



WILMINGTON

UNIVERSITY®

ANNUAL SECURITY REPORT 2018

Wilmington University Annual Security Report for the Following Campuses:

Delaware Campus Locations:

New Castle Campus (Main Campus)
Dover Site
Wilson Graduate Center Site
Brandywine Site
Dover Air Force Base
Georgetown (at Delaware Technical Community College, Georgetown campus)

New Jersey Campus Locations:

Camden County College—Blackwood Site
Camden County College—Camden City Site
Cumberland (Cumberland County College)
Joint Base Maguire-Dix-Lakehurst
Mercer County Community College—James Kerney Campus
Rowan College Burlington County—Mt. Laurel Campus
Rowan College Burlington County—Pemberton Campus
Rowan College—Gloucester County Campus

CLERY ACT

The **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**, is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. All public and private institutions of postsecondary education participating in federal student aid programs are subject to it.

The Clery Act was signed into law in 1990 as the Crime Awareness and Campus Security Act of 1990. It was supported by Howard & Connie Clery after their daughter Jeanne was murdered at Lehigh University in 1986. They also founded the non-profit Security On Campus, Inc. in 1987. Amendments to the Act in 1998 renamed it in memory of Jeanne Clery. Crime statistics are published in our Annual Security Report. These published statistics are collected by direct reports to Department of Safety, reports to an identified Campus Security Authority, reports to location specific university officials, and those crimes reported to local law enforcement.

CLERY CRIMES

The Clery Act requires the following crimes to be disclosed:

Criminal Offenses:

Criminal Homicide, including Murder and Non-negligent Manslaughter, and Manslaughter by Negligence; Sexual Assault, including Rape, Fondling, Incest, and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson;

Hate Crimes:

Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias;

Violence against Women Act (VAWA) Offenses:

Any incidents of Domestic Violence, Dating Violence and Stalking; and

Arrests and Referrals for Disciplinary Action for:

Weapons (carrying, possession of, etc.) Law Violations, Drug Abuse Violations, and Liquor Law Violations.

This Annual Security Report (ASR), available online and in paper form (upon request), serves to satisfy this federal regulation. Each year, notification of the availability of the Annual Security Report is sent to all members of the Wilmington University community via email notification. The ASR is also posted on the university's website (<http://www.wilmu.edu/titleix/understanding-clery-report.aspx>).

This report has been prepared in cooperation with the Wilmington University Department of Safety and is provided to meet the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 (Clery Act). The report contains policy statements that address the University's policies, procedures, and programs concerning safety and security. Three (3) years' of statistics are included for certain types of crimes that were reported to have occurred on campus, in or on off-campus buildings or property owned or controlled by the University and on public property within or immediately adjacent to the campus. Separate tables of crime statistics are published for each location that constitutes a "Separate Campus" in accordance with the Clery Act.

CLERY GEOGRAPHY:

The Department of Education broadly defines Clery geography. It is within this geography, the above listed Clery crimes must be disclosed. Specifically, crimes must be reported that occur: (1) on Campus, (2) on Public Property within or immediately adjacent to the campus, and (3) in or on noncampus buildings or property that your institution owns or controls. The Department of Education Handbook for Campus Safety and Security Reporting further defines locations "owned or controlled" in the last element to include the use of an off-site building or property in which the university has some type of an agreement for use, whether formal or informal, written or unwritten. Some examples of this expansive definition include: short-stay "away" trips, athletic fields, school-sponsored trips, study abroad programs, athletic fields and facilities.

For a more detailed definition of Clery geography, please visit this U.S. Department of Education link:

<http://www2.ed.gov/admins/lead/safety/campus.html>. You can also contact Wilmington University Executive Director of

Title IX, Clery, and Regulatory Affairs, Linda M. Van Drie Andrzejewski, Ed.D, office: 302-356-6754
linda.m.andrzejewski@wilmu.edu.

CRIME STATISTICS – INTERNAL SOURCES

Crime statistics contained within the Annual Campus Security Report also include those responses received by, or directly reported to, the Executive Director of Title IX, Clery, and Regulatory Affairs. Below is a list of identified Campus Security Authorities, such as:

- Campus Police/Safety Department
- Coaches and Assistant Coaches, including volunteers
- Faculty or Staff Advisors to Student Organizations
- Dean (Assistant Dean) of Students
- Student Discipline, Conduct or Judicial Officers
- Director/Assistant Directors of Athletics and Coaches/Assistant Coaches
- Administrators who Oversee Separate Campuses
- Faculty or Staff Advisors to Student Organizations on Campus
- Access Monitors
- Staff Escorts
- Staff in the Student Center or Student Union Building
- Staff in the Student Activities Office
- Contract Security Officers or Event Security Officers
- Student Ambassadors
- Study Abroad Coordinators
- Title IX Coordinator

Accessibility to Crime Statistics and Annual Security Report

The Executive Director of Title IX, Clery, and Regulatory Affairs also submits annual crime statistics to the United States Department of Education and is available on the Department of Education website (<https://ope.ed.gov/campusafety/#/>).

Each year, a correspondence is sent to every student explaining where to locate the Annual Campus Security Report on the University website. The notification includes the address for the Department of University Safety website (<http://www.wilmu.edu/titleix/understanding-clery-report.aspx>) and what information can be found on the site. These notices are also reproduced and included in packages for prospective employees and students.

Interpretation of Crime Statistics

Later in this report, you will find specific information about how crime statistics are classified as well as details of each crime listed. The statistics provided in this report are published in accordance with the guidelines established by the Federal Bureau of Investigation Uniform Crime Reporting (UCR) Handbook and federal law (Clery Act). Also included, for reference, are the applicable state statutes for these crime categories.

The number of victims involved in an incident is indicated in the statistics column of the following crime classifications: Murder/ Non-Negligent Manslaughter, Manslaughter by Negligence, Rape, fondling, incest, statutory rape, and Aggravated Assault. For example, if an aggravated assault occurs and there are two (2) victims, this would be counted as two (2) aggravated assaults on the crime statistics chart.

The number reflected in the statistics for the following crime categories includes one offense per incident. These offenses are Robbery, Burglary, Larceny, and Arson. For example, if three (3) students are walking across campus together and they are robbed, this would count as one (1) incident of robbery on the crime statistics chart. In the case of motor vehicle theft, each vehicle stolen is counted as a vehicle theft.

In cases involving Liquor Law, Drug Law, and Illegal Weapons violations, each person who was arrested is indicated in the arrest statistics. The statistics captured under the “Referred for Disciplinary Action” section for Liquor Law, Drug Law, and Illegal Weapons violations indicate the number of the people referred to the Office of Student Affairs for disciplinary action for violating those specific laws.

Wilmington University Department of University Safety

The Wilmington University Department of Safety is responsible for providing security services for the New Castle, Dover, Wilson Graduate Center, Brandywine and Athletic Complex locations. The main office for the Department of University Safety is located at the New Castle Campus, 320 N. DuPont Highway, New Castle, Delaware. The office of the Assistant Vice President, Administrative & Legal Affairs is located in the Audrey K. Doberstein Admissions Center (DAC). Security Supervisors are located in the Alumni Building.

Department of University Safety Value Statement

The Department of University Safety Constables are law enforcement professionals entrusted to provide a safe and secure educational environment by partnering with students, faculty, and staff to enhance the quality of life in accordance with University values of respect, integrity, opportunity and by pro-actively responding to the needs of our community.

DEPARTMENT OF SAFETY - Locations:

NEW CASTLE CAMPUS

Doberstein Admissions Center (DAC), Main Entrance

WILSON GRADUATE CENTER SITE

31 Reads Way, Student break area between the East and West classroom hallways

DOVER SITE

Building A, between South and East entrances

ATHLETICS COMPLEX

Main Public Entrance (Safety office located in the main gym)

BRANDYWINE SITE

Located at the Main Entrance

DEPARTMENT OF SAFETY - Structure & Function

The Department of University Safety is led by the Assistant Vice President of Administrative & Legal Affairs who reports to the Vice President of Administrative & Legal Affairs. Two Constable Supervisors oversee day-to-day operations and administrative duties of Wilmington University Department of Safety personnel and coordinate the activities of private security services and local law enforcement. The Department of Safety is currently staffed by sworn, armed Constables commissioned by the State of Delaware Board of Examiners and derive legal authority from State of Delaware Constitution/Code Title 10, Chapter 27. Constables have authority to make arrests, conduct investigations, etc. within the jurisdictional boundaries of Wilmington University owned or controlled property on the following campuses/sites: New Castle, Dover, Wilson Graduate Center, Brandywine and Athletic Complex locations.

The University also employs non-sworn contract security guards who supplement the Constable staff. Contract security guards are restricted to limited powers as documented in Delaware Code Title 24 Professions and Occupations; Chapter 13. The Security Officers have jurisdiction to enforce WU policies within the jurisdictional boundaries of WU owned or controlled property on the following campuses/sites: New Castle, Dover, Wilson Graduate Center, Brandywine, and Athletic Complex.

