitation

The purpose of the guest policy is to encourage residents to host guests in a responsible manner. Hosting guests is a privilege, not a right. If the guest policy is violated, resident students will lose their privilege to host guests. For insurance purposes, individuals under the age of 14 are not allowed in the Residence Hall unless they are accompanied by a parent. Roommates are required to sign the roommate agreement before visitation will be permitted inside their rooms.

### Residential Student Guest Sign-In

- All guests (people who do not live in the host hall) must stop by the front desk or the access control station with the host to sign-in.
- The host must sign them completely in following the protocols and procedures set by the Department of Housing and Residence Life.
- Non-building residents are required to show a valid form of identification before signing in. In the event of fire/building evacuation, hosts should accompany their guests at all times and follow all staff instructions.

### Visitation Hours

- Sunday – Thursday  
12pm (Noon) – 12am (Midnight)
- Friday and Saturday  
12pm (Noon) – 2am (Morning)

Resident students can sign-in a maximum of two (2) guests at one time. No one room may have more than half its occupancy size, in guests, present in the room at one time. (Ex. 6 residents – no more than six guests at a time.)

### Overnight Guests

Resident students must follow the following procedures to host an overnight guest:

- Overnight guests require advance (3 days) approval from the Resident Director or Assistant Residence Director.
- A resident may not host an overnight guest in student housing without the prior consent of all roommates/suitemates.
- A resident may not host an overnight guest of the opposite sex.
- A resident may not host an overnight guest under the age of 18 years old except as described below. While visiting, minors must always be under the supervision of the parent and hosting parties. Any visiting minor (under 18 years of age) must be accompanied at all times by the resident he or she is visiting, must present a photo I.D. or written parental permission for the visit, and is subject to the same visitation hours as any other guest.
- Minors between age 14 to 18 who are not FSU students or accompanied by an adult family member may visit overnight in the residence halls if he/she is staying with a sibling who is a resident of the building, or if the underage guest can present written parental consent for the visit, including a valid phone number where the parent or guardian can be reached for verification, to the front desk staff upon sign-in. The minor children or dependents of residents are not permitted to permanently live in a resident's room. For all minor visitation please speak with Residence Hall Staff. Minors under age 14 shall not stay overnight.
- No overnight guests will be allowed to stay more than three (3) consecutive night
- A resident may only host a maximum of two (2) overnight guest's requests per semester.
- Residents are responsible for ensuring that their guest(s) abide by University Policies and the same conduct expected of residential students.

- Guests are prohibited from using a bathroom, or shower, not designated for their gender.
- Guests are prohibited from having multiple persons present in single use bathroom or showers at any time. Common area spaces may not be used as a sleeping area. Guest(s) may be required to leave if their behavior is deemed inappropriate by the hall staff or FSU Police or Security. Violations of the above visitation policies may result in the termination of guest privileges. For more information on Overnight Visitation, please contact your Resident Director or Hall Staff.

### **University Place Apartments – Visitation Guidelines**

Students residing in University Place Apartments (UPA) are expected to adhere to all guidelines outlined in the above visitation policy. Students residing within UPA have open visitation hours; however, UPA students must sign-in all guests at the UPA main desk. Non-Residential Students found in UPA between the hours of 12am–12pm Sunday- Thursday, 2am-12pm Friday & Saturday without proper documentation, will be asked to vacate the premises.

Residential students, with a valid Bronco Card visiting UPA during the hours of 12pm – 12am Sunday –Thursday, and 2am-12pm Saturday & Sunday, must stop by the UPA main office to be logged in as a guest. Residential students who have not been logged in as a guest between the hours of 12am–12pm Sunday- Thursday, 2am-12pm Friday & Saturday, will be documented and asked to return to their assigned residence hall. UPA students must request prior approval of overnight guest as outlined in the Visitation Policy.

### **Guest Sign In**

Within all Residence Hall internal residents (people who live in the same hall but different rooms) do not have to sign-in to visit other residents in their same respective facility; however, after visitation hours (see Visitation Hour Guidelines) “non-room” residents are expected to leave, unless there is mutual consent amongst roommates.\* Students with outstanding disciplinary sanctions or Residence Life charges are ineligible for visitation, until such items are resolved.

Guest(s) must be signed in at all times. All guests will need to stop by the front desk or see a hall professional staff to complete visitation forms. These hours are subject to change at the administrative discretion of the Resident Director due to inclement weather or other university deemed emergencies. Any resident who has an unattended/illegal /unapproved guest will be subject to:

- loss of visitation privileges
- fines or sanctions imposed
- possible contract reassignment or termination
- other disciplinary action as needed

Housing and Residence Life reserves the right to deny or restrict guest visitation or ask visitors to vacate the premises at any time.

### **Children in Halls**

Children, under the age of 14, are limited from entering the halls. See visitation policy for further details.

### **Campus Lighting**

Adequate lighting on campus is an important component of safety and security at night.

Lighting on campus is essential to provide illumination for walkways and parking lots that are used frequently after dark. The concentration of after-dark pedestrians in the lighted areas also reduces each pedestrian's sense of being alone and more vulnerable.

Increased illumination does not eliminate the need to be cautious when walking at night. Pedestrians should walk with a friend, and are encouraged to use the LiveSafe app. Campus community members are encouraged to use one of the many call boxes located throughout the campus if they feel threatened at any time of the day or night, or dial 910-672-1911.

## Drills, Exercises, and Training

To ensure FSU's emergency management plans remain current and actionable, FSU will conduct an emergency management exercise annually, at a minimum, to include a full-scale test of the Emergency Notification System. Tests may be announced or unannounced. The scenarios for these exercises change from year to year and include multiple campus departments. Exercises may include tabletop drills, emergency operations center exercises, or full-scale emergency response exercises. FSU conducts after-action reviews of all emergency management exercises. The Department of Emergency Management is responsible for assuring testing, maintenance, and training that is regularly conducted and documented. Documentation for each test includes a description of the exercise, the date, the time, and whether the test was announced or unannounced.

In conjunction with the emergency management exercises, FSU will issue community notifications including publicly available institutional emergency response procedures.

### Evacuation Procedures

#### How to evacuate:

- When you hear a fire alarm or receive other notice from emergency personnel to evacuate, leave the building immediately.
- Alert others as you leave and ask if they need help.
- Close doors to slow the spread of fire.
- Do not use elevators unless told to do so by emergency workers.
- Do not attempt to extinguish a fire yourself if you risk putting yourself in danger.

#### Things to watch for:

- Watch for people who need help, particularly people with limited mobility or physical disabilities. Help if you will not place yourself at further risk.
- Activate an alarm if told to do so by police or emergency workers.
- Remain at an emergency assembly point. A head count will be taken, and emergency workers may have additional instructions.
- Do not go back into a building until firefighters, police or FSU officials say it is safe.

#### How to prepare for a fire related emergency:

- Know your building's floor plan. Remember where the stairs, fire extinguishers and emergency exits are located.
- If you regularly visit the same location within a building, know exactly how many doors you will pass along your evacuation route before you reach the nearest exit. You must know how to find an exit in the event that exit signs are obstructed by heavy smoke.



### How to prepare to leave campus:

- If the campus is evacuated or you choose to seek shelter with family or friends, plan ahead.
- Tell your family and friends what your plan is, what route you will take, what means of transportation you use, and when you expect to arrive.
- If you have a vehicle, ensure that it is in good condition and make it a practice to keep ½ of a tank of gas in the vehicle. If you do not have a car, plan for an alternative means of transportation.
- Take an emergency kit with you.
- Leave a note telling others when you left and where you are going.
- Be sure to keep your driver's license, campus ID, and vehicle registration with you. Access to the campus may be restricted.

### Shelter in Place Procedures

In some situations, it may be safer to remain inside at your current location rather than to evacuate (i.e., severe/tornadic weather or the release of chemical, biological, or radiological contaminants). In these situations, leaving may put you in greater danger. If you receive instructions to shelter in place:

- Immediately stop classes or work, wherever you are. If you are outdoors, go indoors. If there are others in the vicinity, provide for their safety by asking them to stay indoors. Do not leave.
- Select an interior room(s) with the fewest windows or vents. The room(s) should have adequate space for everyone to be able to sit. Avoid crowding by selecting several rooms, if necessary.
- Monitor the Bronco Alert products, radio, or television for information concerning remaining in place or evacuation.
- You should always be alert to changing conditions and be prepared to take additional actions to ensure your safety.

## Security Considerations Used in the Maintenance of Campus Facilities



### Athletic, Instructional, Residential and Administrative Facilities

Building managers are assigned to athletic, instructional, residential, and administrative facilities. The building manager is responsible for inspecting the assigned building and the reporting of any maintenance or repair needs to FSU's Facilities Management (Facilities) Department. Upon receipt of the request for maintenance or repair, a work order is issued to the appropriate shop within Facilities.

### Residence Life Facilities

Students are responsible for notifying the residence hall director or have the option to submit an online work order request when they discover maintenance or repair needs within the residence halls.

When a work request is received, the request is forwarded to Facilities. Facilities will then assign a maintenance technician to complete the needed maintenance or repairs. After normal business hours,

residence hall staff report requests for emergency repairs to the building manager. The building manager will ensure that Facilities is contacted.

**Business Hours Facilities Protocol (Monday – Friday, 8am – 5pm)**

- For work requests, students should call the front desk of the building that they reside in for assistance. When this call is made, the building staff will verify the issue prior to sending a work request via the work order data base and/or calling any maintenance personnel for assistance. All work orders need to be submitted into the work order data base.

**After Hours Facilities Protocol (after 5pm and on weekends (5pm Friday – 8am Monday))**

- For work requests that require immediate attention, after hours, students should call the RA on duty for assistance. The RA on duty will verify the issue and proceed with calling the ARD who will verify the issue before contacting the on-call maintenance personnel for assistance, if needed. ARD should enter the work order into data base.

**What are examples of emergency/non-emergency situations?**

**Non-emergency:**

- Too hot/too cold
- Sink/tub draining slowly
- General Pest Control
- When another toilet is accessible by students in the room/suite/or floor, toilet clogged or will not flush

**Emergency:**

- Total loss of power within the building/room
- Blown Out Lights
- Temperature in the Room/Building is dangerously hot or too cold
- Poisonous or Rabid Pest Control
- Flooding
- Safety issues
- Security issues (locks, doors, windows)
- Non-Working Toilet (If the room/location has two toilets that can be accessed by all students there is no emergency)

**Monitoring and Recording Criminal Activity Engaged in by Recognized Student Organizations at Off-Campus Properties**

There are no recognized off-campus student properties associated with FSU.

## Sexual Offenses, Domestic Violence, Dating Violence, and Stalking

### General Policy Statement

Sexual violence or misconduct, domestic violence, dating violence, and stalking will not be tolerated nor condoned by FSU. FSU's policy prohibits sexual assault or misconduct, domestic violence, dating violence, stalking, and all attempts to coerce sexual activity. For the purposes of this Annual Security Report, sexual misconduct includes, but is not limited to, the sexual offenses of rape, acquaintance rape, any other forcible or non-forcible sex offense that is criminal in nature.

### Defining Rape, Sexual Assault, Domestic Violence, and Stalking

*The definition (from VAWA) of dating violence.*

**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.

- A. The existence of such a relationship shall be determined 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 the persons involved in the relationship.
- B. For the purposes of this definition:
  1. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  2. Dating violence does not include acts covered under the definition of domestic violence.

North Carolina does not have a specific statute for Dating Violence.

*The definition (from VAWA) of domestic violence.*

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

- A. By a current or former spouse or intimate partner of the victim;
- B. By a person with whom the victim shares a child in common;
- C. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- D. 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
- E. 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.

*The definition (from VAWA) of sexual assault.*

**Sexual Assault** – An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person without the consent of the victim, including instances where the victim is incapable of giving consent\*."

**\*North Carolina General Statutes do not specifically define consent.**

- A. **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 consent of the victim.

- B. **Fondling:** The touching of the private 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.
- C. **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- D. **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent.

*The definition (from VAWA) of stalking.*

**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.
  - 1. Course of conduct means 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 follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.
  - 2. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
  - 3. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

*The following are definitions of sexual assaults, domestic violence, dating violence, and stalking in North Carolina.*

**First-Degree Forcible Rape** (NCGS §14-27.21)

- 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 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 General Statutes.

**Second-Degree Forcible Rape** (NCGS §14-27.22)

- a) A person is guilty of second-degree forcible rape if the person engages in vaginal intercourse with another person:
  - 1) By force and against the will of the other person; or
  - 2) Who is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know the other person is mentally disabled, mentally incapacitated, or physically helpless.
- b) Any person who commits the offense defined in this section is guilty of a Class C felony.
- c) Upon conviction, a person convicted under this section has no rights to custody of or rights of inheritance from any child conceived during the commission of the rape, nor shall the person have any rights related to the child under Chapter 49 or Subchapter 1 of Chapter 7B of the General Statutes.



**First-Degree Forcible Sexual Offense** (NCGS §14-27.26)

- a) A person is guilty of a first-degree forcible sexual offense if the person engages in a sexual act 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.

**Domestic/ Dating Violence** (NCGS §50B-1)

- 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 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. 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 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.

**Sexual Battery** (NCGS §14-27.33)

- a) A person is guilty of sexual battery if the person, for the purpose of sexual arousal, sexual gratification, or sexual abuse, engages in sexual contact with another person:
  - 1) By force and against the will of the other person; or
  - 2) Who is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know that the other person is mentally disabled, mentally incapacitated, or physically helpless.
- b) Any person who commits the offense in this section is guilty of a Class A1 misdemeanor.

**Incest** (NCGS §14-178)

- a) Offense – A person commits the offense of incest if the person engages in carnal intercourse with the person's (i) grandparent or grandchild, (ii) parent or child or stepchild or legally adopted child, (iii) brother or sister of the half or whole blood, or (iv) uncle, aunt, nephew, or niece.
- b) Punishment and Sentencing:

- 1) A person is guilty of a Class B1 felony if either of the following occurs:
  - a. The person commits incest against a child under the age of 13 and the person is at least 12 years old and is at least four years older than the child when the incest occurred.
  - b. The person commits incest against a child who is 13, 14, or 15 years old and the person is at least six years older than the child when the incest occurred.
- 2) A person is guilty of a Class C felony if the person commits incest against a child who is 13, 14, or 15 and the person is more than four but less than six years older than the child when the incest occurred.
- 3) In all other cases of incest, the parties are guilty of a Class F Felony.

#### **Statutory Rape** (NCGS §14-27.25)

- a) A defendant is guilty of a Class B1 felony if the defendant engages in vaginal intercourse with another person who is 15 years of age or younger and the defendant is at least 12 years old and at least six years older than the person.
- b) Unless the conduct is covered under some other provisions of law providing a greater punishment, a defendant is guilty of a Class C felony if the defendant engages in vaginal intercourse with another person who is 15 years of age or younger and the defendant is at least 12 years old and more than four but less than six years older than the person, except when the defendant is lawfully married to the person.

#### **Stalking** (NCGS §14-277.3A)

The North Carolina General Assembly defines stalking as: 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:

- a) Fear for the person's safety or the safety of the person's immediate family or close personal associates.
- b) Suffer substantial emotional distress by placing that person in fear of death, bodily injury, or continued harassment.