Private Investigators and Private Security Agencies:

A security guard is not a peace officer and has no more power of arrest than an ordinary citizen. A citizen can make an arrest for a breach of the peace occurring in that person's presence, but traffic violations are not a breach of the peace. A security guard cannot make an investigative stop of a citizen to determine if there is a breach of the peace, except to detain a suspected shoplifter for a reasonable period of time until a police officer comes. A breach of the peace is an act or conduct inciting to violence or tending to provoke or excite others to break the peace; a disturbance of the public tranquility by any act likely to produce violence. It is a matter of a deep public concern when one citizen assumes the responsibility of arresting another citizen. Arrests made by private citizens are fraught with grave danger to the public tranquility, peace, and individual freedom. Accordingly, the right of one citizen to arrest another citizen against his will is very limited. By Delaware statute, only a "peace officer" may detain a suspect to develop probable cause that a crime has or may be committed. 11 Delaware Code Section 1902. A security guard is not a "peace officer."

During peak period, specials events or other events requiring additional security, the Wilmington University Safety Department contracts security services from State, County, and Municipal police. Department of University Safety personnel and designated private security officers are equipped with two-way communication devices and routinely patrol campus grounds and buildings by vehicle and on foot. Telephone calls directed to the Wilmington University Department of University Safety will be answered by the constable or security officer on duty at the time of the call. Security services are provided on a twenty-four hour a day, seven day a week basis at the New Castle Campus, Wilson Graduate Center and Dover site. Security Services are provided to the Brandywine Campus and Athletic Complex during operational hours only. The Department of University Safety maintains a close working relationship with state, county and municipal emergency services providers including Delaware State Police, New Castle County Police, and Dover Police Department, in an effort to ensure the best possible service to the university community. The Department of University Safety personnel routinely attend meetings with other college and university security administrators for the purpose of exchanging information, planning, training, and examining emerging crime trends across the state and nation. The Department of University Safety does not currently have a memorandum of understanding with any law enforcement agency pertaining to the investigation of criminal incidents.

DEPARTMENT OF SAFETY - Training

Wilmington University Constables meet or exceed the standards of training set for by the State of Delaware Board of Examiners and Delaware Office of Professional Licensing in accordance with Delaware Code Title 10, Chapter 27 (Constables). The basic training curriculum for Constable Certification is established by the Delaware State Police and the Council on Police Training. In addition, periodic training is conducted on policies and procedures, legal and regulatory updates, required training and related topics impacting the University.

REPORTING PROCEDURES

Community members, students, faculty, staff, and guests are encouraged to promptly and accurately report all crimes and/or emergencies, including when the victim of a crime declines or is unable to make such a report to the Department of University Safety (see contact information below).

Under the Clery Act, certain individuals are considered Campus Security Authorities based on their function of having significant responsibility for student and campus activities. These individuals are required to report Clery Act crimes to the Department of University Safety. Below is a list (not all-inclusive) titles that qualify under the Clery Act as Campus Security Authorities.

State or Local law Enforcement
Wilmington University Department of University Safety
Faculty or Staff Advisors to Student Organizations
Dean (Assistant Dean) of Students
Director/Coordinator of Student Housing
Student Discipline, Conduct or Judicial Officers
Director/Assistant Directors of Athletics and Coaches/Assistant Coaches
Administrators who Oversee Separate Campuses
Faculty or Staff Advisors to Student Organizations on Campus
Access Monitors
Staff Escorts
Staff in the Student Center or Student Union Building
Staff in the Student Activities Office
Contract Security Officers or Event Security Officers
Study Abroad Coordinators
Title IX Coordinator
Director of the Student Center

Reports of a criminal offense shall be forwarded to the Department of University Safety and/or the Primary CSA's: Dr. Linda Van Drie Andrzejewski, Executive Director of Title IX, Clery, and Regulatory Affairs or Dr. Jack Cunningham, Assistant Vice President of Administrative and Legal Affairs for the purposes of assessing them for timely warning/crime alert purposes as well as for potential inclusion in the annual statistical disclosure.

The following options should be used when trying to contact police or campus safety listed according to campus location:

EMERGENCY CONTACT INFORMATION

SITE	EMERGENCY CONTACT INFORMATION	
NEWCASTLE CAMPUS		
POLICE/FIRE/AMBULANCE RESPONSE		
FROM A UNIVERSITY TELEPHONE	911 or 302.834.2620	
FROM A NON-UNIVERSITY TELEPHONE	911 or 302.834.2620	
FOR WILMINGTON UNIVERSITY DEPARTMENT OF UNIVERSITY SAFETY RESPONSE		
FROM A UNIVERSITY TELEPHONE (24 HOURS)	302.325.3333	
FROM A NON-UNIVERSITY TELEPHONE (24 HOURS)	302.325.3333	
WILSON GRADUATE CENTER CAMPUS		
POLICE/FIRE/AMBULANCE RESPONSE		
FROM A UNIVERSITY TELEPHONE	911 or 302.573.2800	
FROM A NON-UNIVERSITY TELEPHONE	911 or 302.573.2800	
FOR WILMINGTON UNIVERSITY DEPARTMENT OF UNIVERSITY SAFETY RESPONSE		
FROM A UNIVERSITY TELEPHONE (24 HOURS)	302.325.3333	
FROM A NON-UNIVERSITY TELEPHONE (24 HOURS)	302.325.3333	
DOVER CAMPUS		
POLICE/FIRE/AMBULANCE RESPONSE		
FROM A UNIVERSITY TELEPHONE	911 or 302.736.7111	
FROM A NON-UNIVERSITY TELEPHONE	911 or 302.736.7111	
FOR WILMINGTON UNIVERSITY DEPARTMENT OF UNIVERSITY SAFETY RESPONSE		
FROM A UNIVERSITY TELEPHONE (24 HOURS)	302.325.3333	
FROM A NON-UNIVERSITY TELEPHONE (24 HOURS)	302.325.3333	
DOVER AIR FORCE BASE		
POLICE/FIRE/AMBULANCE RESPONSE		
FROM A UNIVERSITY TELEPHONE	911	
FROM A NON-UNIVERSITY TELEPHONE	911	
DAFB SECURITY POLICE (24 HOURS)	302.677.6666	

SITE	EMERGENCY CONTACT INFORMATION	
GEORGETOWN (DELAWARE TECHNICAL COMMUNITY COLLEGE)		
POLICE/FIRE/AMBULANCE RESPONSE		
FROM A UNIVERSITY TELEPHONE	911 or 302.736.7111	
FROM A NON-UNIVERSITY TELEPHONE	911 or 302.736.7111	
TO CONTACT DELAWARE TECHNICAL COMMUNITY COLLEGE SAFETY DEPARTMENT		
OWENS CAMPUS, GEORGETOWN	302.856.6613	
BRANDYWINE CAMPUS		
POLICE/FIRE/AMBULANCE RESPONSE		
FROM A UNIVERSITY TELEPHONE	911 or 302.761.6677	
FROM A NON-UNIVERSITY TELEPHONE	911 or 302.761.6677	
SECURITY OFFICER (24 HOURS)	302.325.3333	
CAMDEN COUNTY COLLEGE—BLACKWOOD CAMPUS (NEW JERSEY)		
POLICE/FIRE/AMBULANCE RESPONSE		
FROM A UNIVERSITY TELEPHONE	911	
FROM A NON-UNIVERSITY TELEPHONE	911	
CAMPUS SECURITY (8:00 AM–10:00 PM)	856.347-5089	
CAMDEN COUNTY COLLEGE—CAMDEN CITY (NEW JERSEY)		
POLICE/FIRE/AMBULANCE RESPONSE		
FROM A UNIVERSITY TELEPHONE	911	
FROM A NON-UNIVERSITY TELEPHONE	911	
CAMPUS SECURITY (8:00 AM–10:00 PM)	856.347.5089	
MERCER COUNTY COMMUNITY COLLEGE—JAMES KERNEY SITE (NEW JERSEY)		
POLICE/FIRE/AMBULANCE RESPONSE		
FROM A UNIVERSITY TELEPHONE	9-911	
FROM A NON-UNIVERSITY TELEPHONE	9-911	
CAMPUS SECURITY (8:00 AM–10:00 PM)	609-570-3175	
MT. LAUREL (BURLINGTON COUNTY COLLEGE—NEW JERSEY)		
POLICE/FIRE/AMBULANCE RESPONSE		
FROM A UNIVERSITY TELEPHONE	8-911	
FROM A NON-UNIVERSITY TELEPHONE	911	
TO CONTACT BC PUBLIC SAFETY (24 HOURS)	856.222.9311 ext. 2100 or (856).434.7233 (SAFE)	

SITE		EMERGENCY CONTACT INFORMATION
PEMBERTON (BURLINGTON COUNTY COLLEGE—NEW JERSEY)		
POLICE/FIRE/AMBULANCE RESPONSE		
FROM A UNIVERSITY TELEPHONE	9-911	
FROM A NON-UNIVERSITY TELEPHONE	911	
TO CONTACT BC PUBLIC SAFETY (24 HOURS)	609.894.9311 ext. 1100	

CUMBERLAND COUNTY COLLEGE (NEW JERSEY)		
POLICE/FIRE/AMBULANCE RESPONSE		
FROM A UNIVERSITY TELEPHONE	9-911	
FROM A NON-UNIVERSITY TELEPHONE	911	
TO CONTACT CUMBERLAND COUNTY COLLEGE OFFICE OF SAFETY AND SECURITY		
FROM CAMPUS TELEPHONE	1777	
FROM A NON-CAMPUS TELEPHONE (24 HOURS)	856.200.4706 or 856.691.8600	

ROWAN COLLEGE AT GLOUCESTER COUNTY		
POLICE/FIRE/AMBULANCE RESPONSE		
FROM A UNIVERSITY TELEPHONE	9-911	
FROM A NON-UNIVERSITY TELEPHONE	911	
SECURITY OFFICER (Monday – Friday, 7am-11pm)	4444	
SHERRIFF'S OFFICE ON CAMPUS (24 HOURS)	856-415-2200	
HOURS—24/7		
DEPTFORD POLICE DEPARTMENT (24 HOURS)	856.845.2220	

JOINT BASE MCGUIRE-DIX-LAKEHURST (NEW JERSEY)		
POLICE/FIRE/AMBULANCE RESPONSE		
FROM A UNIVERSITY TELEPHONE	911	
FROM A NON-UNIVERSITY TELEPHONE	911	
NORTH HANOVER POLICE DEPARTMENT (24 HOURS)	609.758.2522 ext. 223/227	

*If requested, Wilmington University Department of University Safety personnel will provide assistance to persons attempting to contact police, or other emergency services.

Dispatchers are available at all 911 Regional Communications Centers to answer calls for service and initiate an appropriate emergency response. Wilmington University Department of University Safety telephone numbers will be answered by a constable or security officer on duty. Both 911 Regional Communications Centers and Wilmington University emergency telephone numbers are staffed 24 hours a day, 365 days of the year. The University maintains close relationships with the Delaware State Police, New Castle County Police, Dover Police Department and the jurisdictional agencies that provide service to the University's satellite locations.

If a crime is reported to Wilmington University Department of Safety University personnel, the law enforcement agency of jurisdiction will be notified. The victim may be offered a variety of services made available by the responding police agency. Victim contact information is typically provided on the back of the initial incident report or a victim support contact card. In the case of non-emergency crimes, the victim may be referred to the non-emergency telephone number of the police department of jurisdiction. On-duty security personnel will also prepare a report of the incident.

All reports written by Wilmington University Department of University Safety personnel or private security officers under contract to Wilmington University will be forwarded to a Safety Supervisor for review. The Assistant Vice President of Administrative & Legal Affairs will determine if there is a need for referral to Student Affairs for potential action by the Student Discipline Committee.

When crimes are reported directly to Department of University Safety, personnel will initiate contact with the law enforcement agency of jurisdiction.

Reporting Methods - On Campus

Wilmington University Department of Safety personnel may be contacted at the New Castle, Wilson Graduate Center, Dover, Brandywine, Middletown, and Athletics Complex sites at the following numbers:

NEW CASTLE CAMPUS	(302) 325-3333
WILSON GRADUATE CENTER	(302) 325-3333
DOVER	(302) 325-3333
ATHLETICS COMPLEX	(302) 325-3333
BRANDYWINE	(302) 325-3333

Students who wish to report crimes or other incidents at other university sites should contact the police department of jurisdiction by calling 911.

Students may also contact the Department of University Safety by the following means:

- » Gray emergency phones—Gray emergency phone boxes are available at most building entrances at the New Castle, Wilson Graduate Center, Dover, Brandywine and Athletics Complex sites. To reach the Department of University Safety officer on duty lift the receiver and stay on the line until the officer answers.
- » Internal emergency phones— Internal emergency phones are available at several locations on the New Castle, Wilson Graduate Center, Dover, Brandywine and Athletics Complex sites. Internal emergency phones are located on building interiors. To reach the Department of University Safety officer on duty lift the receiver and stay on the line.
- » Code Blue phones—Code Blue phones are located in parking lots at the New Castle, Wilson Graduate Center, Dover, Brandywine, and Athletics Complex sites. Code Blue phones are distinguishable by a bright blue light attached to a pole which identifies the location of these telephones. To activate a Code Blue phone simply hit the touch pad and wait for the officer on duty to respond.

EMERGENCY PHONE LOCATIONS

NEW CASTLE CAMPUS	
DAC BUILDING	
GRAY PHONE	OUTSIDE MAIN ENTRANCE
INTERNAL EMERGENCY PHONE	2ND FLOOR LOBBY
INTERNAL EMERGENCY PHONE	3RD FLOOR LOBBY
PEOPLES BUILDING	
GRAY PHONE	GROUND FLOOR ENTRANCE
INTERNAL EMERGENCY PHONE	LIBRARY
INTERNAL EMERGENCY PHONE	2ND FLOOR LIBRARY
ALUMNI BUILDING	
GRAY PHONE	FRONT ENTRANCE
INTERNAL EMERGENCY PHONE	LOBBY
PRATT STUDENT CENTER	
GRAY PHONE	NORTH ENTRANCE
PARKING LOTS	
BLUE PHONE 100	N. EAST CORNER OF ACC LOT (EXTERIOR)
BLUE PHONE 101	POOL LOT (EXTERIOR)
BLUE PHONE 102	S. WEST CORNER/ADMIN. BLDG (EXTERIOR)
BLUE PHONE 103	REAR OF ALUMNI CENTER (EXTERIOR)

WILSON GRADUATE CENTER	
MAIN BUILDING	
GRAY PHONE	MAIN ENTRANCE
GRAY PHONE	STUDENT LOUNGE ENTRANCE
GRAY PHONE	WEST ENTRANCE
GRAY PHONE	EAST ENTRANCE
GRAY PHONE	MAIN ENTRANCE BLD. #47
INTERNAL EMERGENCY PHONE	MAIN LOBBY
INTERNAL EMERGENCY PHONE	WEST WING
INTERNAL EMERGENCY PHONE	EAST WING
BLUE PHONE	REAR LOT EAST SIDE (EXTERIOR)
BLUE PHONE	REAR LOT WEST SIDE (EXTERIOR)

DOVER SITE	
A BUILDING	
GRAY PHONE	NORTH SIDE ENTRANCE
GRAY PHONE	EAST SIDE ENTRANCE (MAIN)
GRAY PHONE	SOUTH SIDE ENTRANCE
INTERNAL EMERGENCY PHONE	RECEPTIONIST DESK
B BUILDING	
GRAY PHONE	NORTH SIDE
INTERNAL EMERGENCY PHONE	MAIN LOBBY
BLUE PHONE #1	EAST SIDE PARKING LOT (EXTERIOR)
BLUE PHONE #2	EAST SIDE PARKING LOT (EXTERIOR)

ATHLETICS COMPLEX	
BUILDING	
BLUE PHONES (3)	SOUTH END OF PARKING LOT
BLUE PHONE	EAST END
BLUE PHONE	WEST END
BLUE PHONE	NORTH END
BLUE PHONE	SOUTH EXTERIOR OF THE MAIN BLDG

BRANDYWINE SITE	
CODE BLUE #1	MAIN ENTRANCE
CODE BLUE #2	SOUTH EXIT
CODE BLUE #3	SOUTH EXIT
CODE BLUE #4	EAST EXIT
CODE BLUE#5	EAST EXIT

Reporting Crimes to State, County, and Municipal Police

Any time a crime is reported to a member of the Department of University Safety, or private security service employed by Wilmington University at the New Castle, Wilson Graduate Center or Dover campus, Brandywine campus, and Athletic complex; the police agency of jurisdiction will be notified. Students attempting to contact local authorities may be assisted by the officer on duty or they may initiate a call to the police on their own. In the case of non-emergency situations the police department non-emergency number may be utilized.

Off-Campus Crime

If the state, county, or municipal police are contacted regarding criminal activity occurring off-campus involving Wilmington University students, that agency may contact Wilmington University. Currently there is no state, county, or municipal standard requiring such notification. Students who are subject to arrest by police may likewise be subject to university judicial proceedings through the Office of Student Affairs. Wilmington University does not use local police to monitor and record criminal activity at non campus locations of student organizations officially recognized by the institution, including student organizations with non-campus housing facilities.

Police departments having primary jurisdiction of each site are as follows:

New Castle (Main Campus)	Delaware State Police (Troop #2)	911 or (302) 834-2620
Wilson Graduate Center	New Castle County Police	911 or (302) 573-2800
Dover Site	Dover Police Department	911 or (302) 736-7111
Brandywine Campus	Delaware State Police (Troop 1)	911 or (302) 761-6677

Athletics Complex (Delaware)

The Athletics Complex is located at 1365 Pulaski Hwy. Newark, DE 19702. The facility is typically accessible to student athletes, athletic staff, and coaches. The facility is controlled by an access control system operated and monitored by University Safety. The Department of University Safety provides security staffing during designated hours of operations through private security. A subcontractor of Wilmington University, provides security coverage during operational hours. The University hires State Police to cover certain sporting events. Police agency having primary jurisdiction of the Athletics Complex is: Delaware State Police (Troop 2) – 911 or (302) 834-2620.