While these definitions seem clear, victims often have difficulty reporting a sexual assault for numerous reasons such as knowing the perpetrator, fear of retaliation, fear of parents knowing about the incident, or fear of getting in trouble with law enforcement. Despite these concerns, it is vital to report such incidents in order to get help.

North Carolina General Statutes Chapter 14, Article 7B defines rape and sexual assault, which includes the crimes of sexual offense and sexual battery. More information can be found at:

- [www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/ByArticle/Chapter\\_14/Article\\_7b.pdf](http://www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/ByArticle/Chapter_14/Article_7b.pdf)

North Carolina General Statute Chapter 14 provides definitions for both stalking (14-277.3A) and cyberstalking (14-196.3) and stalking. More information can be found at:

- [www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/BySection/Chapter\\_14/GS\\_14-277.3A.pdf](http://www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/BySection/Chapter_14/GS_14-277.3A.pdf)
- [www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/BySection/Chapter\\_14/GS\\_14-196.3.pdf](http://www.ncga.state.nc.us/EnactedLegislation/Statutes/PDF/BySection/Chapter_14/GS_14-196.3.pdf)

### **State of North Carolina Definition of Consent**

North Carolina does not have a state statute defining consent to sexual activity. North Carolina criminal law prohibits sexual acts that are by force and against the will of the other person or acts that are against people who are mentally disabled, mentally incapacitated, or physically helpless. In determining whether a person gave consent, or was capable of giving consent, the facts of the particular situation will be assessed. Physical resistance is not necessary to prove the lack of consent, nor is actual force. In North Carolina, consent is not submission due to fear, fright, coercion, or the realization that in the particular situation resistance is futile.

### **Fayetteville State University's Prohibited Sexual Conduct Policy Effective Consent Definition**

Fayetteville State University's Prohibited Sexual Conduct Policy defines effective consent as informed, freely and actively given, mutually understandable words or actions, which indicate a willingness to participate in mutually agreed upon sexual activity. In the absence of mutually understandable words or actions it is the responsibility of the initiator, that is, the person who wants to engage in the specific sexual activity, to make sure that they have consent from their partner(s). Consent is mutually understandable when a reasonable person would consider the words or actions of the parties to have manifested a mutually understandable agreement between them to do the same act, in the same way, at the same time, with each other. <https://www.unctsu.edu/faculty-and-staff/departments-and-offices/office-of-legal-affairs/policies-and-procedures>

### **Procedures to Follow If a Sexual Offense, Domestic Violence, Dating Violence, or Stalking Offense Occurs**

If you are a victim, you should do the following:

1. If on-campus, contact the FSU Police Department (910-672-1911). You have the right to decline to report to law enforcement and may report to the Director of Student Conduct (910-672-1385), a staff member at FSU's Center for Personal Development (910-672-1222), the Title IX Coordinator (910-672-2325) (if the offense is sexual), or any campus security authority (as listed on page 5).

If the offense occurred on-campus, you may also make a report using the following links:

- Title IX Complaints or Sexual Misconduct Offenses: [https://publicdocs.maxient.com/reportingform.php?FayettevilleStateUniv&layout\\_id=1](https://publicdocs.maxient.com/reportingform.php?FayettevilleStateUniv&layout_id=1).
- All offenses: <https://publicdocs.maxient.com/incidentreport.php?FayettevilleStateUniv>

If the offense occurred off-campus, you may file a report with the appropriate law enforcement agency by calling 911.

2. Preserve all evidence. Do not wash or otherwise cleanse any body parts or clothing. Evidence collected can be used to support a report and may be helpful in obtaining a protection order through the court system.
3. Remain in your clothes (or if clothes have been changed, retain all clothing worn when the offense was committed).
4. Do not disturb anything in the location where the offense took place.
5. If possible, remain in the general location where the offense took place until police arrive.

6. Those who have experienced sexual violence and related misconduct are strongly encouraged to seek medical treatment. The nearest emergency room to FSU is at Cape Fear Valley Hospital, 1638 Owen Drive, Fayetteville, NC 28304.
7. If an individual first reports sexual violence to campus police or local law enforcement, they can transport the individual to receive medical assistance.

### **Confidential Reports and Maintaining Confidentiality**

Confidential anonymous and non-anonymous reports are acceptable for informational purposes and to include in statistics, even if the victim does not want to pursue criminal charges against the alleged perpetrator or if the report is not made by the victim. The reporter is encouraged to initially provide as much information and evidence as possible, even if s/he does not wish to pursue criminal charges, in the event that the victim later decides to pursue criminal charges. Regardless of whether the victim files charges, FSU is under an obligation to pursue steps to investigate to limit the effects of any sexual misconduct and to prevent recurrence.

Under NCGS § 132-1.4., a public law enforcement agency shall temporarily withhold the name or address of a complaining witness from reports and public records if release of the information is reasonably likely to pose a threat to the mental health, physical health, or personal safety of the complaining witness or materially compromise a continuing or future criminal investigation or criminal intelligence operation. If a student or employee victim reports an offense to a Campus Security Authority (other than a law enforcement officer), the Title IX Coordinator, or other university official, the victim's personally identifiable information remains confidential in accordance with the Family Educational Rights and Privacy Act or North Carolina State Personnel Act, and the North Carolina Public Records Law does not require FSU to disclose such information.

### **Notification of Victim Rights**

Campus security authorities and campus counselors will inform victims of their right to pursue criminal charges for any offense and/or file a Title IX complaint in the case of sexual misconduct.

All *student victims* of *student-perpetrated sexual misconduct* will be informed of their rights to file complaints under the FSU Prohibited Sexual Conduct Policy at <https://www.uncfsu.edu/faculty-and-staff/departments-and-offices/office-of-legal-affairs/policies-and-procedures>.

All *employee victims* should consult the policies and procedures at <https://www.uncfsu.edu/faculty-and-staff/departments-and-offices/office-of-legal-affairs/policies-and-procedures>.

All *student victims of domestic violence, dating violence, and stalking* unrelated to sexual misconduct by a student will be informed of their rights under the Code of Student Conduct. The Code of Student Conduct is located at <https://www.uncfsu.edu/faculty-and-staff/departments-and-offices/office-of-legal-affairs/policies-and-procedures>.

### **Assistance for Victims: Rights & Options**

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the University will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. This notice will include information on resources available from the University and the community. Under North Carolina State Law, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights:



### North Carolina Declaration of Rights

1. The right, as prescribed by law, to be informed of and to be present at court proceedings of the accused.
2. The right to be heard at sentencing of the accused in a manner prescribed by law and at other times as prescribed by law or deemed appropriate by court.
3. The right as prescribed by law to receive restitution.
4. The right as prescribed by law to be given information about the crime, how the criminal justice system works, the rights of victims, and the availability of services for victims.
5. The right as prescribed by law to receive information about the conviction or final disposition and sentence of the accused.
6. The rights as prescribed by law to receive notification of escape, release, proposed parole or pardon of the accused, or notice of a reprieve of commutation of the accused's sentence.
7. The right as prescribed by law to present their views and concerns to the Governor or agency considering any action that could result in the release of the accused, prior to such action becoming effective.
8. The right as prescribed by law to confer with the prosecution.

### Enforcing Orders of Protection

The FSU Police Department is responsible for enforcing any victim's order of protection, no contact order, restraining order, or similar lawful order issued by FSU or a criminal, civil, or tribal court.

### Victim's Option to Notify Appropriate Authorities

If requested, Title IX personnel will assist a victim with filing a police report. Any victim who alleges that a sexual, domestic, dating, or stalking offense has been committed against him/her has the right to file charges with law enforcement authority. A victim has the right to decline to file a complaint or to file an anonymous complaint or make a confidential complaint for statistical reporting purposes with any campus security authority or at <https://publicdocs.maxient.com/incidentreport.php?FayettevilleStateUniv>.

### Notice of Existing On and Off-Campus Services for Victims

**On-campus** services are available regardless of whether a student victim chooses to report to campus police or the local law enforcement. The on-campus services include:

- **The Center for Personal Development** (Center) (910-672-1222). The Center provides counseling to students who are victims of any sexual misconduct, domestic violence, dating violence or stalking and makes referrals to community resources. The Center must also assist these victims in notifying proper authorities and in changing reasonably available options for on-campus living, academic, transportation, and working situations if requested. The Center's consultations with victims are confidential.
- **Student Health Services** (910-672-1259). The staff at Student Health Services may provide medical treatment and referrals to community agencies. The staff also may assist victims in notifying proper authorities, if the student so chooses. If requested by the victim of sexual assault, domestic violence, dating violence, or stalking, Student Health Services staff will provide reasonably available options for and assistance in changing the on-campus living, transportation, working, and/or the academic environment for the victim. Student Health Services consultations are confidential.
- **The Department of Residence Life** (910-672-1884). If requested by the victim of sexual assault, domestic violence, dating violence, or stalking, the Residence Life staff

will provide reasonably available options for and assistance in changing the on-campus living environment for the victim.

- **Title IX Coordinator** (910-672-2325). If a victim of sexual misconduct has questions or would like to file a Title IX complaint, the victim may contact the FSU Title IX Coordinator. For additional contact information, visit the following website: <https://www.uncc.edu/faculty-and-staff/departments-and-offices/office-of-legal-affairs/title-ix>. If requested by the victim, the Title IX Coordinator will assist with finding reasonably available options for and assistance in changing the living, transportation, working and/or academic environment for the victim.
- **Division of Student Affairs Director of Student Conduct Office** (910-672-1385). If requested by the victim of sexual assault, domestic violence, dating violence, or stalking, the Director of Student Conduct will seek reasonably available options for and assistance in changing the on-campus living, transportation, working, and/or academic environment for the victim.
- **Campus Security Authorities, listed on page 4, will report Clery crimes reported to them to the police department.**

**Off-campus** resources related to Sexual Assault, Domestic Violence, Dating Violence or Stalking in Cumberland County and region include:

- Rape Crisis Volunteers of Cumberland County 910-485-7273\*
- Care Domestic Violence Program 910-677-2532\*
- Domestic Violence Hotline (throughout U.S.) 1-800-799-7233\*
- Contact Crisis of Fayetteville, Inc. 910-485-4134\*
- Community Mental Health Center at Cape Fear Valley 910-615-3333
- Public Health Department 910-433-3600
- Fayetteville Police Department 911 or 910-433-1529\*
- Cumberland County Sheriff's Department 910-323-1500\*
- Cape Fear Valley CareLink Hotline 910-615-LINK (5465)\*
- Legal Aid of Cumberland County 910-483-0400
- NCFreelegalhelp.org 1-800-688-1413
- Domestic Violence Legal Aid of NC 919-856-2157
- NCCU Law Domestic Violence Legal Aid Clinic 919-688-6396
- Sexual Assault Response Team (Department of Defense) 877-995-5247\*
- Rape, Abuse and Incest National Network 800.656.HOPE (4673)\*
- For employees, the FSU 3rd party vendor ComPsych is also available at 1-866-465-8933.\*

**\* Answered 24 hours a day.**

### **Days Following the Assault**

*Take care of your physical and emotional well-being.*

Try to eat well, get enough sleep, and exercise. Remember that it is not your fault, and you are not alone.

*Learn about common reactions to trauma.*

Everyone is different, but it is good to understand what you might expect and know that others have experienced similar reactions. There is a wide range of symptoms, and common reactions include the following:

- Having work or school problems
- Feelings of hopelessness
- Trouble sleeping and feeling very tired
- Stomach upset and trouble eating
- Pounding heart
- Feeling edgy

### Self-Care

Self-care is about taking steps to feel healthy and comfortable. It is important because it can help you cope with the short and long-term effects of a trauma like sexual assault. After trauma, it's important to keep your body healthy and strong. You may be healing from injuries or feeling emotionally drained.

Good **physical health** can support you through this time. Think about a time when you felt physically healthy, and consider asking yourself the following questions:

- How were you sleeping? Did you have a sleep ritual or nap pattern that made you feel more rested?
- What types of foods were you eating? What meals made you feel healthy and strong?
- What types of exercise did you enjoy? Were there any particular activities that made you feel more energized?
- Did you perform certain routines? Were there activities you did to start the day of right or wind down at the end of the day?

**Emotional self-care** is also important. Think about a time when you felt balanced and grounded, and consider asking yourself the following questions:

- What fun or leisure activities did you enjoy? Were there events or outings that you looked forward to?
- Did you write down your thoughts in a journal or personal notebook?
- Were meditation or relaxation activities a part of your regular schedule?
- What inspirational words were you reading? Did you have a particular author or favorite website to go to for inspiration?
- Who did you spend time with? Was there someone, or a group of people, that you felt safe and supported around?
- Where did you spend your time? Was there a special place, maybe outdoors or at a friend's house where you felt comfortable and grounded?

### *Let others help.*

- **Friends and family** can offer support by listening to you, keeping you company, walking to class with you, or going with you to appointments.
- **The campus health center** offers free health and counseling services for students and can connect you with additional resources, if needed. If you are concerned about confidentiality, ask the person you want to talk to first about his/her obligation to disclose information you share.
- **The local rape crisis center** has years of experience helping victims of sexual assault. They can help you make choices about reporting, join a support group, or finding a counselor. Contact Rape Crisis Volunteers of Cumberland County, 24/7 at 910-485-7273.

## Months after the Assault

Recovery is an ongoing, gradual process. Some symptoms and reactions to trauma may appear after an assault. Reach out to your personal support network or find a support group. You may also want to speak with a counselor or psychologist. They are experienced in helping victims of sexual assault. They are familiar with the physiological and psychological effects that traumatic events cause, and they can help you work through your emotions and teach you coping skills. You can connect with the Student Health Center at 910-672-1259 or the Center for Personal Development at 910-672-1222.

Victims of stalking, domestic violence, or dating violence may follow similar procedures and seek assistance from the same on and off-campus resources. Similarly, it is important to preserve evidence in the case of domestic violence, dating violence or stalking. Preserve any physical or digital evidence whenever possible including letters, emails, text messages, or social media messages.

## Awareness Programs

Educational awareness programs concerning issues such as date rape, acquaintance rape, domestic violence, stalking, and forcible and non-forcible sexual misconduct are presented throughout the year by various FSU Departments. The following programs, among many others, were conducted in 2017:

- **R.A.D.-Rape Aggression Defense (Self-defense Program)**
- **Protecting Minors On-Campus: FSU Policy, Clery, Title IX, and Other Concerns**
- **Basic Self Defense**
- **Walk a Mile in Her Shoes**
- **Women Personal Safety Crime Prevention**
- **Domestic Violence and Dating Violence Awareness**
- **Sexual Assault Awareness Programs**
- **Sexual Assault Awareness Programming for Male Athletes**
- **“We Are the Victims” Sexual Assault/Intimate Partner Violence Awareness**
- **“Protecting Private Images,” Sexual Exploitation Prevention**
- **“Healthy Relationships,” Dating, Domestic, and Intimate Partner Violence Prevention**
- **Preventing Sexual Harassment**
- **Title IX Training**
- **Title IX Training for Police/Public Safety**
- **Title IX Training and Sexual Assault Response**
- **Title IX for Athletics**
- **Title IX for Greek Life**
- **Title IX for Residence Life**
- **Title IX for LEAP**
- **“Sex Signals,” a Catharsis Production**



For more information on individual programs, contact the FSU Police Department at 672-1552, the Title IX Coordinator at 672-2325, or the Center for Personal Development at 672-1222.