Dover Air Force Base

After registering for a class held on the Dover Air Force Base, students must submit a Civilian Pass Request Form. These forms are available at all University sites as well as the Wilmington University offices located on the grounds of the Dover Air Force Base. Students should file this application at least 72 hours in advance. Students should also make arrangements to pick up their pass at the Route 13A Gate to the Air Force Base. The gate is marked “Main Gate– Visitors.” Students will enter the same gate when attending class and the Civilian Pass must be displayed. University facilities on the Base will be open from 7:30 AM–8:00 PM, Monday through Thursday and from 2:00 PM–6:00 PM Friday, closed Saturday and Sunday. Dover Air Force Base Special Forces provides security coverage at the site on a 24/7 basis at 911 or (302) 677-3000.

Georgetown (Delaware Technical Community College)

The Georgetown site is located on the Campus of Delaware Technical Community College, William A. Carter Partnership Center Seashore Highway, and P.O. Box 660, Georgetown, Delaware. Hours of operation are: 8:30 AM–6:30 PM, Monday thru Thursday. Delaware Technical & Community College Constable staff provides security coverage at the site on a 24/7 basis. Police agency having primary jurisdiction of this campus is: Georgetown Police Department at 911 or (302) 856-6613.

Brandywine Campus

The Brandywine site is located at 4311 Silverside Road, Rodney Building, Suite 109, and Wilmington, Delaware. The site is open from 8:30 AM–8:00 PM, Monday thru Thursday. The facility is closed Friday thru Sunday. Allied Universal Contract Security provides security coverage at the site during operational hours – access is controlled by an electronic access card system. Police agency having primary jurisdiction of this campus is: Delaware State Police at 911 or (302) 761-6677.

Rowan Collage at Gloucester County (New Jersey)

Rowan College at Gloucester County site is located at 1400 Tanyard Rd, Sewell, New Jersey. Hours of operation are: 9:30 AM–5:30 PM Monday through Thursday, closed Friday through Sunday. Rowan College at Gloucester Security Department provides site security 7:00AM – 11:00PM. Gloucester County Sherriff’s Department is on-site 24/7. Police agency having primary jurisdiction of this campus is: Deptford Police Department at 911 or (856) 845-2220.

Mt. Laurel (Burlington County College - New Jersey)

The Mt. Laurel site is located on the Campus of Burlington Community College, 3331 Route 8, and Mt. Laurel, New Jersey. Hours of operation are: 10:00 AM–6:00 PM Monday thru Thursday, closed Friday through Sunday. Burlington County Community College Security Department provides site security at this site on a 24/7 basis and is responsible for opening and closing the site. Police agency having primary jurisdiction of this campus is: Mount Laurel Police Department at 911 or (856) 234-8300.

Pemberton (Burlington County College - New Jersey)

The Mt. Laurel site is located on the Campus of Burlington Community College, 601 Pemberton Browns Mills Road, Pemberton, New Jersey. Hours of operation are: 10:00 AM–6:00 PM Monday thru Thursday, closed Friday through Sunday. Burlington County Community College Security Department provides site security at this site on a 24/7 basis and is responsible for opening and closing the site. Police agency having primary jurisdiction of this campus is: Pemberton Police Department at 911 or (609) 723-8300.

Cumberland County College (New Jersey)

The Cumberland County site is located on the campus of Cumberland County College, 3322 College Drive, Vineland, New Jersey. Hours of operation are: 10:00 AM–6:00 PM Monday thru Thursday, closed Friday through Sunday. Cumberland County Security

Department provides site security on a 24/7 basis and is responsible for securing and reopening facilities. Police agency having primary jurisdiction of this campus is: Vineland Police Department at 911 or (856) 691-4111.

Camden County College—Blackwood Campus

The Camden County Community College Blackwood Campus is located at 200 College Dr., Blackwood, NJ 08012. The Office of Public Safety patrols the Blackwood campus 24/7. The Police agency having primary jurisdiction over this site is Gloucester Township Police Department at 911 or (856) 228-4500.

Camden County College—Camden City Campus

The Camden County Community College Blackwood Campus is located at 200 N. Broadway, Camden, NJ 08102. The Office of Public Safety patrols the Blackwood campus 24/7. The Police agency having primary jurisdiction over this site is the Camden Police Department at 911 or (856) 757-7400.

Mercer County Community College—James Kerney Campus

The Mercer County Community College—James Kerney site is located at 1200 Old Trenton Rd., West Windsor, NJ 08550. Mercer County Community College provides security 24 hours a day, 365 days a year. The Police agency having primary jurisdiction over this site is the West Windsor Township Police Department at 911 or (609) 799-1222.

Joint Base McGuire-Dix-Lakehurst (New Jersey)

The Joint Base McGuire-Dix-Lakehurst site is located in the JB-MDL Education Center Building 3829, FCN, Room 302, and School Road, JB-MDL, New Jersey. Hours of operation are: 8:30 AM–4:30 PM Monday through Thursday. Friday through Sunday offices are closed, weekend classes held. JB-MDL Security Forces provide site security on a 24/7 basis. Wilmington University site staff is responsible for securing and reopening the building.

Please be apprised that effective Spring 2016, students, staff, and faculty entering the JB-MDL Education Center will be required to obtain an approved JB-MDL civilian security pass **prior** to entering the Falcon Courts North Gate (this is the gate that provides access to the JB-MDL Education Center).

At the start of the block/semester, enrolled students and faculty scheduled to teach courses must pick up their approved JB-MDL civilian security pass at the JB-MDL Visitors Welcome Center located at the JB-MDL main gate entrance (intersection of Wrightstown Cookstown Road and Defense Access Road). You will need to show your driver's license and/or passport (international students), plus current car registration and insurance card. Please note that all visitors to the US from other countries are required to carry their passport for identification. For base access, a photo copy of your passport is not an acceptable form of ID. An exception is when the student has a valid US state driver's license. The driver's license can be used with their paper pass to access base.

Once the required pass is obtained, approved persons may proceed to the Falcon Courts North Gate for access to the JB-MDL Education Center. Students, faculty and staff are also required to carry their Wilmington University ID.

All other visitors to the base must request a security pass by contacting the Wilmington University JB-MDL site at (609) 723-2790. Security Forces can be reached at 911 or (609) 754-1100.

EMERGENCY MEDICAL RESPONSE PROCEDURES

Staff, student, faculty members and visitors should immediately report all emergencies by dialing 911 from a University telephone or 911 from a non-university telephone. If the emergency occurs at the New Castle, Wilson Graduate Center, Dover, Brandywine and Athletic Complex, the Department of University Safety Constable or Security Officer on duty should also be contacted at the following numbers:

NEW CASTLE CAMPUS	(302) 325-3333
WILSON GRADUATE CENTER	(302) 325-3333
DOVER SITE	(302) 325-3333
BRANDYWINE SITE	(302) 325-3333
ATHLETICS COMPLEX	(302) 325-3333

CONFIDENTIAL REPORTING PROCEDURES

Individuals wishing to make legally confidential reports have the option of reporting those matters to licensed counselors, health professionals, clergy and attorneys, to the extent the complainant engages them in such private capacity. Although University officials will maintain an individual's privacy to the best of their ability, individuals should know that University officials (outside the context of licensed counselors and health professionals hired in their private capacity) may not be able to maintain legal confidentiality of the complainant, but will maintain a person's privacy as noted herein.

The University's ability to investigate may be limited if a complainant insists their name not be disclosed to the alleged perpetrator. The University must weigh such requests for privacy against its duty to provide a safe and nondiscriminatory environment for the entire university and surrounding communities.

Investigators and those involved with the investigation are individually charged to preserve privacy with respect to any matter investigated or heard. A breach of the duty to preserve privacy is considered a serious offense and may subject the offender to appropriate disciplinary action. Parties and witnesses are also instructed to maintain privacy with regard to these proceedings, and if they are University employees, failure to maintain said privacy may result in appropriate disciplinary action up to and including termination.

Furthermore, federal law prohibits retaliation against those who file complaints, and the University will take responsive action if such retaliation occurs, up to and including termination and/or expulsion.

Except with respect to appeals or hearings before the Title IX Appeals Board or an applicable student disciplinary procedure, all records involving discrimination or harassment, upon disposition of a complaint, shall be transmitted to and maintained by the Chief Human Resources Officer as confidential records except to the extent disclosure is permissible or required by applicable law or University policy. It should be noted that under the Family Educational Rights to Privacy Act (FERPA) and the Clery Act that final disciplinary actions as well as the rationale and sanctions shall be reported to the complainant as well as reported in accordance with the Clery Act reporting requirements, where appropriate, to the extent the sanctions directly relate to the complainant. The University shall inform complainants if it is unable to ensure privacy.

Professional and Pastoral Counselors

As a result of the negotiated rulemaking process which followed the signing into law of the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus "Pastoral Counselors" and Campus "Professional Counselors," when acting as such are not considered to be a campus security authority and are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, the professional counselors at Wilmington University are encouraged if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary confidential basis to University Safety.

Pastoral Counselor

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

Professional Counselor

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

Currently, Wilmington University does not currently offer the services of any pastors and/or professional counselors to students.

EMERGENCY RESPONSE

The University's Emergency Operations Plan outline incident priorities and performance expectations, evacuation guidelines, security plans, and standard operating procedures. University Safety assists with continuity of operations for faculty and staff. The University conducts emergency response exercises and tests of the emergency systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. Constables have received training in Incident Command and Responding to Critical Incidents on Campus. When a serious incident occurs that causes an immediate threat to the campus, the first to arrive on scene are usually Constables, contract security, local law enforcement, or fire and emergency medical services. Depending on the nature of the incident, other local or federal agencies could also be involved in responding to the incident.

These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution. Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced. General information about the emergency response and evacuation procedures for the University is publicized each year, in conjunction with at least one test, as part of the institution's Clery Act compliance efforts, and that information is available on the Wilmington University website at: <http://www.wilmu.edu/safety/procedures.aspx>

NOTIFICATION OF AN IMMEDIATE THREAT

WU community members are encouraged to notify University Safety of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of students and/or

employees on campus. Department of University Safety has the responsibility of responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. In addition, University Safety has a responsibility to respond to such incidents to confirm (in conjunction with key University administrators, local first responders, Public Health Officials, and/or the National Weather Service) if the situation does in fact pose a threat to the community. If so, federal law requires that the institution notify the campus community or the appropriate segments of the community that may be affected by the situation.

Upon confirmation by the Assistant Vice President of Administrative & Legal Affairs that there is a significant emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the WU community, the WU Emergency Response Team will collaborate to determine the content of the message and will use some or all of the systems described below to distribute messages about the threat to the WU community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population.

In the event of an emergency, Wilmington University will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the University community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employee and visitors.

Emergency Response Team:

Dr. Laverne Harmon	(President, Wilmington University)
Heather O'Connell	(Senior Vice President and CFO, Financial Affairs)
Dr. James Wilson	(Vice President, Academic Affairs)
Christian Trowbridge	(Vice President, Administrative & Legal Affairs)
Dr. John Cunningham	(Assistant Vice President, Administrative & Legal Affairs)
Dr. Bonnie Kirkpatrick	(Assistant Vice President and Student Enrollment Services)
Dr. Nicole Romano	(Assistant Vice President and Chief Human Resources Officer)
William Quinn	(Senior Director of Buildings & Maintenance)
Dr. Tina Barksdale	(Vice President, Student Life)
Dr. Joseph Aviola	(Senior Director, Administrative and Legal)
Kevin Barry	(Senior Director/Web Communications)
Dr. Linda Van Drie Andrzejewski	(Executive Director of Title IX, Clery, and Regulatory Affairs)

The Emergency Response Team will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: Department of University Safety, federal, state or local law enforcement, fire and emergency medical services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

In the event of a serious incident that poses an immediate threat to members of the WU community, the University has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated. Department of Safety has adopted an 800 MHz radio system for department members at each campus.

These primary methods of communication include blast network emails, emergency messages sent through WU Mass Notification System Public Address Systems, Regroup Mass Communication System (includes emails, text messaging, messages sent to cell, and home phones, SMS messaging and RSS feeds). Secondary options for communication include: notifications made through local media, fire alarms systems and the Wilmington University website at <http://www.wilmu.edu/>.

Individuals may also call the University's Emergency Hotline at (302) 356-6701 for updates. Wilmington University will send follow up messages using some or all of the above listed systems. The University will also post information relating to severe weather or school closings on the Wilmington University website and the University's Emergency Hotline at (302) 356-6701.

Members of the larger community who are interested in receiving information about emergencies on campus should monitor the Wilmington University website, call the University's Emergency Hotline at (302) 356-6701 or local media outlets.

System to use	Primary Message Creator	Backup Message Creator	Authority for approving & sending messages	Primary Message Sender/ Distributor	Backup Message Sender/ Distributor
PRIMARY					
Blast Network Emails	DUS	WC	DUS	Financial Affairs	Human Resources
WU Mass Notification System	DUS	WC	DUS	WC	DUS
Regroup	DUS	WC	DUS	WC	DUS
SECONDARY					
Local Media	University Spokesperson	C/PP	DUS	University Spokesperson	C/PP
Website	DUS	WC	DUS	WC	N/A
Hotline	UIC	DUS	DUS	UIC	N/A
Fire Alarms	DUS	DUS	DUS	DUS	N/A

DUS=Department of University Safety

WC=Web Communications

UIC-University Information Center

C/PP –Chair of Public Policy

To opt-in for emergency text and voice messaging, students, faculty, and staff can do so through <http://www.wilmu.edu/techres/regroup.aspx>. If any of the systems using technology fails, campus authorities would initiate face-to-face communication using building captains and other appropriate staff and students on campus.

If there is an immediate threat to the health or safety of students or employees occurring on-campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

CRIME ALERTS

In an effort to provide timely notice to the Wilmington University community regarding crimes that represent a serious or continuing threat to students or employees, that occurs within the Clery Geography (On Campus, Public Property and Noncampus property), the Assistant Vice President of Legal & Administrative Affairs will develop the content of the notification and it is sent to a member of the Executive Team for approval. The Web Communications team is responsible for distributing the Crime Alert via Regroup, which sends out email messages to a targeted group of students, employees, and faculty. Crime Alerts are usually distributed for the following Clery Act classifications: major incidents of arson, aggravated assault, murder/non-negligent manslaughter, robbery, and sex offenses, and they may also be posted for other classifications as deemed necessary. Cases of aggravated assault and sex offenses are considered on a case-by-case basis, depending on the facts of the case and the information known by University Safety. For example, if an assault occurs between two students who have a disagreement, and there may be no on-going threat to other Wilmington University community members, then a Crime Alert would not be distributed. Sex offenses will be considered on a case-by-case basis depending on when and where the incident occurred, when it was reported, and the amount information known by University Safety. In cases involving sexual assault, they are often reported long after the incident occurred, thus there is no ability to distribute a “timely” warning notice to the community. Anyone with information warranting a timely warning should report the circumstances to the Department of University Safety. All notifications issued will provide general information about the incident as well as crime prevention information that may aid in the prevention of similar occurrences. All Crime Alerts will be issued in a manner that withholds the names of victims to maintain confidentiality, as soon as pertinent information is available and with the goal of aiding in the prevention of similar occurrences.

The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

DAILY CRIME LOG

A daily crime log is available at all sites during normal business hours. The daily crime log typically includes the case number, crime type, date/time reported; date/time occurred, location, and disposition of each crime.

EMERGENCY EVACUATION PROCEDURES

Evacuation drills are coordinated by University Safety each calendar year for the New Castle, Wilson Graduate Center, Dover, and Athletics Complex sites. Evacuation drill for WU satellite sites are coordinated in accordance with that site's emergency response and evacuation procedures guidelines. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation.

The University does not notify students, faculty and staff in advance about the designated locations for long-term evacuations because those decisions are affected by: time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, University Safety and the Emergency Response Team on scene will communicate information to students regarding a developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in the event of a fire or other emergency. At WU, evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants 'practice' procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also provides the University an opportunity to test the operation of fire alarm system components.

Evacuation drills are monitored by the Department of University Safety to evaluate egress and behavioral patterns. An After Action Report (AAR) is submitted that provides a summary of the event and recommendations (if needed) for changes or corrections to policy and operational practices. The recommendations for improvements are also submitted to the appropriate departments/offices for consideration.

Students receive information about evacuation and shelter-in-place procedures during orientation and First Year Experience sessions. A University "Emergency Procedures Guide" is located in all classrooms and at conspicuous locations throughout all sites. Faculty and staff members are trained in these procedures as well and the guide acts as an on-going resource for students.

The Department of University Safety conducts drills each year and submits After Action Reports designed to assess and evaluate emergency plans and capabilities. Drills designed to test emergency response and evacuation procedures may be announced or unannounced. WU publishes changes and revises its emergency response and evacuation procedures, when needed, in conjunction with reviews of the procedures each calendar year (<http://www.wilmu.edu/security/index.aspx>).

SHELTER-IN-PLACE PROCEDURES—WHAT IT MEANS TO “SHELTER-IN-PLACE”

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to greater danger. Thus, to “shelter-in-place” means to make a shelter of the building that you are in, and with a few adjustments, this location can be made even safer and more comfortable until it is safe to go outside.

BASIC “SHELTER-IN-PLACE” GUIDANCE

If a “Shelter-in-Place” incident occurs, please refer to the emergency procedures cards located in each of the classrooms. If evacuations are necessary, take your personal belongings (purse, books, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their instructions.

WHEN TO “SHELTER-IN-PLACE”

A shelter-in-place notification may come from several sources, including University Safety, Emergency Response Team, other University employees, state or local law enforcement, Fire, EMS or other authorities utilizing the University's emergency communications tools. Shelter-in-Place locations are designed as any Wilmington University Building or facility owned or operated by Wilmington University. Depending on the emergency, specific locations may be designated by the appropriate authority.

HOW TO “SHELTER-IN-PLACE”

No matter where you are, the basic steps of shelter-in-place will generally remain the same. If you are inside, stay where you are. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene. Should the need ever arise to “Shelter-in-Place,” follow these steps, unless instructed otherwise by local emergency personnel:

- Locate a room to shelter inside. It should be:

- An interior room;
 - Above ground level; and
- Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms may be necessary.
- Shut and lock all windows (tighter seal) and close exterior doors.
- Turn your cell phone to silent mode.
- Turn off air conditioners, heaters, and fans.
- Close vents to ventilation systems as you are able (University staff will turn off the ventilation as quickly as possible).
- Make a list of the people with you and ask someone, if possible, to call the list in to University Safety so they know where you are sheltering. If only students are present, one of the students should call in the list.
- Turn on a radio or TV, if available, and listen for further instructions.
- Make yourself comfortable.