## **Alcohol and Drug Use Related to Sexual Misconduct**

The FSU community believes that excessive use of alcohol and other drugs often precede incidents of sexual misconduct. Use of these substances may interfere with one's capacity, either to consent to or refuse sexual activity. Use of alcohol and drugs may also interfere with one's judgment regarding sexual aggression or interpersonal violence. The use of alcohol or other drugs does not diminish personal responsibility for aggressive or any other socially unacceptable behavior.

### **Title IX**

Title IX states that “no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.” 20 U.S.C. 1681

Title IX prohibits discrimination on the basis of sex in any federally funded education program or activity. In complying with Title IX, FSU prohibits discrimination in its programs and activities on the basis of sex. Additionally, FSU will not tolerate sex discrimination as it pertains to sexual harassment and sexual misconduct, including sexual offenses.

FSU has developed policies to address all forms of sexual discrimination, harassment, and violence. For more details about the policies, visit <https://www.uncfsu.edu/faculty-and-staff/departments-and-offices/office-of-legal-affairs/policies-and-procedures>.

FSU has designated a Chief Title IX Coordinator with ultimate oversight responsibility for coordinating FSU's Title IX compliance efforts. The responsibilities include conducting and or coordinating investigations of complaints received pursuant to Title IX; ensuring a fair and neutral process for all parties; and monitoring all aspects of FSU's Title IX compliance.

Anyone desiring to file a complaint may contact the Title IX Coordinator:

#### **Chief Title IX Coordinator**

**Patricia Corey Bradley**

Barber Building, Upper Level, Room 242 (910) 672-2325

[TitleIX@uncfsu.edu](mailto:TitleIX@uncfsu.edu)

**Prohibited Sexual Conduct** <https://www.uncfsu.edu/faculty-and-staff/departments-and-offices/office-of-legal-affairs/policies-and-procedures>

### **I. INTRODUCTION**

Fayetteville State University (“University”) is committed to fostering a healthy and safe environment free from sex/gender-based discrimination and harassment. As such, the University does not tolerate any kind of gender-based misconduct, which includes sexual misconduct, relationship violence or stalking. In keeping with this commitment, the University has implemented this Policy, the purpose of which is to define prohibited acts of conduct based upon sex/gender, outline the process for reporting violations of this Policy and outline the process used to investigate and adjudicate alleged violations of this Policy.

This Policy only addresses prohibited sexual conduct committed by a student against another student. Students who believe they have been subjected to an act of prohibited sexual conduct are encouraged to report the incident. Upon receiving a report, the University will respond promptly, equitably, and thoroughly. In addition, the University will take steps to prevent the recurrence of



the conduct. When used in this Policy, the term “Complainant” refers to a student who may have been the alleged victim of any prohibited sexual conduct and the term “Accused Student” refers to a student who has been accused of engaging in prohibited sexual conduct.

Prohibited sexual conduct reportedly committed by faculty, staff, or third parties against students, employees or third parties will be addressed in accordance with the University’s *Sexual Harassment* policy. Prohibited sexual conduct reportedly committed by students against employees or third parties will be addressed in accordance with the *Code of Student Conduct*. All such allegations shall be reviewed, investigated and resolved in accordance with the respective policy.

## II. PROHIBITED SEXUAL CONDUCT

Prohibited Sexual Conduct is a term used in this Policy to collectively define different types of sex/gender-based conduct which this Policy prohibits. Such conduct includes sexual misconduct, relationship (dating or domestic) violence and stalking.

Prohibited Sexual Conduct can be committed by students of any sex/gender, and it can occur between students of the same sex/gender or different sex/genders. Prohibited Sexual Conduct can occur between strangers or acquaintances, as well as students involved in intimate or sexual relationships.

## III. SEXUAL MISCONDUCT

A. Sexual misconduct is defined as any act of a sexual nature perpetrated against an individual without effective consent (see definition below of “effective consent”) or when an individual is unable to freely give consent. Sexual misconduct includes, but is not limited to:

1. Attempted or completed intercourse or penetration (anal, oral or vaginal), however slight, with any body part or any object, by a man or a woman upon a man or a woman, without effective consent. This may include, but not be limited to vaginal penetration by a penis, object, tongue or finger; anal penetration by a penis, object, tongue or finger; and oral copulation (mouth to genital contact or genital to mouth contact).
2. Sexual touching (including disrobing or exposure) by a man or a woman upon a man or a woman, without effective consent which may include, but not be limited to any contact with the breasts, buttocks, groin, or genitals, or touching another with any of these body parts, or making another touch any of these body parts, when such touching would be reasonably and objectively offensive.
3. Sexual exploitation, defined as taking non-consensual, 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. Sexual exploitation encompasses a wide range of behaviors which may include, but are not limited to:
  - Non-consensual video or audio-recording of sexual activity;
  - Inducing incapacitation with the intent to rape or sexually assault another student;
  - Allowing others to observe a personal act of consensual sex or non-consensual without knowledge or consent of all participants;
  - Engaging in peeping tommery (voyeurism), secretly spying on others;or

- Knowingly transmitting a sexually transmitted disease, including HIV, to another student.
4. Sexual intimidation is an implied threat that menaces or causes reasonable fear in another person. A person's size, alone, does not constitute intimidation; however, how a person uses their size may constitute intimidation. Sexual intimidation may involve the following:
- threatening to commit sexual misconduct upon another person;
  - stalking;
  - cyber-stalking;
  - social media exploitation;
  - engaging in indecent exposure.; **or**
  - blocking access to an entrance or exit to a room or building.
5. Sexual coercion is more than an effort to persuade, entice, or attract another person to have sex or engage in a sex act. When a person makes clear that they do not want to participate in a sex act, that they want it to stop, or that they do not want to go beyond a certain sexual interaction, continued pressure can be coercive.

## B. EFFECTIVE CONSENT

Effective consent is informed, freely and actively given, mutually understandable words or actions, which indicate a willingness to participate in mutually agreed upon sexual activity. In the absence of mutually understandable words or actions it is the responsibility of the initiator, that is, the person who wants to engage in the specific sexual activity, to make sure that they have consent from their partner(s). Consent is mutually understandable when a reasonable person would consider the words or actions of the parties to have manifested a mutually understandable agreement between them to do the same act, in the same way, at the same time, with each other.

The following should also be considered in determining consent:

- Consent may never be given by any of the following:
  - Minors (under the age of 16 in North Carolina) and mentally disabled persons
  - Individuals who are **incapacitated** as a result of alcohol or other drugs (including if self-ingested) or who are unconscious or otherwise physically helpless. Incapacitation means being in a state where an individual lacks the capacity to appreciate the nature of giving consent to participate in sexual activity.
- An individual may not engage in sexual activity with another who the individual knows, or should reasonably have known, is incapacitated as a result of alcohol or other drugs. The perspective of a reasonable person will be the basis for determining whether an individual should have known about the impact of the use of alcohol or drugs on another's ability to give consent. **Being intoxicated or high does not diminish an individual's responsibility to obtain consent and is never an excuse for sexual misconduct.**
- Consent may not be inferred from silence, passivity or lack of active resistance alone.

- A current or previous dating or sexual relationship (or the existence of such a relationship with anyone else) may not, in itself, be taken to imply consent.
- Consent cannot be implied by attire, or inferred from the buying of dinner or the spending of money on a date.
- Consent to one type of sexual act may not, in itself, be taken to imply consent to another type of sexual act.
- Consent expires. Consent lasts for a reasonable time, depending on the circumstances.
- Consent which is obtained through the use of fraud or force, whether that force is physical force, threats, intimidation, or coercion, is ineffective consent. Intimidation or coercion is determined by reference to the reasonable perception of a person found in the same or similar circumstances.

#### **C. SEXUAL MISCONDUCT AMNESTY**

The University will consider granting amnesty to students who may have violated the University's prohibition against having alcohol on campus or under-age drinking at the same time of the incident when s/he became a victim of sexual misconduct. Therefore, the University will consider not filing charges against a student who reports that the student was under the influence of alcohol at the time the student became a victim of sexual misconduct.

#### **IV. RELATIONSHIP VIOLENCE**

Relationship Violence is any act of violence or pattern of abusive behavior in a relationship that is used by one partner to gain or maintain power and control over another partner. Relationship violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. Relationship violence includes domestic violence and dating violence defined as follows.

##### **A. Domestic Violence**

Domestic violence includes, but is not limited to, any act of violence or pattern of abusive behavior committed by any of the following:

- a current or former spouse of the Complainant;
- a person with whom the Complainant shares a child in common; and/or
- a person who is cohabitating with or has cohabitated with the Complainant as a spouse.

The State of North Carolina's definition of domestic violence can be found in North Carolina General Statute §50B-1 which is applicable to criminal prosecutions for domestic violence in North Carolina, but may differ from the definition used by the University to address violations of this Policy.

##### **B. Dating Violence**

Dating violence is any act of violence or pattern of abusive behavior committed by an individual who has been in a social relationship of a romantic or intimate nature with the Complainant. Whether there was such a relationship will be gauged by its length, type, and frequency of interaction.

## V. **STALKING**

Stalking (based upon sex/gender) is defined as a course of conduct directed at a specific person that would cause a reasonable person to feel fear. Stalking involves repeated and continued harassment made against the expressed wishes of another individual, which causes the targeted individual to feel emotional distress, including fear and apprehension. Stalking behaviors may include the following: pursuing or following; non-consensual (unwanted) communication or contact - including face-to-face, telephone calls, voice messages, electronic messages, web-based messages, text messages, unwanted gifts, etc.; trespassing; and surveillance or other types of observation.

The State of North Carolina's definition of stalking can be found in North Carolina General Statute §14-277.3A which is applicable to criminal prosecutions for stalking in North Carolina, but may differ from the definition used by the University to address violations of this Policy. Stalking alleged to have been committed by a student which is not based on sex/gender is addressed under the University's *Code of Student Conduct*.

## VI. **REPORTING INCIDENTS OF PROHIBITED SEXUAL CONDUCT**

The University encourages the reporting of incidents of Prohibited Sexual Conduct. Reports may be made by a student who believes that s/he has been the victim of Prohibited Sexual Conduct or an individual who has information related to an incident of Prohibited Sexual Conduct.

A student who believes that s/he has been the victim of an alleged act of Prohibited Sexual Conduct committed by a student, may file a criminal complaint with the appropriate law enforcement agency. The student may also file a complaint with the Title IX Coordinator or request a hearing before the Hearing Panel charged with hearing such complaints. The student may pursue the criminal and University processes simultaneously. Regardless of the option chosen, the University will initiate an administrative investigation.

The University encourages a student who has been the victim of Prohibited Sexual Conduct to seek medical assistance immediately. Students are also encouraged to preserve any evidence that may be important to an investigation of a complaint of Prohibited Sexual Conduct including, but not limited to, physical evidence, handwritten or electronic communications such as text messages, telephone messages and emails, videos and/or photographs of the incident.

The length of time between an incident and making a report of Prohibited Sexual Conduct will not affect the willingness of the University to investigate the allegations or to provide support and other services to the Complainant. However, a prompt report will significantly improve the ability of University officials to conduct a full investigation and enhance the effectiveness of any criminal and/or University investigation. Individuals are therefore strongly encouraged to report incidents of Prohibited Sexual Conduct immediately following the occurrence.

### A. **Reports to Confidential Resources**

Confidential resources in the form of trained licensed counselors in the Center for Personal Development and medical personnel in Student Health Services can provide confidential counseling, information, and support. These confidential resources will not share information about a student (including whether that student has received services) without the student's express permission, unless there is a continuing threat of serious harm to the student, to others or there is a legal obligation to reveal such information (e.g., suspected abuse or neglect of a minor).

## **B. Reports to Law Enforcement**

The University encourages students to report incidents of Prohibited Sexual Conduct to a law enforcement agency. If the incident occurred on University owned or leased property, the University Police is the appropriate agency with which to file a report by dialing (910) 672-1911. Incidents occurring on property not owned or leased by the University should be reported to the appropriate city or county law enforcement agency by dialing 911. The University Police can assist with contacting the appropriate law enforcement agency.

If incidents of Prohibited Sexual Conduct are reported to the University Police, the University Police shall notify the Complainant of the Complainant's right to file a complaint with the University in addition to filing a criminal complaint. The University Police shall also report incidents of Prohibited Sexual Conduct involving students to the Title IX Coordinator

Upon receipt of such information, the Title IX Coordinator shall conduct an administrative investigation, which shall be considered distinct from the criminal investigation conducted by a law enforcement agency. The Title IX Coordinator shall not wait for the conclusion of a criminal investigation or criminal proceeding to begin the University's administrative investigation although the Title IX Coordinator may delay temporarily the fact-finding portion of the administrative investigation while the University Police are gathering evidence. Once notified that the University Police has completed its gathering of evidence (not the ultimate outcome of the investigation or the filing of any charges), the Title IX Coordinator shall promptly resume and complete the fact-finding for the administrative investigation. Information obtained through the criminal investigation may be used by the Title IX Coordinator and/or the Office of the Director of Student Conduct for consideration in the University disciplinary process.

Because the standards for finding a violation of criminal law are different from the standards for finding a violation of the *Code of Student Conduct and/or this Policy*, criminal investigations or reports are not determinative of whether Prohibited Sexual Conduct, for purposes of this Policy, has occurred. Conduct may constitute Prohibited Sexual Conduct under this Policy and/or the *Code of Student Conduct* even if a law enforcement agency lacks sufficient evidence of a crime and therefore declines to prosecute.

## **C. Reports to the Title IX Coordinator**

Because Prohibited Sexual Conduct may constitute a violation of University policy, the University encourages students or others to report alleged Prohibited Sexual Conduct promptly to University officials whether or not or even if such reports have been reported to a law enforcement agency. Such incidents should be reported to the Title IX Coordinator. The Title IX Coordinator oversees the University's investigation, response to, and resolution of all reports of Prohibited Sexual Conduct.

The following is the contact information for the Title IX Coordinator:

**Ms. Patricia Bradley**  
**Title IX Coordinator**  
**Barber Building, Room 242**  
**(910) 672-2325**  
**TitleIX@uncfsu.edu**



If a student or another individual reports an incident of Prohibited Sexual Conduct to the University or if a law enforcement agency notifies the University of an incident involving students, the Title IX Coordinator shall promptly begin an administrative investigation into the allegations. In so doing, the Title IX Coordinator shall be authorized to issue "no-contact" orders and to seek other appropriate interim measures (e.g., changes to class schedules) to assure a student's safety.

The Title IX Coordinator will meet with the Complainant as soon as possible. If the Complainant has not contacted the University Police prior to meeting with the Title IX Coordinator, the Title IX Coordinator shall inform the student of the Complainant's right to file a criminal complaint.

When meeting with the individual reporting the incident, the Title IX Coordinator shall seek to determine if the student wishes to file an official complaint. Any complaint filed must be done so in writing. If the student indicates that s/he does not wish to file a complaint, the Title IX Coordinator shall inform the student that federal law requires the University to investigate and take reasonable action in response to the complaint.

If a student requests that the complaint remain confidential, the Title IX Coordinator may consider the student's request by conducting a preliminary investigation into the Prohibited Sexual Conduct allegation and weighing the student's request against the following factors:

- the seriousness of the alleged Prohibited Sexual Conduct;
- whether there have been other complaints of Prohibited Sexual Conduct against the same accused student(s); and
- the accused student's right to receive information about the allegations if the information is maintained by the University as an "education record" under the Family Educational Rights and Privacy Act ("FERPA").

After conducting the preliminary investigation, if the Title IX Coordinator determines that the student's request can be honored, the Title IX Coordinator should take all reasonable steps to respond to the complaint consistent with the request. However, a decision to maintain confidentiality will not mean that confidentiality will be absolutely guaranteed in all circumstances, but only that all efforts will be undertaken to keep information confidential consistent with applicable law.

Even if the University cannot take disciplinary action against an accused student because of the request for confidentiality or the request to not pursue an investigation, the University will nevertheless take prompt and effective action to limit the effects of the alleged Prohibited Sexual Conduct and to prevent its recurrence.

#### **D. Reports to University Employees/Students**

All University employees, *except for counselors in the Center for Personal Development and student health services medical personnel*, with knowledge of an incident of Prohibited Sexual Conduct committed by a University student or experienced by a University student are obligated to report the incident to the University Police, the Title IX Coordinator or the Director of Student Conduct. The employee reporting the incident is not authorized to investigate or attempt to resolve the incident without the involvement of the Title IX Coordinator.

Students with knowledge of an incident of Prohibited Sexual Conduct committed by or experienced by a University student are encouraged to report the incident to the University Police, the Title IX Coordinator or the Director of Student Conduct.

**E. Reports to the Office of Civil Rights**

A report of Prohibited Sexual Conduct may be made directly to the United States Department of Education's Office of Civil Rights at <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.

**VII. RESPONDING TO PROHIBITED SEXUAL CONDUCT ALLEGATIONS**

The following is the University's process for responding to allegations of Prohibited Sexual Conduct:

**A. Investigation**

The Title IX Coordinator shall investigate the complaint to include fully interviewing the Complainant, the alleged offender ("Accused Student") and any other parties deemed relevant to the investigation. The investigation shall also include a review of any relevant evidence.

**B. Findings and Determinations**

Following the completion of the investigation, the Title IX Coordinator shall prepare a written report consisting of a statement of the charges, evidence received, summary of the findings and a determination (using the preponderance of the evidence standard, *i.e.*, it is more likely than not that Prohibited Sexual Conduct occurred) as to whether or not there has been a violation of this Policy and/or the *Code of Student Conduct*. The Complainant and the Accused Student will receive written notification of the outcome and disposition of the complaint.

**1. Finding of a Violation**

**a. Responsibility Acknowledged**

If there is a finding that a violation occurred and the Accused Student acknowledges responsibility, the Associate Vice Chancellor for Student Affairs shall determine an appropriate sanction and notify, in writing, the Accused Student and the Complainant of the sanction. If the sanction is agreed upon by both parties, the complaint shall be considered as resolved. If the Accused Student rejects the sanction, the Hearing Panel shall be convened for the sole purpose of determining a sanction.

**b. Responsibility Not Acknowledged**

If there is a finding of a violation and the Accused Student does not acknowledge responsibility, the Title IX Coordinator may file charges against the Accused Student. Such charges shall be issued by the Director of Student Conduct in accordance with Section VII. C. below.

**2. Finding of No Violation**

If there is a finding that a violation did not occur or the evidence is lacking to determine whether or not a violation occurred, the Complainant may request a review before the Hearing Panel in accordance with the procedures outlined in this Policy.

## C. Hearing Panel Review

### 1. Filing of a Written Complaint or Formal Charges

#### a. Filing of a Written Complaint by a Complainant

A Complainant may file a written complaint against an Accused Student for violating this Policy. The complaint shall be filed with the Director of Student Conduct. Although the University does not impose a time limit after which it will not consider formal complaints of Prohibited Sexual Conduct, timely filing typically allows access to the most useful and relevant recent recollections and evidence and facilitates more prompt resolution.

#### b. Filing of Charges by the Director of Student Conduct/Title IX Director

The Director of Student Conduct or the Title IX Coordinator may file a formal charge against an Accused Student for violating this Policy. Such filing must occur within ten (10) business days of the conclusion of the Title IX Coordinator's investigation.

Upon notification of the filing of a written complaint or formal charges, the Director of Student Conduct shall notify the Accused Student and Complainant, in writing, of the complaint/charge through a Notice of Charge and thereafter notify each party of the date, time and place of the hearing. The hearing date may not be scheduled for at least ten (10) business days after the Accused Student receives notice of the complaint/charges, unless the Accused Student agrees to an earlier hearing date. Scheduling of hearings shall occur with priority given to the availability of Hearing Panel members, the Complainant, Accused Student, University administrators and witnesses. Reasonable extensions of time to prepare for the hearing may be allowed.

No less than seven (7) business days prior to the hearing date, the parties shall provide the Director of Student Conduct with brief written statements describing their positions, a list of witnesses they propose to call, copies of documents they plan to present, and a description of any other evidence they propose to present at the hearing. Parties may not introduce witnesses, documents, or other evidence at the hearing that were not timely provided to the Director of Student Conduct as set forth above. The parties shall also be responsible for securing the attendance of their proposed witnesses at the hearing.

No less than five (5) business days prior to the hearing, both parties shall be given the opportunity to review the aforementioned evidence provided to the Director of Student Conduct that the parties plan to present at the hearing.

### 2. Hearing Panel

The Hearing Panel shall be responsible for conducting hearings on complaints or formal charges alleging violations of this Policy. The Hearing Panel shall be composed of five (5) University employees. Members of the Hearing Panel

shall be appointed by the Vice Chancellor for Student Affairs (“Vice Chancellor”), who shall also appoint the Chair of the Panel (Chair).

3. **Participation of Attorneys or Non-Attorney Advocates**

An Accused Student has the right to be represented, at the student’s own expense, by a licensed attorney or non-attorney advocate (“Advocate”) of the student’s own choosing in a hearing before the Hearing Panel. When an Advocate will be present and participating in a hearing on behalf of an Accused Student, the Complainant shall also be permitted to have an Advocate present under the same conditions.

Despite the presence of an Advocate at a hearing, the University’s process remains non-adversarial and educational in nature. Advocates may fully participate in these proceedings only to the extent afforded to the student that is being represented. Formal rules of evidence regarding the admissibility of evidence or testimony applicable to criminal and civil causes of action do not apply. Additionally, Advocates may not delay, disrupt, or otherwise interfere with the hearing process.

The following are requirements that must be met in order for a student to be represented by an Advocate at a hearing:

c. **Notice of Representation**

A student who plans to have an Advocate participate in the hearing must notify the Director of Student Conduct of the Advocate’s intended participation at least five (5) business days prior to the hearing. This notice must specify the following:

- The identity of the Advocate;
- Whether the Advocate is a licensed attorney or a non-attorney advocate; and
- An address, telephone number, and email address where the Advocate can be reached.

d. **Release and Certification**

A student who plans to have an Advocate participate in the hearing process must present the following documentation at least five (5) business days prior to the hearing:

- i. **FERPA Release** - In order for an Advocate to represent a student at a hearing or to speak with University officials regarding the student, the student must complete and submit a written authorization that meets the requirements of a valid consent as specified by the FERPA.

Even if a student executes a valid FERPA consent authorizing the Advocate to receive information or documents regarding the student, the University will at all times correspond directly with the student. It is the student’s responsibility to communicate and share information with the Advocate.

- ii. **Advocate Certification** – A student who plans to have a licensed Advocate represent the student at a hearing must submit a certification form signed by the Advocate stating that the Advocate has read in their entirety and understands the following documents:
  - the University’s Code of Student Conduct;
  - the University’s Prohibited Sexual Conduct policy; and
  - Section 700.4.1 of the UNC Policy Manual and the associated regulation.

#### 4. **Hearing Procedures**

A hearing before the Hearing Panel shall be closed and shall be attended only by the following parties:

- the Accused Student, Accused Student’s witnesses, Accused Student’s Advocate or Observer;
- the Complainant, Complainant’s witnesses and Complainant’s Advocate or Observer;
- the Hearing Panel members and any other persons requested to be present by the Chair;
- the Director of Student Conduct;
- the Title IX Coordinator;
- Persons called by the Title IX Coordinator or Director of Student Conduct if charges were filed by the Title IX Coordinator/Director of Student Conduct; and
- a University attorney if an Advocate of the Complainant or Accused Student is present at the hearing.

At the hearing, any real or perceived conflicts of interest between the Hearing Panel and the parties shall be disclosed. If a conflict exists, the Hearing Panel member who is the subject of the conflict shall be prohibited from participating in the hearing and deliberations

The Complainant and Accused Student or their Advocates will not be permitted to ask questions directly of the Complainant or Accused Student. Such questions shall be directed to the Chair. The Complainant and Accused Student or their Advocates may directly ask questions of witnesses testifying before the Hearing Panel.

Issues regarding admission of evidence or testimony, including relevancy and the reliability of the evidence and testimony shall be determined by the Chair during the hearing. Irrelevant sexual history of either party may not be discussed during the hearing. University students/employees who appear before the Hearing Panel, whether as parties to the proceedings or as witnesses, are expected to provide truthful testimony.

At the conclusion of the hearing, the Hearing Panel shall confer and make a determination as to whether the Accused Student is responsible for the Prohibited Sexual Conduct. Evidence shall be evaluated under a “preponderance of the evidence standard,” meaning that the Accused Student shall be found responsible if, based upon the entirety of the evidence presented during the hearing, it is



determined that the Accused Student “more likely than not” committed the offense in question.

The Director of Student Conduct shall seek to have the hearing completed within forty-five (45) business days of the receipt of the written complaint.

## 5. Sanctions

### a. Sanctions Imposed Based upon a Hearing Panel Review

The Hearing Panel may impose any sanction that it determines to be fair and proportionate to the violation as long as such sanction is consistent with the *Code of Student Conduct*. In determining an appropriate sanction, the Hearing Panel may consider any record of past violations and the severity of such past violations.

Pursuant to the Clery Act, the University shall notify, in writing, both the Complainant and the Accused Student of the outcome of any University disciplinary proceeding involving sexual misconduct or interpersonal violence. The results of the disciplinary hearing to be provided to the parties shall include the following

- the name of the Accused Student,
- the violation charged or committed,
- the essential findings supporting the conclusion that the violation was committed,
- the sanction if any that is imposed and the duration of the sanction, and
- the date the sanction was imposed.

One or more of the sanctions listed below may be imposed on individuals/organizations for non-academic misconduct:

- **Additional Sanctions.** Additional sanctions not specifically listed may be imposed. Such sanctions, where appropriate, may include but are not limited to: community service or research projects, required counseling, participation in educational pro-grams, restitution for damage to or destruction of property, relocation to another room or residence with coordination of appropriate University staff, behavioral contracts, trespass notices, or removal from a particular class as allowed by the University’s Disruption.
- **Disciplinary Probation.** (*Applicable to individual students and organizations*) Disciplinary Probation may be imposed for a period no less than the remainder of the current semester up to the remainder of the student’s academic career at the University. If found responsible for a violation while on disciplinary probation, a student/organization may face more severe sanctions up to and including suspension or in the case of a student, expulsion or in the case of an organization, revocation. Conditions restricting a student’s privileges or eligibility for activities may be imposed. Such privileges and eligibility are automatically restored upon completion of the probation period if the student has complied

satisfactorily with all conditions and refrained from further Code violations.

- **Expulsion.** (*Applicable to individual students only*) Expulsion is a permanent separation of a student from the University, unless at a later date the Chancellor concludes on the basis of the former student's petition and any supportive documentation that he or she should be approved for reinstatement. A student who is expelled is not permitted to be on University premises or attend University-sponsored activities.

Expulsion shall result in a permanent transcript notation. Expulsion precludes enrollment at any UNC constituent institution. Also, the student's name will be included in the UNC System database which includes the names of suspended/expelled students who attended UNC institutions.

- **Removal from University Housing.** (*Applicable to individual students only*) A student may be removed from University housing or have their housing assignment changed on disciplinary grounds. Eviction may be permanent or for a specified period. Students subject to removal from a University housing facility will be trespassed from entering all University housing facilities.
- **Restriction of Privileges.** (*Applicable to individual students and organizations*) A student may be restricted from participating in activities held on University premises or sponsored by the University.
- **Revocation.** (*Applicable to organizations only*) The University may temporarily or permanently revoke recognition of an organization as an official student organization. In such case, the organization will be temporarily or permanently barred from the University.
- **Suspension.** (*Applicable to individual students only*) A student may be separated from the University for a specified period of time. Any suspension will be noted on the student's transcript. A student who is suspended is not permitted to be on University premises or attend University-sponsored activities, during the period of the suspension, without the written approval of the Vice Chancellor for Student Affairs. A trespass citation will be issued by the University Police Department to a suspended student who has not received such authorization from the Vice Chancellor.

Notations of the suspension will appear on the student's transcript. Also, the student's name will be included in the UNC System database for suspended/expelled students.

- **Suspension.** (*Applicable to organizations only*) The University may suspend an organization. During the suspension period, the

organization will not be recognized as an official student organization and will not be permitted to sponsor activities or participate in University sponsored activities as an organization. During the suspension period, the members of the organization will not be allowed to wear the organization's paraphernalia.

- **Written Reprimand.** (*Applicable to individual students and organizations*) A disciplinary written reprimand serves as notice that continuation or repetition of prohibited conduct may be cause for additional disciplinary actions.
- **No-Contact Order:** A student may be issued a written "no-contact" order by (1) the Associate Vice Chancellor, (2) by the Director of Student Conduct, or (3) by the Title IX coordinator in sexual related matters when necessary. A no contact order may prohibit the student from having or third-party contact with an individual.

If a no-contact order is issued, the student may submit a written request for reconsideration of the no-contact order to the Assistant Vice Chancellor for Student Affairs within three (3) calendar days of written notice of the no-contact order. The Assistant Vice Chancellor's decision shall be final.

b. **Sanctions Imposed Based upon Acknowledgement of Responsibility**

An Accused Student, who has acknowledged responsibility for violating this Policy but does not agree with the sanction imposed by the Associate Vice Chancellor for Student Affairs may request a hearing before the Hearing Panel for the sole purpose of determining sanctions. The formal process outlined above shall not be applicable. The Hearing Panel may, however, hear any evidence the Hearing Panel considers relevant to making a determination on sanctions.

A decision by the Hearing Panel on sanctions shall be made in writing and sent to both parties no later than ten (10) business days following the conclusion of the hearing on sanctions.

6. **Appeals**

Either party may appeal the Hearing Panel's decision to the Vice Chancellor for Student Affairs ("Vice Chancellor") within ten (10) business days of the receipt of the Hearing Panel's decision. Grounds for appeal are limited to the following:

- a violation of due process; or
- a material deviation from substantive and procedural standards adopted by the University and/or Board of Governors.

The Vice Chancellor shall notify the parties of the Vice Chancellor's decision within ten (10) business days of the receipt of the appeal, if the decision is other than an expulsion. A decision by the Vice Chancellor shall be final, except in the case of expulsion. If the Vice Chancellor determines that a student should be expelled, the Vice Chancellor shall forward a

recommendation for expulsion to the Chancellor. The Chancellor shall notify the parties involved of the Chancellor's decision regarding the expulsion within ten (10) business days of the receipt of the Vice Chancellor's recommendation.

**VIII. CONFIDENTIALITY**

The University recognizes the importance of confidentiality and University officials shall respect the confidentiality and privacy of individuals reporting or accused of sexual misconduct or interpersonal violence to the extent reasonably possible. Confidentiality may not be able to be maintained in circumstances where the law requires disclosure of information or when disclosure required by the University outweighs protecting the rights of others.