FIRE SAFETY INFORMATION

WU University buildings are equipped with automatic fire detection and alarm systems that are constantly monitored by Security Instruments. Security Instruments is the contracted vendor who provides 24/7 monitoring and maintenance services for University Facilities.

If a fire occurs in a WU building, students, faculty, and staff should immediately contact 911 and notify University Safety.

Fire guidelines can be found in the “Emergency Procedures Guide” copies are located in each of the buildings and classrooms throughout the WU sites. If students, faculty or staff finds evidence of a fire that has been extinguished, and the person is not sure whether University Safety has already responded, contact with University Safety should be initiated.

The fire alarms alert students, faculty and staff of potential hazards and to heed the warning and evacuate buildings immediately upon recognizing a fire alarm in a facility. Use the nearest stairwell and/or exit to leave the building immediately. Students, faculty and staff should familiarize themselves with the exits in each building. The Fire Marshal can levy fines and penalties to individuals who fail to evacuate a building promptly—but a more important reason for evacuating is for safety.

When a fire alarm is activated, the elevators in most buildings will stop automatically. Occupants should use the stairs to evacuate the building. If you are caught in the elevator, push the emergency phone button. The emergency phones in elevators on campus ring directly to the Otis Elevator Company (24 hours). Otis personnel will contact University Safety for response.

FIRE SAFETY TIPS

Campus buildings are equipped with a variety of features that are designed to detect, stop and/or suppress the spread of a fire. Remember:

- A door can be the first line of defense against the spread of smoke or fire from one area to another. Some doors, such as fire doors in corridors or stairwells are designed to stand up to fire longer than those of an individual room. It is important that these doors are CLOSED for them to work. Additionally, if a door has a device that automatically closes the door, it should NOT be propped open.
- Sprinklers are 98% effective in preventing the spread of fire when operating properly. DO NOT obstruct the sprinkler heads with materials like clothing hanging from the piping, or stacking boxes.
- Smoke detectors cannot do their job if they are disabled or covered by the occupant, which is a violation of University policy.
- Almost $\frac{3}{4}$ of all fires that are caused by smoking material are the result of a cigarette being abandoned or disposed of carelessly. Smoking is NOT PERMITTED on any WU Campus.

SECURITY AND ACCESS CONTROL

New Castle Campus, Wilson Graduate Center, and Dover Site facilities are typically accessible to faculty, staff, students, visitors, and contractors from 7:00 AM–10:30 PM, Monday through Friday and Saturday and Sunday from 7:00 AM–5:30 PM. All but primary entrances to campus buildings will be secured by 8:15 PM, Monday through Friday and by 5:00 PM on Saturdays and Sundays.

The Library hours vary throughout the year. It is recommended that students check with Library staff or the WU website to determine hours of operation. The Department of University Safety provides security staffing during hours of operations and contract security to provide security coverage during operational and non-operational hours on a 24/7 basis.

STUDENT ID CARDS

The implementation of access controls has been initiated at primary campuses, requiring possession of University issued ID cards. Wilmington University already requires its students to have a University ID card when on campus. This policy assists the university to create a safer learning environment for its students, faculty and staff.

Students may obtain their identification card at the following locations:

New Castle (University Information Center)

Monday-Friday (9:00am - 8:00pm)

Dover (Building A, Main Reception Desk)

Monday-Friday (9:00am - 6:00pm), Friday (9:00am - 4:30pm), Saturday (when classes in session)

Wilson Graduate Center (Building 31, Main Reception Desk)

Monday-Friday (8:30am - 7:00pm), Saturday (when classes in session)

Brandywine (Talley Building, Main Reception Desk)

Monday-Friday (8:30am - 8:00pm), Saturday (when classes in session)

Georgetown (DTCC - Wilmington University Office, Room 517)

Monday-Thursday (9:00am - 5:00pm), Friday (9:00am - 4:00pm)

Joint Base-Maguire-Dix-Lakehurst (Education Center, Room 302)

Monday - Thursday (8:30am - 4:30pm)

Gloucester - (Rowan College at Gloucester County) (Main Reception Desk)

Monday - Thursday (9:30am - 5:30pm); Friday (9:30am - 4:30pm)

Cumberland (Cumberland County College) (Main Reception Desk)

Monday - Thursday (10am - 6pm); Friday (10am - 4:30pm)

Mt. Laurel (at Burlington County College, Mt. Laurel campus) (Main Reception Desk)

Monday - Thursday (10am - 6pm); Friday (10am - 4:30pm)

**Hours subject to change, consult our website (www.wilmu.edu) or specific site to confirm

Additional Information about the Identification Cards:

The first identification card is provided free of charge. A second card will also be issued free of charge for replacement purposes. A \$25 fee will be assessed for all subsequent replacement cards. Adjunct Faculty Members working at our Maryland site will not be issued cards at this time. Once issued, the identification card must be worn by students, staff and faculty in plain view. Students who fail to comply with the Identification Card Policy will be blocked from registering from subsequent classes. To view ID policy:

<http://www.wilmu.edu/safety/id-cards.aspx>

MAINTENANCE OF CAMPUS FACILITIES

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Department of University Safety personnel patrol the New Castle Campus, Wilson Graduate Center, Dover and Brandywine, and Athletics Complex sites and report malfunctioning lights, alarms, emergency communications devices, and other unsafe physical conditions to Building and Maintenance Services. Members of the university community are strongly encouraged to contact the Department of University Safety when they encounter malfunctioning equipment or other unsafe conditions.

DISCLOSURE OF RESULTS OF DISCIPLINARY PROCEEDINGS

Wilmington University will upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

CRIME PREVENTION AND SECURITY AWARENESS PROGRAMS

Wilmington University strictly prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking. Awareness and prevention strategies, policy and procedures for reporting, and potential sanctions are presented to current and prospective students as well as current and new employees. Wilmington University is committed to providing programs, initiatives, strategies, and campaigns that are comprehensive, intentional, and integrated, and culturally relevant to end these crimes.

An introduction to Department of Safety, crime prevention and security awareness, as well as, dating violence, domestic violence, sexual assault, and stalking awareness and prevention strategies are presented throughout the year at: New Student Orientation, International New Student Orientation, "First Year Experience" (FYE) classes, and various other events throughout the year. Additionally, members of the Department of University Safety conduct crime prevention and security awareness presentations and topic-specific informational sessions at the request of various student groups, faculty associations, staff members, and instructors. At

times, these forums will be augmented by state, county, and municipal law enforcement agencies or subject matter experts. In these programs, students and employees are encouraged to be responsible for their own security and the security of others. One of the essential ingredients of any successful crime prevention program is an informed public. It is the intent of Wilmington University to inform students and employees of good crime prevention and security awareness practices.

During the 2018-2017 academic year, Wilmington University offered approximately 11 crime prevention and security awareness programs. Topics such as personal safety, drug and alcohol abuse awareness, and sexual assault prevention are some examples of programs offered during the prior year.

All crime prevention and security programs encourage students and employees to be responsible for their own security and the security of others.

STUDENT EVENTS:

First Year Experience Classes – 1089 students attended 72 different sections. Topics covered: Clery & Title IX overview, personal safety while on campus, dating/domestic violence, consent, sexual assault, victim service resources, active shooter education, access control measures, and mass communication mechanisms.

New Student Orientation –Topics covered: Clery & Title IX overview, personal safety while on campus, dating/domestic violence, sexual assault, victim service resources, active shooter education, access control measures, and mass communication mechanisms.

Accepted Student Sessions –Topics covered: overview of Title IX/Clery and reporting procedures, personal safety while on campus.

International Student Orientation – approximately 120 students attended. Topics covered: overview of United States branches of government structure; federal, state, local statutes regarding dating/domestic violence (including culturally relevant public service announcement), sexual assault, stalking and related crimes; active shooter; access control measures; reporting procedures; overview of Title IX/Clery; and reporting procedures.

Student Athlete Training –276 attendees who attended segregated (by gender) sessions. Topics covered: dating violence, domestic violence, sexual assault, consent, overall personal safety, stalking/cyberstalking, victim resources, Delaware statutes and university procedures/sanctions, reporting guidance, open question and answer session/scenario-based discussions.

EMPLOYEE EVENTS:

Preventing Discrimination & Sexual Violence: Title IX, VAWA & Clery Overview – 2121 Full-time & Part-time Staff, Full-time Faculty and adjunct Instructors completed online training.

Campus Security Authority Training – 171 identified CSAs completed online certification course

Preventing Sexual Discrimination and Sexual Violence: Title IX and Clery Overview—Face-to Face training—50 Full-time & Part-time Staff, Full-time, Faculty and adjunct instructors attended this training.

Other Initiatives : “9 Things to Know about Title IX” video uploaded online, Title IX investigators certified, Annual Appeals Board annually certified, Clery/Title IX Compliance Committee which met quarterly, continued contractual agreement with consulting firm for Title IX/Clery compliance.