**IX. RETALIATION**

Retaliation against an individual who reports or complains of sexual misconduct or interpersonal violence, or who provides information in a sexual misconduct investigation or proceeding, is prohibited. Alleged retaliation shall be subject to investigation and may result in disciplinary action.

**X. FALSE CLAIMS**

An individual who knowingly makes false allegations or who knowingly provides false information in a sexual misconduct or interpersonal violence investigation or proceeding, shall be subject to disciplinary action.

**XI. RECORDS**

The Title IX Coordinator shall maintain all records related to investigations into allegations of sexual misconduct or interpersonal violence until the process has been concluded. The Director of Student Conduct shall maintain all records related to a hearing before the Hearing Panel, which may include written findings of facts, transcripts, or audio recordings.

**Sexual Harassment Policy** <https://www.uncfsu.edu/faculty-and-staff/departments-and-offices/office-of-legal-affairs/policies-and-procedures>

**I. PURPOSE**

Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex. In complying with Title IX, Fayetteville State University (University) prohibits and will not tolerate sex discrimination.

The purpose of this policy (Policy) to set forth the University's commitment to maintaining an environment free of sexual harassment and to inform the University community of the process involved in filing and investigating allegations of sexual harassment. The University is committed to investigating and if necessary adjudicating allegations of sexual harassment in a prompt and equitable manner.

**II. SEXUAL HARASSMENT**

**A. Definition**

For purposes of this policy, the University subscribes to the following definition of sexual harassment:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic or student status, or
- submission to or rejection of such conduct by an individual is used as the basis for employment, academic or other institutional decisions affecting such individual, or
- Such conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the University's education or employment programs and/or activities.

Both males and females can be victims of sexual harassment, and the harasser and the victim can be of the same sex.

**B. Sexual Misconduct (Violence)**

Sexual misconduct is a form of sexual harassment that is prohibited by law. Sexual misconduct refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's mental capacity or use of drugs or alcohol. Sexual misconduct includes but is not limited to acts such as rape, sexual assault, sexual battery and sexual coercion.

A student who is the victim of an act of sexual misconduct *by a student* should file a complaint under the University's *Prohibited Sexual Conduct* policy. A student/employee who is the victim of an act of sexual misconduct by a *University employee or a third party* should file a complaint under this Policy. A victim of an act of sexual misconduct is also encouraged to contact the University's Police and Public Safety.

**III. CONFIDENTIALITY**

The University recognizes the importance of confidentiality. Title IX Coordinators and University Officials shall respect the confidentiality and privacy of individuals reporting or accused of sexual harassment to the extent reasonably possible. Confidentiality may not be able to be maintained in circumstances where the law requires disclosure of information or when disclosure required by the University outweighs protecting the rights of others.

**IV. RETALIATION**

Retaliation against an individual who reports or complains of sexual harassment or who provides information in a sexual harassment investigation or proceeding is prohibited. Alleged retaliation shall be subject to investigation and may result in disciplinary action.

**V. FALSE CLAIMS**

An individual who knowingly makes false allegations of sexual harassment, or who knowingly provides false information in a sexual harassment investigation or proceeding, shall be subject to disciplinary action.

**VI. COMPLAINT PROCEDURES**

The purpose of these complaint procedures is to provide an opportunity for a prompt and fair resolution of sexual harassment allegations and to preserve the due process rights of the parties involved, including the right to receive notice of a complaint and to have an opportunity for an impartial investigation. Members of the University community who become aware of specific



and credible allegations of sexual harassment, whether through the report of a complainant or otherwise, have an obligation to report the allegations promptly to the Title IX Coordinator.

An informal and formal process is available to individuals seeking to file a complaint based upon sexual harassment. Individuals utilizing the informal process may file a complaint in writing or orally. Individuals who file a formal complaint must do so in writing.

#### **A. Title IX Coordinator**

The University's Title IX Coordinator has ultimate oversight responsibility for coordinating the University's Title IX compliance efforts. This includes, but is not limited to conducting and/or coordinating investigations of complaints (i.e., sexual harassment) received pursuant to Title IX; ensuring a fair and neutral process for all parties; and monitoring all aspects of the University's Title IX compliance program. Individuals with questions or concerns about Title IX, and/or those who wish to file a complaint, may contact the Title IX Coordinator.

Contact information for the Title IX Coordinator is as follows:

**Ms. Patricia Bradley**  
**Title IX Coordinator**  
Barber Building, Room 242  
(910) 672-2325  
**TitleIX@uncfsu.edu**

#### **B. Informal Resolution**

The informal resolution process provides an alternative method of addressing complaints of sexual harassment aimed at stopping the behavior. Complaints that are resolved informally are not investigated to the same degree as formal complaints, although the complainant and the accused may be interviewed. However, the University reserves the right to conduct a full and complete investigation of any complaint even if the complainant has decided to seek to resolve the complaint using the informal resolution process.

An employee or student seeking to resolve a sexual harassment complaint informally shall provide a written statement to the Title IX Coordinator within thirty (30) calendar days of the alleged harassing behavior. The Title IX Coordinator will meet individually with the complainant and accused and any other parties that the Title IX Coordinator deems appropriate in an attempt to come to an informal resolution. Possible outcomes of an informal resolution may include explicit agreements about future conduct, changes in workplace assignments, substitution of one class for another, or other appropriate relief.

If the complainant decides that the formal review is preferable, at any time during the informal review process, the complainant may terminate the informal review process and begin the formal review process.

#### **C. Formal Resolution**

The formal resolution process is aimed at determining if sexual harassment has occurred, the culpability of the accused and appropriate sanctions or remedies, if necessary. The formal resolution process for employees subject to the State Personnel Act (SHRA employees) differs from the formal resolution process for employees

exempt from the State Personnel Act (EHRA employees) and students. The processes for each are detailed below.

1. **SHRA Employees**

SHRA employees who have a complaint of sexual harassment may use the formal grievance procedures outlined in the University's *Unlawful Workplace Harassment* policy. A complaint filed under the *Unlawful Workplace Harassment* policy must be submitted in writing to the Office of Human Resources within thirty (30) calendar days of the alleged harassing behavior. The filing of the action within this time period is required in order for SHRA employees to maintain their appeal rights to the State Personnel Commission.

SHRA employees who do not submit a written complaint to the Office of Human Resources within thirty (30) calendar days may still utilize the informal process described above for resolving concerns involving alleged sexual harassing behavior; however, such employees will not have the option of later appealing to the State Personnel Commission or using the University's formal resolution process for EHRA employees and students which is outlined below.

2. **EHRA Faculty and Non-Faculty Employees and Students**

a. **Filing a Complaint**

i. **Complaints against Employees or Students**

An EHRA employee or student interested in filing a formal complaint against an employee or student shall provide the written complaint to the Title IX Coordinator within thirty (30) calendar days of the alleged harassing behavior.

ii. **Complaints against Third Parties**

The University prohibits sexual harassment by third parties towards members of the University community. Although individuals who are not students or employees of the University are not subject to discipline under the University's internal processes, the University will take prompt, corrective action to eliminate sexual harassment and prevent its recurrence. EHRA employees or students who believe that they have been sexually harassed by an individual who is not a University employee or student should report the alleged sexual harassment to the Title IX Coordinator.

b. **Processing a Complaint**

Once a complaint is received, the Title IX Coordinator shall conduct a formal investigation. The Title IX Coordinator shall seek to have the complaint resolved within sixty (60) calendar days from the date the complaint was received.

c. **Investigation**

The Title IX Coordinator shall be responsible for reviewing and investigating written complaints received in a prompt and impartial manner. In so doing, the Title IX Coordinator shall be authorized to interview the complainant, the accused, and any witnesses in order to determine if sexual harassment has occurred and the culpability of the

accused. Meetings with the parties to the complaint shall be conducted individually and shall not take the form of a hearing. The Title IX Coordinator shall keep an accurate record of all meetings and interviews.

Both parties shall be provided with the opportunity to present relevant witnesses and other evidence to the Title IX Coordinator.

d. **Findings and Conclusions**

Following the conclusion of the investigation, the Title IX Coordinator shall determine, (using the preponderance of the evidence standard, *i.e.*, it is more likely than not that sexual harassment occurred) whether or not the complaint rises to the level of sexual harassment.

e. **Report of Findings**

Once the Title IX Coordinator has concluded the investigation, the Title IX Coordinator shall draft a report consisting of the following:

- Name and sex of the complainant;
- A description of the allegation, including dates, times and individuals involved;
- The date the complaint or other report was made;
- The dates on which interviews were conducted;
- The names and sex of all known witnesses to the alleged incident;
- The date on which any relevant documentary evidence was obtained;
- Any written statements;
- Any interim steps taken with respect to the complainant and the respondent;
- A description of any action taken to prevent recurrence of any harassing incidents; and
- A summary of the findings and a determination as to whether or not the complaint rises to the level of sexual harassment.

Prior to issuing the final report to the University Official, the Title IX Coordinator shall consult with the Office of Legal Affairs. After such consultation, the Title IX Coordinator shall provide written notice to both parties of the results of the investigation.

A University Official is defined as one of the following individuals:

- ***the Athletic Director*** if the accused is an employee of the Department of Athletics;
- ***the Director of Student Conduct*** if the accused is a student;
- ***the Dean of an Academic Unit*** if the accused is an employee of a unit supervised by the Dean or if the accused reports directly to the Dean;
- ***the Vice Chancellor*** if the accused is an employee of a unit supervised by the Vice Chancellor or the accused reports directly to the Vice Chancellor
- ***the Vice Chancellor for Academic Affairs*** if the accused is a Dean or the accused reports directly to the Vice Chancellor for Academic Affairs; or,

- *the Chancellor* if the accused reports directly to the Chancellor
- *the General Counsel* if the accused is an employee of a unit supervised by the General Counsel or is a third-party who is not a student or employee.

At the time, the Title IX Coordinator issues the final report to the University Official, the Title IX Coordinator shall notify the complainant and the accused, in writing, as to whether or not sexual harassment was found to have occurred.

f. **Disciplinary Action**

After reviewing the final report, the University Official shall determine whether disciplinary action will be taken against the accused. Any consideration of disciplinary action shall be determined on the basis of the facts of each case as well as any University record indicating previous wrong doing by the accused. Any disciplinary action taken shall be in accordance with the University's faculty, staff or student disciplinary policies.

Notwithstanding the above, the University reserves the right to take immediate and reasonable action to stop any harassing behavior. Such action shall not be limited by the process provided herein.

VII. **RECORDS**

The Title IX Coordinator and University Official shall maintain all records related to cases involving allegations of sexual harassment until the process has been concluded. Once concluded the University Official shall forward such files to the Title IX Coordinator (for allegations made against an employee or third party) or the Director of Student Conduct (for allegations made against a student).

**Unlawful Workplace Harassment** <https://www.uncfsu.edu/faculty-and-staff/departments-and-offices/office-of-legal-affairs/policies-and-procedures>

I. **PURPOSE**

All employees have the right to work in an environment free from discrimination and harassing conduct. No State employee shall engage in conduct that falls under the definition of unlawful workplace harassment, including sexual harassment discrimination, or retaliation, and no employment decisions shall be made on the basis of race, sex, religion, national origin, age, color, disability, or genetic information.

The purpose of this policy is to establish that Fayetteville State University (the University) prohibits in any form unlawful workplace harassment or retaliation based on opposition to unlawful workplace harassment of employees and has developed strategies to ensure that work sites are free from unlawful workplace harassment, including sexual harassment discrimination and retaliation.

II. **COVERAGE**

This policy covers an applicant for State employment, probationary State employee, former probationary State employee, career State employee or former career State employee.

### III. DEFINITIONS

**Unlawful Workplace Harassment** is defined as unsolicited and unwelcomed speech or conduct based upon race, sex, religion, national origin, age, color, disability, or genetic information where:

- enduring the offensive conduct becomes a condition of continued employment, or
- the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

**Sexual Harassment**, a particular form of unlawful workplace harassment based upon sex, and is defined as “unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.”

**Retaliation** is defined as any adverse action taken against an individual for any of the following reasons:

- filing a discrimination charge; or
- testifying, or participating in any way in an investigation, proceeding, or lawsuit related to discriminatory employment practices which are considered unlawful workplace harassment or because of opposition to employment practices in violation of the unlawful workplace harassment policy.

### IV. COMPLAINT PROCESS

A career state employee, former career state employee or applicant alleging unlawful workplace harassment or retaliation may file a complaint following the process outlined in the University's SPA Grievance Policy.

### V. PREVENTION STRATEGIES

The University has developed strategies to prevent unlawful workplace harassment. The workplace harassment prevention strategies are included as part of the University's Equal Employment Opportunity (EEO) plan.

#### **Information Regarding Registered Sex Offenders**

In accordance with the Campus Sex Crimes Prevention Act of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act and the Jeanne Clery Act, Fayetteville State University is providing a link to the North Carolina Department of Justice sex offender registry. The Acts referred to above requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a state concerning registered sex offenders may be obtained.

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. An offender who is a non-resident student or non-resident worker 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.



The North Carolina General Assembly created the North Carolina Sex Offender and Public Protection Registry in January 1996. This law outlines registration requirements for persons living in North Carolina, non-resident students and non-resident workers. The Registry serves as a resource to help protect and inform the public. The North Carolina Department of Justice Division of Criminal Statistics maintains a searchable website for all registered sex offenders and sexually violent predators at <http://sexoffender.ncsbi.gov/>. According to the North Carolina Department of Justice, “This information is made available for purposes of protecting the public, for keeping them informed and for allowing them to take proactive measures to ensure safety in their communities. Use and/or misuse of this information by individuals, groups or entities to commit criminal acts (to include, but not limited to, threats, intimidation, stalking, harassment) against other persons is subject to criminal prosecution.”

If an individual does not have access to the web site, such information can be obtained from the FSU Police Department, the Fayetteville Police Department, or the Cumberland County Sheriff’s Department.

## Interim Suspensions

### Interim Suspensions for Serious Crimes by Students

The Code of Student Conduct also includes procedures which address cases in which students, whose presence pose a continuing danger or are an ongoing threat may be immediately suspended by the Vice Chancellor for Student Affairs on an interim basis until a hearing has been held and permanent sanctions, if any, are issued. Other disciplinary actions against students may also be taken in accordance with the Code of Student Conduct.

Questions concerning these policies and procedures should be directed to the Director of Student Conduct at [rcrudisill01@uncfsu.edu](mailto:rcrudisill01@uncfsu.edu) or 910-672-1385 or the Division of Student Affairs.

FSU policies are available at:

<https://www.uncfsu.edu/faculty-and-staff/departments-and-offices/office-of-legal-affairs/policies-and-procedures>

## Policies Governing Alcoholic Beverages and Illegal Drugs

FSU’s intent is to regulate the serving, possession, consumption, and sale of alcoholic beverages in compliance with applicable North Carolina General Statutes and local ordinances. Except as otherwise permitted by FSU’s Alcoholic Beverages policy, the serving, possession, consumption, or sale of alcoholic beverages on FSU owned or leased property, including vehicular areas, sidewalks and public rights-of-way, is prohibited.

Illegal drugs are prohibited on the campus of FSU. This includes the possession, sale, or distribution of illegal drugs. The FSU Police Department is also responsible for enforcing federal and state drug laws.

FSU disciplinary proceedings will be instituted against students and employees who violate FSU policies regarding the possession, use, and sale of alcoholic beverages and/or illegal drugs. Penalties will be imposed for violations of FSU's illegal drug and alcohol policy in accordance with the appropriate disciplinary policies. Disciplinary sanctions will be imposed by FSU and will vary depending on the nature and seriousness of the offense. Sanctions range from written warnings to expulsion (students) and discharge from employment (employees).

### **Alcohol and Drug Abuse Educational Programs**

The FSU Center for Personal Development conducts drug and alcohol education programs for students. The Center for Personal Development also provides counseling, support, and referrals for students seeking help with substance abuse problems. In addition, the Center sponsors an annual *Drug Awareness Week* and provides classroom and residence hall presentations.

The drug and alcohol abuse awareness programs conducted in 2017 are as following:

- **FSU Student Athlete Marijuana Prevention Workshops:** This program includes interactive alcohol and other drug abuse prevention seminars for all student athletes.
- **Alcohol and Other Drugs Workshops:** These workshops educate students from various student organizations about hangover prevention and the consequences of alcohol and other drugs.
- **Alcohol EDU:** This interactive online program incorporates the latest evidence-based prevention methods to create a highly engaging user experience, inspiring students to reflect on and consider changing their drinking habits.
- **Responsibility: Alcohol-Drugs and Sex:** These sessions educate students in the residence halls and classrooms about campus expectations and the relationship between alcohol and other drugs and sex.
- **Alcohol/Substance Abuse Awareness:** The purpose of the substance use education and prevention program is to increase campus awareness regarding the effects of drugs and methods for preventing substance use/abuse.

### **Athletics**

The Athletic Department provides drug and alcohol abuse seminars for all student athletes. The Athletic Department also conducts random drug screenings in accordance with FSU's policy on screening athletes.

### **Employee Assistance Program**

The Employees' Assistance Program provides free, confidential assessment, counseling, consultation, and referral service for all employees through a 3<sup>rd</sup> party vendor ComPsych. To request such services, call the confidential hotline 1-866-465-8933. Contact the FSU Employee Relations Manager at 910-672-1455 for more information.

### **Drug Free Schools and Communities Act and the Drug Free Workplace Act**

In its continuing efforts to adhere to the Drug Free Schools and Communities Act and the Drug Free Workplace Act and to demonstrate its primary commitment to drug and alcohol education, counseling, and rehabilitation, as well as its determination to impose penalties in the event of a violation of State or federal laws governing illegal drugs and alcohol, FSU has adopted an illegal drugs and alcohol policy. The Illegal Drugs and Alcohol policy is located online at

[https://www.unctfsu.edu/assets/Documents/Office%20of%20Legal%20Affairs/IllegalDrugsandAlcohol\[Rev.%2008-12\].pdf](https://www.unctfsu.edu/assets/Documents/Office%20of%20Legal%20Affairs/IllegalDrugsandAlcohol[Rev.%2008-12].pdf).

Additionally, each year, the FSU Chancellor notifies all employees and students of FSU's position on illegal drugs and alcohol. The notification includes a description of the health risks associated with the use of illegal drugs and the abuse of alcohol; a description in summary form of the applicable legal sanctions for the unlawful possession or distribution of illegal drugs; and a description in summary form of FSU sanctions that will be imposed, at a minimum, for the unlawful possession, use, or distribution of illegal drugs by students or employees on FSU property or as a part of any FSU activity.

### **Where to Get Help for a Substance Abuse Problem**

Center for Personal Development (910-672-1222 <https://www.uncfsu.edu/faculty-and-staff/divisions-departments-and-offices/division-of-student-affairs/fsu-center-for-personal-development>) provides referral assistance to students and their families for local substance abuse counselors, Intensive Outpatient Programs (IOPs), and Inpatient Treatment Programs. Additionally, Center for Personal Development offers counseling, community resources, and campus awareness regarding the effects and consequences of alcohol and other drugs. The University's Employee Assistance Program, ComPsych 866-465-8933 (24/7), provides assessments and referrals for employees and their family members. Local community mental health agencies and person physicians can identify treatment resources, and information and assistance are also available from local chapters of Alcoholics Anonymous and Narcotics Anonymous.

### **Information on Health Risks**

Information about the health risks associated with drug abuse and the misuse of alcohol is available from Center for Personal Development (910-672-1222 <https://www.uncfsu.edu/faculty-and-staff/divisions-departments-and-offices/division-of-student-affairs/fsu-center-for-personal-development>). As the federal Drug Free Schools and Communities Amendments of 1989 require, included below is a description of the health risks associated with the use of illicit drugs and misuse of alcohol; a summary of applicable legal sanctions for the unlawful possession or distribution of illicit drugs and alcohol; and a summary of the University's minimum sanctions for unlawful possession, use, or distribution of illicit drugs and alcohol by students or employees on University property or as a part of any University activity.

Illegal drugs and alcohol not only pose serious health risks to those who use them, but state and federal criminal penalties for possession, sale, trafficking, and illegal interstate transportation also are severe. University disciplinary sanctions for the possession and sale of illegal drugs and alcohol can result in disruption or termination of University education or employment. More detailed information, for a selected list of substances follows:

**Alcohol:** This depressant slows down the heart, nervous system, and brain, and high doses of alcohol can cause someone to stop breathing. Prolonged immoderate use can cause artery disease, heart failure, and liver damage including cancer, cirrhosis, and hepatitis. Women may develop alcohol-related health problems sooner than men, and from drinking less alcohol than men. Because alcohol affects nearly every organ in the body, long-term heavy drinking increases the risk for many serious health problems. More information is available at <http://www.drugabuse.gov/drugs-abuse/alcohol>

**Marijuana:** Marijuana has various risks associate with use, whether inhaled or ingested with food. Evidence indicates it can affect brain development in teens and young adults. In the short-term, it causes problems with short-term memory and learning, distorts perception (sights and sounds), and causes poor coordination and decision making. It has been known to contain more than 400 chemicals and has 2 ½ times as much tar as tobacco. Because it decreases concentration and learning abilities, marijuana is particularly detrimental to students Research shows that marijuana users experience the same health problems as tobacco smokers, such as bronchitis,

emphysema, bronchial asthma, and throat and lung cancer; tend to have more chest colds than non-users; and are at greater risk of getting lung infections like pneumonia. Studies show that someone who smokes five joints per day may be taking in as many cancer-causing chemicals as someone who smokes a full pack of cigarettes every day. Other effects include increased heart rate, dryness of the mouth, reddening of the eyes, and impaired motor skills. Long term use is associated with depression, anxiety, and loss of motivation. More information is available at <http://www.drugabuse.gov/drugs-abuse/marijuana>

**Anabolic steroids:** Steroids have side effects ranging from insomnia to death. Using them increases the risk of cancer and cardiovascular, kidney, and liver disease. Users may exhibit mood swings that include aggressive, combative behavior, and use may cause impotence, sterility, or fetal damage. More information is available at <http://www.drugabuse.gov/drugs-abuse/steroids-anabolic>

**Amphetamines:** These drugs can cause acute psychoses and malnutrition. They also can make a user nervous, hyperactive, and sleepless and can elevate pulse rate and blood pressure as well as exacerbate symptoms of anxiety. More information is available at <http://www.drugabuse.gov/publications/drugfacts/stimulant-adhd-medications-methylphenidate-amphetamines>

**Methamphetamines:** Meth is a highly addictive drug that targets the functioning of the central nervous system. Short term effects include increased wakefulness, increased physical activity, decreased appetite, increased respiration, rapid heartbeat, irregular heartbeat, increased blood pressure, hypothermia, irritability, paranoia, insomnia, confusion, tremors, and aggressiveness. Long term health effects include irreversible damage to blood vessels in the brain, stroke, severe reduction in motor skills with symptoms similar to those of Parkinson's disease, impaired verbal learning, memory impairment, and decreased ability to regulate emotions. Many of the long-term effects persist after use of the drug is discontinued. More information is available at <http://www.drugabuse.gov/drugs-abuse/methamphetamine>

**Barbiturates:** Both physiologically and psychologically addictive, these drugs can cause death in high doses. Infants born to barbiturate users may suffer congenital deformities. Other effects include nausea, dizziness, lethargy, allergic reactions, and possible breathing difficulties. More information is available at <http://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs/commonly-abused-prescription-drugs-chart>

**Cocaine:** Anyone who uses cocaine – even a first-time user – may have seizures, heart fibrillation, and strokes that can result in death. Habitual users experience irritability, paranoia, and hallucinations. Use causes tumors, chronic fatigue, dangerous weight loss, sexual impotence, and insomnia and affects respiration, blood pressure, and blood sugar levels. More information is available at <http://www.drugabuse.gov/drugs-abuse/cocaine>

**Heroin and opium:** An overdose of these psychologically and physiologically addictive drugs can cause death through suppression of central nervous systems including breathing. Users feel sluggish and fall asleep at inappropriate and dangerous times. Intravenous users risk contracting Hepatitis, HIV/AIDS, and other infections. More information is available at <http://www.drugabuse.gov/drugs-abuse/heroin>

**LSD:** LSD causes hallucinations, perception distortions, and anxiety. Users cannot function normally and are accident-prone. LSD also can cause elevated body temperature and respiration and a rapid heartbeat. More information is available at <http://www.drugabuse.gov/drugs-abuse/hallucinogens>

**MDMA (Ecstasy/Molly):** This drug produces both stimulant and psychedelic effects including increased heart rate, elevated blood pressure, nervousness, and hyperactivity. Because users may experience feelings of increased confidence, sensitivity, arousal, and confusion, use of Ecstasy makes

them more vulnerable to crime, especially robbery, sexual assault, and other unwanted sexual encounters. More information is available at <http://www.drugabuse.gov/drugs-abuse/mdma-ecstasy>

**Oxycodone and other narcotics:** These drugs are chemically similar to heroin and opium. Although they can be safe and effective treatments for pain when prescribed by a doctor and used as directed, they are psychologically and physiologically addictive and overdose and death through misuse is possible. Because of their medical uses, these drugs are frequently manufactured in a time-release (sustained-release, long-acting, extended-release) form. If users circumvent the time-release formulation, they may take a larger dose than intended, overdose, and suffer serious complications or death. Combining opioids with alcohol or other drugs significantly increases the risk to life and well-being. More information is available at <http://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs/commonly-abused-drugs-chart>

**Psilocybin:** This substance, found in certain mushrooms, causes hallucinations and perception distortions. Users cannot function normally and are accident-prone. This drug also can produce anxiety, elevated body temperature, rapid heartbeat, and elevated respiration. More information is available at <http://www.drugabuse.gov/drugsabuse/hallucinogens>

**Ritalin (methylphenidate), Concerta, and Adderall:** These drugs are chemically similar to amphetamines. Although they are safe and effective treatments for attention deficit hyperactivity disorder when prescribed by a doctor and used as directed, they are powerful stimulants and can be addictive. Because of their medical uses, these drugs are frequently manufactured in a time-release (sustained-release, long-acting, extended-release) form. If users circumvent the time-release formulation, they may take a larger dose than intended, overdose, and suffer complications or death. More information is available at <http://www.drugabuse.gov/publications/drugfacts/stimulant-adhd-medications-methylphenidate-amphetamines>



## SECURITY STATISTICS

### Clery Crime Definitions

Members of the campus community should find the information contained in this report on how to prevent and report crimes helpful. More detailed information on any of the subjects discussed in this report may be obtained from the FSU Police Department. This Annual Security Report, which includes the annual crime statistics, is available for review at <https://www.uncfsu.edu/life-fsu/our-campus/campus-safety/annual-crime-reports> or by contacting the FSU Police Department.

The tables that follow show crime, arrest, and disciplinary referral statistics for crimes reported in the calendar years 2015-2017. These statistics were compiled from information reported to FSU Police, the Department of Housing and Residence Life, the Office of Student Conduct, the Title IX Office, other University units, and law enforcement agencies in the jurisdictions in which the University owns or controls property used for programs involving its own students.



Crimes are reported by the geographical categories as defined and explained below.

#### On Campus

**On Campus:** (I) any building or property owned or controlled by an institution of higher education within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (II) property within the same reasonably contiguous geographic area of the institution that is owned by the institution but controlled by another person, is used by students, and supports institution purposes.

In the tables below, "on campus" includes (1) all property on the campus; (2) all FSU owned or controlled property reasonably contiguous to central campus that is used in direct support of, or related to, its educational purposes.

Crime statistics for residence halls, are included in the "on campus" statistics. **The tables also show separate crime statistics for University residence halls. Because of this, statistics for housing are reported twice, once separately in housing and once in campus together with other crimes occurring on the campus as a whole.**

#### Non-campus Building or Property

**Non-campus building or property:** (I) any building or property owned or controlled by a student organization recognized by the institution; and (II) any building or property owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students, and is not within the same reasonably contiguous geographic area of the institution.

FSU owns, rents, leases, or otherwise controls property outside Fayetteville that is used for various programs involving its own students. Statistics for these properties, which for example includes the U.S. Military bases of Fort Bragg and Seymour Johnson Air Force Base, are reported under "non-campus buildings or property."

## Public Property

**Public property:** *All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facility is used by the institution in direct support of, or in a manner related to the institution's educational purposes.*

The crime statistics in this report for public property include Fayetteville Police, and Cumberland County Sheriff Office's statistics for public property surrounding campus. As noted earlier, some of the areas defined above are not within the FSU Police jurisdiction. Statistics for crimes and arrests in those areas have been obtained from local police agencies for inclusion here.

## Arrests/Referrals

In addition to statistics on crimes occurring in the listed locations above, the statute also requires statistics on arrests for liquor law violations, drug-related violations, and weapons possession. It also requires statistics on persons referred for campus disciplinary action for liquor law violations, drug-related violations, and weapons possession.

The U.S. Department of Education requires that, if a person is both arrested and referred for disciplinary action for the same violation, only the arrest should be reported for purposes of this report. Citations, criminal summonses, and notices to appear are also considered to be "arrests." According to federal offense definitions, neither driving under the influence nor drunkenness is considered a "liquor law violation."

Please note that statistics are collected on all Clery crimes within Clery defined geographic areas. Crimes may or may not involve students, faculty, staff, or anyone affiliated with the University.

## Clery Act Qualifying Crime Definitions

These definitions are taken from the FBI Uniform Crime Reporting (UCR) handbook and are required to be used for the classification of Clery Crimes and Incidents.

**Murder / Manslaughter** – Defined as the willful (non-negligent) killing of one human being by another.

**Manslaughter by Negligence** – Defined as the killing of another person through gross negligence.

**Sex Assault (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. This offense includes the rape of both males and females.
- **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** – 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** – 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.

**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 Crime Bias:**

- **Race** – A performed 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, blacks or African Americans, whites.
- **Religion** – A performed 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 performed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.
- **Gender** – A performed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
- **Gender Identity** – A performed 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.
- **Ethnicity** – A performed negative opinion or attitude toward a group of people 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 performed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
- **Disability** – A performed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

**Hate Crimes** – Includes all of the crimes listed above that manifest evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim, based on one of the categories of bias listed above, plus the following crimes listed below:

- **Larceny / theft** – The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another (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** – 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.

**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 a relationship shall be determined 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 the persons involved in the relationship.