ADDITIONAL STUDENT SERVICES

At the New Castle Campus, Wilson Graduate Center, Dover, Brandywine sites and Athletics Complex site the Department of University Safety provides walking escorts for students, faculty and staff to and from parking areas. An escort may be requested by contacting a constable or private security officer personally by using any of the emergency telecommunications devices or contacting the Department of University Safety as follows:

NEW CASTLE CAMPUS	(302) 325-3333
WILSON GRADUATE CENTER	(302) 325-3333
DOVER SITE	(302) 325-3333

BRANDYWINE SITE (302) 325-3333

ATHLETICS COMPLEX (302) 325-3333

VICTIM ASSISTANCE SERVICES

When a Wilmington University staff, student or faculty member becomes a victim of a crime the law enforcement agency of jurisdiction will be notified. When a report is taken by a member of a Delaware law enforcement agency, victim assistance information will be provided to the victim. A list of counseling service resources is also provided in Chapter V of the Wilmington University Student Handbook and is provided as Appendix A of this report.

RESPONSIBILITIES OF THE UNIVERSITY COMMUNITY

Members of the University community must assume responsibility for their own personal safety and the security of their personal property. The following tips provide some general guidance for staff, students and faculty.

- Report all suspicious activity to the Department of University Safety or dial 911.
- Never take personal safety for granted...stay off your cell phone while out and about to avoid distraction.
- Try to avoid walking alone at night. Call the Department of University Safety for an escort to or from your vehicle.
- Carry only small amounts of cash.
- Never leave valuables (laptop computers, purses, cell phones, etc.) unattended.
- Lock vehicles, bicycles and motorcycles. Lock car doors and close windows when leaving your car.
- Don't leave valuables in your vehicle, especially if they can be easily noticed.

ALCOHOL AND DRUG POLICIES

Wilmington University is committed to providing a wholesome, drug-free environment conducive to learning. In accordance with the Drug-Free Workplace Act of 1988 (University Law 100690, 102 Stat. 4181), the University prohibits the manufacture, distribution, sale, dispensation, possession, or use of a controlled substance in its facilities or on its sites.

Any student, faculty, or staff convicted of violating a criminal drug law while on University property or at a University event must follow procedures and requirements outlined in the employee and student handbooks. The use of alcohol is permitted only by persons of legal drinking age and at University activities for which prior approval has been granted by University Administration. The University prohibits unlawful possession, use, and sale of illegal drugs and alcoholic beverages as well as the abuse of alcohol on its properties and at University sponsored activities. The Wilmington University Department of University Safety and other surrounding law enforcement agencies enforce all liquor laws, including underage drinking violations and all federal and state drug laws. While disciplinary guidelines are necessary to protect the welfare of the University community, it is the expectation of the President and Board of Trustees that the University's disciplinary role will be secondary to prevention, awareness, and, where applicable, treatment. The University intends to assist its students in understanding the health, social, legal, and family-related risks associated with the use of illicit drugs and/or abuse of alcohol. Among these are damage to the brain and other organs, addiction, loss of employment, family dysfunction, incarceration, overdose, and death. The University seeks to provide ongoing education for its students through information provided in related courses and resource materials available throughout the University. In addition, students and employees are encouraged to avail themselves of free and confidential counseling/referral services coordinated through the Office of Student Affairs. The University seeks to implement ongoing educational programs aimed at discouraging substance abuse and encouraging healthy, self-directed, drug-free lifestyles.

In compliance with the Drug-Free Schools and Communities Act Amendments of 1989 (University Law 10 1-226) the University conducts a biennial review of its drug prevention program to determine its effectiveness, implement any necessary changes and ensure the enforcement of sanctions. <https://www.wilmu.edu/studentlife/handbook/documents/student-handbook-2018-19-rev-3-interactive.pdf>

* Legal sanctions under local, state, and federal law for unlawful possession, use, or distribution of illicit drugs and alcohol include imprisonment, fine, and possible loss of driving privileges. A listing of penalties for specific offenses can be found in the Delaware Code Annotated, titles 4 and 16, available in the Wilmington University Library.

ALLEGATIONS OF CRIMINAL CONDUCT

Any student arrested of a felony, misdemeanor, or DUI offense must report it to the Office of Student Concerns within 72 hours of arrest or being charged. Students are required to report these matters, irrespective of whether the charges arose from alleged misconduct on or off a University site, and whether or not the alleged conduct occurred at a University sponsored event. The Office of Student Concerns shall review the matter and the University shall determine, in its sole discretion, whether to suspend or otherwise limit the student's attendance and/or participation in classes and University sponsored activities. The matter may then be referred to the Student Discipline Committee.

FIREARMS AND WEAPONS POLICIES

Wilmington University is committed to maintaining a safe and secure environment that supports the academic mission of the University. According to the Student Code of Conduct, students, faculty, and staff, as well as visitors to any of the WU sites, are prohibited from possessing firearms, explosives, weapons, or any item that may be construed as such, on the premises of the University or in any building under University control or University sponsored event.

DELAWARE ACTIVE LAW ENFORCEMENT EXCEPTION: Active Delaware law enforcement officers are permitted to carry a firearm while attending class or while participating in or attending University sponsored events. This exception applies to officers in uniform or wearing plain clothes. Officers wearing plain clothes should, as much as possible, conceal the weapon, display a badge nearby their firearm, and produce a valid agency identification upon request. This exception does not extend to law enforcement officers outside the State of Delaware, persons possessing a valid license to carry a concealed deadly weapon, persons possessing a federal firearms permit, or those employed by federal law enforcement authority.

Additionally, the Firearms and Weapons Policy states that anyone found violating the University's policies may be subject to the disciplinary policies and procedures applicable to students, faculty, or staff and/or criminal prosecution by the appropriate jurisdiction. Additionally, students should refer to the Student Handbook regarding firearms and weapons that may apply to them.

University policies can be found on the WU website at <http://www.wilmu.edu/studentlife/studpolicies.aspx>

Violence Against Women Act (VAWA)

Wilmington University ("Wilmington" or "the University") does not discriminate on the basis of sex in its educational programs and sexual harassment and sexual violence are forms of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited, whether sexually based or not, and include dating violence, domestic violence, and stalking. As a result, the University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, stalking, and sexual assault whether the incident occurs on or off campus and when it is reported to a University official. In this context, Wilmington University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

For a complete copy of Wilmington University's policy governing sexual misconduct, visit: <http://www.wilmu.edu/titleix>. Sexual misconduct, as described in the policy, is a form of sexual harassment, which is a form of discrimination and is prohibited by Title IX of the Education Amendments of 1972. Domestic Violence, dating violence, and stalking are also prohibited conduct and defined as crimes by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Violence Against Women Reauthorization Act of 2013.

To report any form of sexual misconduct, contact the University's Title IX Coordinator, Linda Van Drie Andrzejewski, Ed.D., Executive Director of Title IX, Clery, and Regulatory Affairs, Administrative and Legal Affairs, Wilmington University in person by visiting her campus office at: Wilson Graduate Center, 47 Reads Way, New Castle, DE 19720, in writing by email: linda.m.andrzejewski@wilmu.edu or by calling 302-356-6754.

Employee Consensual Sexual Relationship Policy

Sexual behavior that is welcome or consensual does not constitute sexual harassment under the law. However, amorous, dating or sexual relationships that might be appropriate in other circumstances have inherent dangers when they occur between: i) co-workers, ii) a faculty, staff, student or community member or iii) any person for whom an employee has a professional or academic responsibility. These dangers can include:

- That a student or employee may feel coerced into an unwanted relationship because he or she fears the refusal to enter into the relationship will adversely affect his or her education or employment;
- That conflicts of interest may arise when a faculty member, supervisor, or other member of the University community is required to evaluate the work or make personnel or academic decisions about a person with whom he or she is having a romantic relationship;
- That students or employees may perceive that a fellow student or co-worker involved in a romantic relationship will receive an unfair advantage, or
- That if the relationship ends in a way that is not amicable, either or both of the parties may wish to take action to injure the other party.

Faculty, supervisors and other members of the University community who are professionally responsible for other individuals, must remain aware that any romantic or sexual involvement with a student or employee for whom they have any academic or professional responsibility will raise questions about their integrity, the mutuality of the relationship and may lead to charges of sexual harassment.

For the reasons stated above, such relationships are not permitted. If the employee is unsure about the above policy, the Human Resources Department should be consulted.

Definitions

There are numerous terms used by Wilmington University in this document and in our policy and procedures. The Department of Education requires our University to provide numerous definitions to the reader. Because a complainant may choose to utilize the procedures within the University's policy; may choose to file a complaint directly with the Department of Education; and/or may wish to file criminal charges with law enforcement for an act of sexual misconduct, the University is providing definitions from multiple sources.

Definitions as defined by the Violence Against Women Act (VAWA):

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) system. 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:

Rape: the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling: the touching of the private parts of another person for the purposes 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.

Domestic Violence: a felony or misdemeanor crime of violence committed—

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

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.

- 1) The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- 2) For the purposes of this definition-
 - (i) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - (ii) Dating violence does not include acts covered under the definition of domestic violence.

Stalking:

- 1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
 - (i) Fear for the person's safety or the safety of others; or
 - (ii) Suffer substantial emotional distress.
- 2) For the purposes of this definition—

(i) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.