**Domestic Violence** is defined as 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;
- 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** is defined as 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.

#### **Arrests and Referrals for Disciplinary Action**

- **Weapons Violation** is the unlawful possession or control of any firearm, deadly weapon, illegal knife or explosive device while on the property of FSU except as required in the lawful course of business (i.e. sworn law enforcement personnel). *\*Drawn from State Statutes and County/Local Ordinances.\**
- **Drug Abuse Violation** is the unlawful possession, distribution, sale, purchase, use, transportation, importation, cultivation, and/or manufacturing of any controlled drug or narcotic substance and the equipment or devices utilized in their preparation and/or use. *\*Drawn from State Statutes and County/Local Ordinances.\**
- **Liquor Law Violation** is the unlawful possession, sale, transportation, manufacturing, furnishing alcohol to a minor (under 21 years), or maintaining an unlawful drinking place. The Clery Act does not require reporting 'public drunkenness' or 'DUI/DWI offenses'. *\*Drawn from State Statutes and County/Local Ordinances.\**

## Defining Domestic Violence, Sexual Assault, and Stalking in North Carolina

### NC General Statute 50B-1 defines domestic violence as:

**Domestic Violence** - a person is guilty of domestic violence if the person engages in 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:

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 (stalking), that rises to such a level as to inflict substantial emotional distress; or committing any act defined in G.S. 14-27.2 (First-Degree Rape) through G.S. 14-27.7 (other sex based offenses).

### NC General Statute 14-27 defines rape and sexual assault as the following:

**First Degree Sexual Assault** - A person is guilty of a sexual offense in the first degree if the person engages in a sexual act:

1. With a victim who is a child under the age of 13 years and the defendant is at least 12 years old and is at least 4 years older than the victim.
2. With another person by force and against the will of the other person, and: (a) employs a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon, or (b) inflicts serious personal injury upon the victim or another, by one or more other persons, or (c) the person commits the offense aided and abetted by one or more other persons.

**Second Degree Sexual Assault** - A person is guilty of a sexual offense in the second degree if the person engages in a sexual act:

1. By force and against the will of the other person, or;
2. Who is mentally defective, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know the other person is mentally, or physically helpless.

**First Degree Rape** - A person is guilty of rape in the first degree if the person engages in vaginal intercourse:

1. With a victim who is a child under the age of 13 years and the defendant is at least 12 years old and is at least 4 years older than the victim;
2. With another person by force and against the will of the other person and; employs a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon; or inflicts serious personal injury upon the victim or another, by one or more other persons.

**Second Degree Rape** - a person is guilty of rape in the second degree if the person engages in vaginal intercourse with another person:

1. By force and against the will of the other person; or who is mentally defective, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know the other person is mentally, or physically helpless.



Statutory Rape is a crime in which a minor is manipulated to engage in intercourse with someone older. Many victims do not understand this is a crime because statutory rape considers age difference and not the consent of the individuals.

**NC General Statute 14-27 defines statutory rape as:**

**Statutory Rape** - A person is guilty of statutory rape if the person engages in vaginal intercourse or a sexual act with another person:

1. Who is 13, 14, or 15 years old and the defendant is at least six years older than the person except when the defendant is lawfully married to the person.

**NC General Statute 14-277 defines stalking as:**

**Stalking** - A person is guilty of stalking if the person willfully, on more than one occasion, follows or is in the presence or otherwise harasses another person without legal purpose with the intent to:

1. Place the person in reasonable fear for that person's safety or for the safety of that person's immediate family or close personal associates or
2. Cause the person substantial emotional distress by placing the person in fear of death, bodily injury, or continued harassment, and that in fact causes the person substantial emotional distress.

The State of North Carolina does distinguish between dating and domestic violence.

## Clery Crime Statistics

### Primary Offenses

Clery Crime	Year	On Campus	Residence Halls <sup>1*</sup>	Non Campus	Public Property	Total	Unfounded Crimes <sup>2**</sup>
<b>Murder/Non-Negligent Manslaughter</b>	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2016	0	0	0	0	0	0
	2015	0	0	0	0	0	0
<b>Negligent Manslaughter</b>	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2016	0	0	0	0	0	0
	2015	0	0	0	0	0	0
<b>Rape</b>	<b>2017</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>
	2016	4	4	0	0	4	0
	2015	5	5	0	0	5	0
<b>Fondling</b>	<b>2017</b>	<b>3</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>
	2016	2	1	0	0	2	0
	2015	1	0	0	0	1	0
<b>Incest</b>	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2016	0	0	0	0	0	0
	2015	0	0	0	0	0	0
<b>Statutory Rape</b>	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2016	0	0	0	0	0	0
	2015	0	0	0	0	0	0
<b>Robbery</b>	<b>2017</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>
	2016	3	1	0	0	3	0
	2015	1	0	0	1	2	0
<b>Aggravated Assault</b>	<b>2017</b>	<b>3</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>
	2016	2	2	0	0	2	0
	2015	1	0	0	0	1	0
<b>Burglary</b>	<b>2017</b>	<b>17</b>	<b>11</b>	<b>0</b>	<b>0</b>	<b>17</b>	<b>4</b>
	2016	13	11	0	0	13	1
	2015	9	6	0	0	9	2
<b>Motor Vehicle Theft</b>	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2016	1	0	0	0	1	1
	2015	4	0	0	0	4	0
<b>Arson</b>	<b>2017</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	2016	0	0	0	0	0	0
	2015	0	0	0	0	0	0
<b>There were no reported Hate Crimes for 2015-2017</b>							

### Violence Against Women Act Statistics

Clery Crime	Year	On Campus	Residence Halls <sup>1*</sup>	Non Campus	Public Property	Total	Unfounded Crimes <sup>2**</sup>
Domestic Violence	2017	1	1	0	0	1	0
	2016	0	0	0	0	0	0
	2015	0	0	0	0	0	0
Dating Violence	2017	8	6	0	0	8	1
	2016	4	2	0	0	4	0
	2015	4	3	0	0	4	0
Stalking	2017	4	1	0	0	4	0
	2016	5	3	0	0	5	0
	2015	2	0	0	0	2	0

### Arrests and Disciplinary Referrals

Clery Crime	Year	On Campus	Residence Halls <sup>1*</sup>	Non Campus	Public Property	Total	Unfounded Crimes <sup>2**</sup>
<b>ARRESTS</b>							
Liquor Law Arrests	2017	9	4	0	0	9	0
	2016	0	0	0	0	0	0
	2015	2	1	0	0	2	0
Drug Abuse Arrests	2017	14	3	0	9	23	0
	2016	5	2	0	1	6	0
	2015	9	3	0	6	15	0
Weapons Arrests	2017	3	0	0	0	3	0
	2016	3	0	0	0	3	0
	2015	2	0	0	2	4	0
<b>DISCIPLINARY REFERRALS</b>							
Liquor Law Disciplinary Referrals	2017	30	28	0	1	31	N/A
	2016	21	20	0	0	21	N/A
	2015	25	19	0	0	25	N/A
Drug Abuse Disciplinary Referrals	2017	52	40	0	0	52	N/A
	2016	40	39	0	0	40	N/A
	2015	80	64	0	0	80	N/A
Weapon Disciplinary Referrals	2017	3	1	0	0	3	N/A
	2016	1	1	0	0	1	N/A
	2015	3	2	0	0	3	N/A

<sup>1</sup>Residence Hall Crime Statistics are a subset of the On-Campus Category

<sup>2</sup>Per VAWA regulations beginning with 2014 statistics, this number represents crimes investigated by Sworn Law Enforcement and determined to be ‘Unfounded,’ meaning there was evidence the reported crime did not occur.



# ANNUAL FIRE SAFETY REPORT

## Contents

Higher Education Opportunity Act - Part II

Department of Education

34 CFR Parts 600, 668, 675, et al.

General and Non-Loan Programmatic Issues; Proposed Rule

668.49 Institutional fire safety policies and fire statistics. (74 FR 42441)

b) *Annual fire safety report* required by the Higher Education Opportunity Act - Part II

Beginning by October 1, 2010, an institution that maintains any on campus student housing facility must prepare an annual fire safety report that contains, at a minimum, the following information:

1) The fire statistics described in paragraph (c) of this section.
2) A description of each on-campus student housing facility fire safety system.
3) The number of fire drills held during the previous calendar year.
4) The institution's policies or rules on portable electrical appliances, smoking, and open flames in a student housing facility.
5) The institution's procedures for student housing evacuation in the case of a fire.
6) The policies regarding fire safety education and training programs provided to the students, faculty, and staff. In these policies, the institution must describe the procedures that students and employees should follow in the case of a fire.
7) For purposes of including a fire in the statistics in the annual fire safety report, a list of the titles of each person or organization to which students and employees should report that a fire occurred.
8) Plans for future improvements in fire safety, if determined necessary by the institution.
(c) <i>Fire statistics.</i>
1) An institution must report statistics for each on campus student housing facility, for the three most recent calendar years for which data are available, concerning—
(i) The number of fires and the cause of each fire;
(ii) The number of injuries related to a fire that resulted in treatment at a medical facility, including at an on-campus health center;
(iii) The number of deaths related to a fire; and
(iv) The value of property damage caused by a fire.
2) An institution is required to submit a copy of the fire statistics in paragraph (c)(1) of this section to the Secretary on an annual basis.
d) <i>Fire log.</i> (1) An institution that maintains on-campus student housing facilities must maintain a written, easily understood fire log that records, by the date that the fire was reported, any fire that occurred in an on-campus student housing facility. This log must include the nature, date, time, and general location of each fire.
<i>Fire Safety Report:</i> This Report can be found as part of the Safety and Security report required by the Higher Education Opportunity Act on the Department of Public Safety website at <a href="https://www.uncfssu.edu/life-fsu/our-campus/campus-safety/annual-crime-reports">https://www.uncfssu.edu/life-fsu/our-campus/campus-safety/annual-crime-reports</a>
<i>Fire Log:</i> A copy of the University's Fire Log for the past 60-day period is available in printed form during normal business hours at the FSU Police Department, 1200 Murchison Rd, Fayetteville, NC 28301-4252. Any portion of the Fire Log older than 60 days is available within two business days of a request for public inspection, during normal business hours.



## Fire Safety Standards and Measures

During 2017, FSU maintained residential housing on the main campus consisting of nine (9) residence halls. Additionally, FSU leases apartments at the University Place Apartments (UPA) for residential housing.

### Fire Alarm Systems

Each residence hall is equipped with smoke detectors and heat detectors in each individual student room and in the common areas of the buildings. Additionally, all residence halls are equipped with a fire sprinkler system.

The fire alarm systems are monitored by an alarm monitoring service. Residential housing facilities have audibled local alarms to notify residents of alarms or system malfunctions. The fire alarm system is also equipped to notify the alarm monitoring service in the event of a malfunction or trouble signal. FSU Police Department personnel are the only personnel authorized to silence or deactivate an alarm. Police personnel are only authorized to silence or deactivate a fire alarm after conducting a check of the building. In addition to fire detection systems, fire extinguishers are located throughout the residence halls. Residence hall staff conducts monthly Health and Safety Inspections to ensure that residential hall fire safety equipment is operational.



### Fayetteville Fire Department

The Fayetteville Fire Department (FFD) provides fire protection, basic rescue, and first responder medical services to the city of Fayetteville and to Fayetteville State University 24 hours a day, 365 days a year. FFD operates a department on Langdon Street, strategically across the street from the University.

## Fire Drills and Fire Safety Education

FSU recognizes the importance of preparing students residing in on-campus residential facilities for a fire in a residential facility. In an effort to prepare residential students for a fire in a residence hall, FSU utilizes both mandatory supervised fire drills and fire safety educational programs.

Per North Carolina Fire Code 404.2, an approved fire safety and evacuation plan shall be prepared and maintained for Group R-2 buildings for colleges such as FSU. As part of FSU’s plan to comply with this code, FSU currently conducts a minimum of four mandatory supervised fire drills, one per quarter in each residence hall, and one drill annually for all non-residence buildings. Emergency Management in coordination with Residence Life coordinates each fire drill. Additionally, members of the Department of Residence Life staff conduct an assessment of each drill.



In an effort to educate students about fire safety in residence halls, FSU conducts a fire safety education programs every year. During these programs, FSU officials inform students of the locations of fire extinguishers, the locations of fire alarm pull stations, building evacuation procedures, evacuation assembly areas, and residential housing policies relating to fire safety, the use and misuse of fire/heat and smoke detection systems, the use and misuse of fire alarms systems, fire drills, and policies relating to the use of various types of equipment, such as electric heaters, hot plates, candles, etc., within the residential facility. A fire safety awareness workshop is also conducted for new students during Freshman Orientation Week and refresher training is provided during the spring of each year. In addition to providing fire safety education programs to residential students, residence hall staff receive training regarding fire safety and evacuation procedures at a minimum of two times per year.

## Fire Reporting and Evacuation Procedures

FSU Department of Residence Life has procedures for students and staff to follow in the event of a fire in or near on campus residential facilities. These procedures address the reporting of fires and the evacuation of residential facilities in the event of a fire. Procedures for reporting fires in residential facilities and evacuating residential facilities in the event of a fire are presented to students and staff through fire safety education programs that are conducted a minimum of two times per year. To report a fire for statistical purposes after the fire has occurred and been extinguished, contact the EHS Director at (910) 672-1456. Report active fires immediately to 910-672-1911 or ext. 1911.

Procedures for students and staff to follow in the event of a fire in a residential facility include immediately initiating an evacuation of the building by pulling the nearest fire alarm pull station, which activates the audible fire alarm. After activating the fire alarm system, the student or staff member should then immediately notify emergency personnel by calling the FSU Police Department's emergency telephone number, which is 910-672-1911 or extension 1911, or by contacting the Fayetteville Fire Department's emergency dispatch center by dialing 911. After activating the alarm system and calling for emergency assistance, the student or staff member should use a fire extinguisher to extinguish the fire and/or assist any person with special needs in evacuating or moving into the stairwell area, which is protected by fire door, if they can do so safely. All students and staff members should evacuate the building and report to the predetermined assembly area for the residence facility from which they are evacuating. Elevators should not be used when evacuating the residential facility. After arriving at the predetermined assembly area, Residence Life staff will account for residents utilizing a roster of the current students assigned to the residential facility evacuated. Once the building has been evacuated, students and staff will not return to the building until clearance to re-enter the building has been given by a facility maintenance engineer, Residence Life management, and the fire department.

In the event of an active fire in a residential facility, emergency personnel, including the FSU Police Department and the Fayetteville Fire Department, should be notified immediately by calling the FSU Police Department's emergency telephone number, which is 910-672-1911 or Extension 1911, or by contacting the Fayetteville Fire Department's emergency dispatch center by dialing 911. The Department of Residence Life should also be notified of any fires occurring in residential facilities.

In the event that evidence is discovered of a previous fire within a residential facility, the FSU Police Department and the FSU Department of Residence Life should be contacted immediately.

## Fire Safety Related Policies

FSU Department of Residence Life prohibits the use of electrical equipment and other items, which could pose a potential fire safety hazard, in residential facilities. Smoking in any FSU facility is strictly prohibited.

FSU has a residential hall contract with students which strictly prohibits the touching or hanging of items from sprinkler heads, tampering with smoke and/or fire/heat sensors, and tampering with fire alarm systems.

### Cooking

Certain cooking appliances are prohibited in the halls due to the fire hazard they pose. These include coffee makers without an automatic shut off switch, any open-coil heating appliance (such as a toaster), electric griddles, Foreman-type grills and waffle makers. Residents in University Place Apartments with a full kitchen may have a toaster or Foreman-type grill provided the item remains in the kitchen.

Please see a Housing and Residence Life staff member if you have questions regarding whether a certain appliance is authorized.

### Electrical Equipment and Appliances

Due to the current residential room electrical configuration, a maximum of 8 amps should be used per electrical outlet in a student room.

- Typically, acceptable appliances (UL approved) include: computers, gaming systems, TVs, CD players, DVD players, stereos, razors, fans, etc. Some hair dryers/curling irons may require additional power and may need to be used in the public bathroom rather than individual student rooms to avoid tripping circuit breakers.
- Use surge protectors/power strips for all electronics, particular computers, gaming systems, television, DVD players, stereo equipment, and clock radios. Lightweight extension cords and multiple outlet plugs without surge protectors create a safety hazard and are prohibited.
- Open heating elements and electrical applications that may pose a fire hazard, such as hot plates, hot pots, electric or compact grills, are prohibited in residence halls, with the exception of UPA.
- Personal window air conditioning units may not be brought into the hall or installed in resident rooms.

### Prohibited Items

Items that create danger to person, damage to FSU property, a fire/safety hazard, and/or a public nuisance must not be used, possessed, or stored in halls (including student rooms). These include:

- Internal combustion engines, acids, automobile batteries, gasoline, torches, oil lamps, kerosene immersion heaters, and halogen desk lamps.
- Substances for which potentially offensive/overpowering odors emanate (heavy perfumes, room scents, incense, potpourri, pots, etc.)
- Grills, charcoal and other fire starter materials.
- Hot plates, toasters, George Foreman grills.

- Candles, incense.
- Electric blankets, electric heaters, and electric ceiling fans.
- Extension cords are prohibited in residential facilities with the exception of one (1) multi-outlet extension cord with built-in breakers or surge protector per resident.

### **Fire Evacuation Procedures**

- All residents and staff in each hall must participate in periodic fire drills.
- Once evacuated, residents must remain outside until the building has been cleared by the appropriate officials.
- Assembly sites are provided for your safety and to allow the fire department personnel adequate access to the building. When an alarm sounds, students must assemble in the area designated by Housing and Residence Life staff.

### **Smoking**

Smoking is prohibited in residence halls. Smoking is also prohibited in any University building.

### **Weapons/Explosives**

Possession, storage, manufacture, use, sale, or distribution of firearms, fireworks, explosive material, ammunition, BB and pellet guns, paint guns, knives, martial arts weapons, and all other dangerous weapons are prohibited in the residence halls.

## **Health and Safety Inspections**

For health and safety reasons, the Housing and Residence Life staff will conduct announced room inspections. On the day of inspection, hall staff members will check the room for cleanliness, maintenance, and any violations as found in the Guide to Residential Living. Students may be fined or subject to disciplinary action through the FSU's judicial system for violations of residential housing regulations and campus policies.

## **Fire System Improvements**

FSU regularly assesses the need for improvements and/or additions to the fire safety systems in residential housing facilities.

## **Fire Safety Log**

FSU maintains a fire safety log, which includes information related to all fires that occurred in on campus student housing facilities. The fire log is updated within two (2) business days of the fire. The fire safety log is open to the public and is available for viewing by members of the campus community and the public. In addition to the fire safety log, FSU annually completes a fire safety report, which includes information regarding all fires that occurred in on-campus student housing facilities. This annual report is published and made available to the campus community and to the public no later than October 1st of each year. The report includes fire safety information and statistics for the previous calendar year and the two (2) prior calendar years. The fire safety log and the Annual Fire Safety Report, which includes the annual fire statistics, are available for review at <https://www.uncfsu.edu/life-fsu/our-campus/campus-safety/annual-crime-reports> or by contacting the FSU Police Department.

## Fire Definitions

**Cause of fire:**

The factor or factors that give rise to a fire. The causal factor may be, but is not limited to, the result of an intentional or unintentional action, mechanical failure, or act of nature.

**Fire:**

Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

**Fire drill:**

A supervised practice of a mandatory evacuation of a building for a fire.

**Fire-related injury:**

Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, faculty, staff, visitors, firefighters, or any other individuals.

**Fire-related death:**

Any instance in which a person—

1. Is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting to rescue, or escaping from the dangers of a fire; or
2. Dies within one (1) year of injuries sustained as a result of the fire.

**Fire safety system:**

Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of fire.

**Value of property damage:**

The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. The estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.



## FSU Residential Facilities Fire Statistics

### Student Housing Fire Safety Systems

Residence Halls	Automatic Fire Alarming System			Automatic Fire Sprinkler System			Portable Fire Extinguishers			Heat Detectors		
	2017	2016	2015	2017	2016	2015	2017	2016	2015	2017	2016	2015
Bryant Hall <sup>1</sup> 1011 Student Ave	N/A	Yes	Yes	N/A	Yes	Yes	N/A	Yes	Yes	N/A	Yes	Yes
Harris Hall 1031 Student Ave	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Hood Hall 1247 MLK Jr Dr	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Honors Hall 1395 Grace Black Circle	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Joyner Hall 1131 MLK Jr Dr	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
McLeod Hall 1431 Grace Black Circle	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
New Residence Hall 1411 Grace Black Circle	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Renaissance Hall 1417 Grace Black Circle	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

<sup>1</sup>Bryant Hall Offline for 2017

**Student Housing Fire Safety Systems (Continued)**

Residence Halls	Automatic Fire Alarming System			Automatic Fire Sprinkler System			Portable Fire Extinguishers			Heat Detectors		
	2017	2016	2015	2017	2016	2015	2017	2016	2015	2017	2016	2015
Univ. Place Apartments (UPA) Phase 1												
UPA 1304 Coley Dr	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
UPA 1305 Coley Dr	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
UPA 1308 Coley Dr	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
UPA 1309 Coley Dr	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
UPA 1314 Coley Dr	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
UPA 1317 Coley Dr	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
UPA 1320 Coley Dr	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
UPA 1321 Coley Dr	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Univ. Place Apartments (UPA) Phase 2												
UPA 1310 Coley Dr	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
UPA 1318 Coley Dr	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
UPA 1322 Coley Dr	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
UPA 1326 Coley Dr	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
UPA 1330 Coley Dr	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
UPA Clubhouse 1316 Coley Dr	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
UPA Laundry 1316 Coley Dr	No	No	No	No	No	No	Yes	Yes	Yes	No	No	No

**Student Housing Fire Safety Systems (Continued)**

Residence Halls	CO Detection			HVAC Duct Detection			Smoke Detectors			Posted Evacuation Plans		
	2017	2016	2015	2017	2016	2015	2017	2016	2015	2017	2016	2015
Bryant Hall <sup>1</sup> 1011 Student Ave	N/A	No	No	N/A	No	No	N/A	Yes	Yes	N/A	Yes	Yes
Harris Hall 1031 Student Ave	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
Hood Hall 1247 MLK Jr Dr	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
Honors Hall 1395 Grace Black Circle	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
Joyner Hall 1131 MLK Jr Dr	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes	No	Yes	Yes
McLeod Hall 1431 Grace Black Circle	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
New Residence Hall 1411 Grace Black Circle	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
Renaissance Hall 1417 Grace Black Circle	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes

<sup>1</sup>Bryant Hall Offline for 2017

**Student Housing Fire Safety Systems (Continued)**

Residence Halls	CO Detection			HVAC Duct Detection			Smoke Detectors			Posted Evacuation Plans		
	2017	2016	2015	2017	2016	2015	2017	2016	2015	2017	2016	2015
Univ. Place Apartments (UPA) Phase 1												
UPA 1304 Coley Dr	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
UPA 1305 Coley Dr	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
UPA 1308 Coley Dr	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
UPA 1309 Coley Dr	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
UPA 1314 Coley Dr	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
UPA 1317 Coley Dr	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
UPA 1320 Coley Dr	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
UPA 1321 Coley Dr	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
Univ. Place Apartments (UPA) Phase 2												
UPA 1310 Coley Dr	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
UPA 1318 Coley Dr	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
UPA 1322 Coley Dr	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
UPA 1326 Coley Dr	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
UPA 1330 Coley Dr	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
UPA Clubhouse 1316 Coley Dr	No	No	No	No	No	No	Yes	Yes	Yes	No	Yes	Yes
UPA Laundry 1316 Coley Dr	No	No	No	No	No	No	No	No	No	No	No	No

**Student Housing Fire Statistics 2015-2017**

Residence Halls	Number of Fires			Date/Time of Fires			Number of injuries related to fire resulting in medical attention <i>Note 1</i>			Number of deaths related to fire		
	2017	2016	2015	2017	2016	2015	2017	2016	2015	2017	2016	2015
Bryant Hall <sup>1</sup> 1011 Student Ave	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Harris Hall 1031 Student Ave	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Hood Hall 1247 MLK Jr Dr	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Honors Hall 1395 Grace Black Circle	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Joyner Hall 1131 MLK Jr Dr	0	1	0	N/A	4/19/16 2:22 PM	N/A	N/A	0	N/A	N/A	0	N/A
McLeod Hall 1431 Grace Black Circle	0	1	0	N/A	9/27/16 3:15 PM	N/A	N/A	0	N/A	N/A	0	N/A
New Residence Hall 1411 Grace Black Circle	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Renaissance Hall 1417 Grace Black Circle	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

*Note 1. Definitions for terms used in this table:*

**Fire-related injury:**

Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, faculty, staff, visitors, firefighters, or any other individuals.

**Fire-related death:**

Any instance in which a person—  
Is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting to rescue, or escaping from the dangers of a fire; or  
Dies within one (1) year of injuries sustained as a result of the fire.

<sup>1</sup>Bryant Hall Offline for 2017



Student Housing Fire Statistics 2015-2017 (Continued)

Residence Halls	Number of Fires			Date/Time of Fires			Number of injuries related to fire resulting in medical attention <i>Note 1</i>			Number of deaths related to fire		
	2017	2016	2015	2017	2016	2015	2017	2016	2015	2017	2016	2015
Univ. Place Apartments (UPA) Phase 1												
Univ. Place Apartments (UPA) Phase 1	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
UPA 1304 Coley Dr	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
UPA 1305 Coley Dr	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
UPA 1308 Coley Dr	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
UPA 1309 Coley Dr	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
UPA 1314 Coley Dr	1	0	0	9/22/17 9:07 AM	N/A	N/A	0	N/A	N/A	0	N/A	N/A
UPA 1317 Coley Dr	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
UPA 1320 Coley Dr	0	0	1	N/A	N/A	3/3/15 7:02 PM	N/A	N/A	0	N/A	N/A	0
UPA 1321 Coley Dr												
Univ. Place Apartments (UPA) Phase 2	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
UPA 1310 Coley Dr	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
UPA 1318 Coley Dr	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
UPA 1322 Coley Dr	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
UPA 1326 Coley Dr	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
UPA 1330 Coley Dr	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
UPA Clubhouse 1316 Coley Dr	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

*Note 1. Definitions for terms used in this table:*

**Fire-related injury:**

Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term “person” may include students, faculty, staff, visitors, firefighters, or any other individuals.

**Fire-related death:**

Any instance in which a person—

Is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting to rescue, or escaping from the dangers of a fire; or

Dies within one (1) year of injuries sustained as a result of the fire.

**Student Housing Fire Statistics 2015-2017 (Continued)**

Residence Halls	Value of property damage caused by fire <i>Note 1</i>			Cause of Fire			Number of Evacuation (Fire) Drills Per Year		
	2017	2016	2015	2017	2016	2015	2017	2016	2015
Bryant Hall <sup>1</sup> 1011 Student Ave	N/A	N/A	N/A	N/A	N/A	N/A	N/A	2	1
Harris Hall 1031 Student Ave	N/A	N/A	N/A	N/A	N/A	N/A	1	2	1
Hood Hall 1247 MLK Jr Dr	N/A	N/A	N/A	N/A	N/A	N/A	2	2	1
Honors Hall 1395 Grace Black Circle	N/A	N/A	N/A	N/A	N/A	N/A	2	2	1
Joyner Hall 1131 MLK Jr Dr	N/A	\$0-99	N/A	N/A	Accident	N/A	2	2	1
McLeod Hall 1431 Grace Black Circle	N/A	\$1,000-9,999	N/A	N/A	Accident	N/A	3	2	1
New Residence Hall 1411 Grace Black Circle	N/A	N/A	N/A	N/A	N/A	N/A	1	2	1
Renaissance Hall 1417 Grace Black Circle	N/A	N/A	N/A	N/A	N/A	N/A	2	2	1
<i>Note 1. Value ranges for estimated property damage/loss due to fire (including student property loss and University property loss:</i>									
	\$0-99		\$10,000-24,999		\$250,000-499,999				
	\$100-999		\$50,000-99,999		\$500,000-999,999				
	\$1,000-9,999		\$100,000-249,999		\$>1,000,000				

<sup>1</sup>Bryant Hall Offline for 2017

**Student Housing Fire Statistics 2015-2017 (Continued)**

Residence Halls	Value of property damage caused by fire <i>Note 1</i>			Cause of Fire			Number of Evacuation (Fire) Drills Per Year		
	2017	2016	2015	2017	2016	2015	2017	2016	2015
Univ. Place Apartments (UPA) Phase 1									
UPA 1304 Coley Dr	N/A	N/A	N/A	N/A	N/A	N/A	1	0	0
UPA 1305 Coley Dr	N/A	N/A	N/A	N/A	N/A	N/A	1	0	0
UPA 1308 Coley Dr	N/A	N/A	N/A	N/A	N/A	N/A	1	0	0
UPA 1309 Coley Dr	N/A	N/A	N/A	N/A	N/A	N/A	1	0	0
UPA 1314 Coley Dr	\$100-999	N/A	N/A	Accident	N/A	N/A	1	0	0
UPA 1317 Coley Dr	N/A	N/A	N/A	N/A	N/A	N/A	1	0	0
UPA 1320 Coley Dr	N/A	N/A	N/A	N/A	N/A	N/A	1	0	0
UPA 1321 Coley Dr	N/A	N/A	\$1,000-9,999	N/A	N/A	Accident	1	0	0
Univ. Place Apartments (UPA) Phase 2									
UPA 1310 Coley Dr	N/A	N/A	N/A	N/A	N/A	N/A	1	0	0
UPA 1318 Coley Dr	N/A	N/A	N/A	N/A	N/A	N/A	1	0	0
UPA 1322 Coley Dr	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
UPA 1326 Coley Dr	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
UPA 1330 Coley Dr	N/A	N/A	N/A	N/A	N/A	N/A	1	0	0
UPA Clubhouse 1316 Coley Dr	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
UPA Laundry 1316 Coley Dr	N/A	N/A	N/A	N/A	N/A	N/A	0	0	0
<i>Note 1. Value ranges for estimated property damage/loss due to fire (including student property loss and University property loss:</i>									
			\$0-99	\$10,000-24,999	\$250,000-499,999				
			\$100-999	\$50,000-99,999	\$500,000-999,999				
			\$1,000-9,999	\$100,000-249,999	\$>1,000,000				



## **Annual Security and Fire Safety Report**

Fayetteville State University  
Department of Police and Public Safety  
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1200 Murchison Road  
Fayetteville, NC 28301