(ii) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

(iii) Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.

Definitions in the State of Delaware

Consent is not defined in Delaware criminal statutes, however, "without consent" is defined.

"Without consent" means:

(1) The defendant compelled the victim to submit by any act of coercion as defined in §§ 791 and 792 of this title, or by force, by gesture, or by threat of death, physical injury, pain or kidnapping to be inflicted upon the victim or a third party, or by any other means which would compel a reasonable person under the circumstances to submit. It is not required that the victim resist such force or threat to the utmost, or to resist if resistance would be futile or foolhardy, but the victim need resist only to the extent that it is reasonably necessary to make the victim's refusal to consent known to the defendant; or

(2) The defendant knew that the victim was unconscious, asleep or otherwise unaware that a sexual act was being performed; or

(3) The defendant knew that the victim suffered from a cognitive disability, mental illness or mental defect which rendered the victim incapable of appraising the nature of the sexual conduct or incapable of consenting; or

(4) Where the defendant is a health professional, as defined herein, or a minister, priest, rabbi or other member of a religious organization engaged in pastoral counseling, the commission of acts of sexual contact, sexual penetration or sexual intercourse by such person shall be deemed to be without consent of the victim where such acts are committed under the guise of providing professional diagnosis, counseling or treatment and where at the times of such acts the victim reasonably believed the acts were for medically or professionally appropriate diagnosis, counseling or treatment, such that resistance by the victim could not reasonably have been manifested. For purposes of this paragraph, "health professional" includes all individuals who are licensed or who hold themselves out to be licensed or who otherwise provide professional physical or mental health services, diagnosis, treatment or counseling and shall include, but not be limited to, doctors of medicine and osteopathy, dentists, nurses, physical therapists, chiropractors, psychologists, social workers, medical technicians, mental health counselors, substance abuse counselors, marriage and family counselors or therapists and hypnotherapists; or

(5) The defendant had substantially impaired the victim's power to appraise or control the victim's own conduct by administering or employing without the other person's knowledge or against the other person's will, drugs, intoxicants or other means for the purpose of preventing resistance.

(k) A child who has not yet reached that child's sixteenth birthday is deemed unable to consent to a sexual act with a person more than 4 years older than said child. Children who have not yet reached their twelfth birthday are deemed unable to consent to a sexual act under any circumstances.

Sexual Assault & Related Offenses

§ 601 Offensive touching; unclassified misdemeanor; class A misdemeanor.

(a) A person is guilty of offensive touching when the person:

(1) Intentionally touches another person either with a member of his or her body or with any instrument, knowing that the person is thereby likely to cause offense or alarm to such other person; or

(2) Intentionally strikes another person with saliva, urine, feces or any other bodily fluid, knowing that the person is thereby likely to cause offense or alarm to such other person.

§ 763 Sexual harassment; unclassified misdemeanor.

A person is guilty of sexual harassment when:

(a) The person threatens to engage in conduct likely to result in the commission of a sexual offense against any person; or

(b) The person suggests, solicits, requests, commands, importunes or otherwise attempts to induce another person to have sexual contact or sexual intercourse or unlawful sexual penetration with the actor, knowing that the actor is thereby likely to cause annoyance, offense or alarm to that person.

§ 764 Indecent exposure in the second degree; unclassified misdemeanor.

(1) A male is guilty of indecent exposure in the second degree if he exposes his genitals or buttocks under circumstances in which he knows his conduct is likely to cause affront or alarm to another person.

(2) A female is guilty of indecent exposure in the second degree if she exposes her genitals, breast or buttocks under circumstances in which she knows her conduct is likely to cause affront or alarm to another person.

§ 765 Indecent exposure in the first degree; class A misdemeanor.

(a) A male is guilty of indecent exposure in the first degree if he exposes his genitals or buttocks to a person who is less than 16 years of age under circumstances in which he knows his conduct is likely to cause affront or alarm.

(b) A female is guilty of indecent exposure in the first degree if she exposes her genitals, breast or buttocks to a person who is less than 16 years of age under circumstances in which she knows her conduct is likely to cause affront or alarm.

§ 767 Unlawful sexual contact in the third degree; class A misdemeanor.

A person is guilty of unlawful sexual contact in the third degree when the person has sexual contact with another person or causes the victim to have sexual contact with the person or a third person and the person knows that the contact is either offensive to the victim or occurs without the victim's consent.

§ 768 Unlawful sexual contact in the second degree; class F felony.

A person is guilty of unlawful sexual contact in the second degree when the person intentionally has sexual contact with another person who is less than 18 years of age or causes the victim to have sexual contact with the person or a third person.

§ 769 Unlawful sexual contact in the first degree; class D felony.

(a) A person is guilty of unlawful sexual contact in the first degree when:

(1) In the course of committing unlawful sexual contact in the third degree or in the course of committing unlawful sexual contact in the second degree, or during the immediate flight from the crime, or during an attempt to prevent the reporting of the crime, the person causes physical injury to the victim or the person displays what appears to be a deadly weapon or dangerous instrument; or represents by word or conduct that the person is in possession or control of a deadly weapon or dangerous instrument.

(2) [Repealed.]

(3) The person intentionally has sexual contact with another person who is less than 13 years of age or causes the victim to have sexual contact with the person or a third person.

§ 770 Rape in the fourth degree; class C felony.

(a) A person is guilty of rape in the fourth degree when the person:

(1) Intentionally engages in sexual intercourse with another person, and the victim has not yet reached that victim's sixteenth birthday (AKA Statutory Rape); or

(2) Intentionally engages in sexual intercourse with another person, and the victim has not yet reached that victim's eighteenth birthday, and the person is 30 years of age or older, except that such intercourse shall not be unlawful if the victim and person are married at the time of such intercourse; or

(3) Intentionally engages in sexual penetration with another person under any of the following circumstances:

a. The sexual penetration occurs without the victim's consent; or

b. The victim has not reached that victim's sixteenth birthday.

(4) [Repealed.]

(b) Paragraph (a)(3) of this section does not apply to a licensed medical doctor or nurse who places 1 or more fingers or an object inside a vagina or anus for the purpose of diagnosis or treatment or to a law-enforcement officer who is engaged in the lawful performance of his or her duties.

§ 771 Rape in the third degree; class B felony.

(a) A person is guilty of rape in the third degree when the person:

- (1) Intentionally engages in sexual intercourse with another person, and the victim has not reached that victim's sixteenth birthday and the person is at least 10 years older than the victim, or the victim has not yet reached that victim's fourteenth birthday and the person has reached that person's nineteenth birthday and is not otherwise subject to prosecution pursuant to § 772 or § 773 of this title; or
- (2) Intentionally engages in sexual penetration with another person under any of the following circumstances:
 - a. The sexual penetration occurs without the victim's consent and during the commission of the crime, or during the immediate flight from the crime, or during an attempt to prevent the reporting of the crime, the person causes physical injury or serious mental or emotional injury to the victim; or
 - b. The victim has not reached that victim's sixteenth birthday and during the commission of the crime, or during the immediate flight from the crime, or during an attempt to prevent the reporting of the crime, the person causes physical injury or serious mental or emotional injury to the victim.

(3) [Repealed.]

(b) Paragraph (a) (2) of this section does not apply to a licensed medical doctor or nurse who places 1 or more fingers or an object inside a vagina or anus for the purpose of diagnosis or treatment, or to a law-enforcement officer who is engaged in the lawful performance of his or her duties.

(c) Notwithstanding any law to the contrary, in any case in which a violation of subsection (a) of this section has resulted in the birth of a child who is in the custody and care of the victim or the victim's legal guardian or guardians, the court shall order that the defendant, as a condition of any probation imposed pursuant to a conviction under this section, timely pay any child support ordered by the Family Court for such child.

(d) Nothing in this section shall preclude a separate charge, conviction and sentence for any other crime set forth in this title, or in the Delaware Code.

§ 772 Rape in the second degree; class B felony.

(a) A person is guilty of rape in the second degree when the person:

- (1) Intentionally engages in sexual intercourse with another person, and the intercourse occurs without the victim's consent; or
- (2) Intentionally engages in sexual penetration with another person under any of the following circumstances:
 - a. The sexual penetration occurs without the victim's consent and during the commission of the crime, or during the immediate flight following the commission of the crime, or during an attempt to prevent the reporting of the crime, the person causes serious physical injury to the victim; or
 - b. The sexual penetration occurs without the victim's consent, and was facilitated by or occurred during the course of the commission or attempted commission of:
 1. Any felony; or
 2. Any of the following misdemeanors: reckless endangering in the second degree; assault in the third degree; terroristic threatening; unlawfully administering drugs; unlawful imprisonment in the second degree; coercion or criminal trespass in the first, second or third degree; or
 - c. The victim has not yet reached that victim's sixteenth birthday and during the commission of the crime, or during the immediate flight from the crime, or during an attempt to prevent the reporting of the crime, the person causes serious physical injury to the victim; or
 - d. The sexual penetration occurs without the victim's consent and during the commission of the crime, or during the immediate flight from the crime, or during an attempt to prevent the reporting of the crime, the person displays what appears to be a deadly weapon or represents by word or conduct that the person is in possession or control of a deadly weapon or dangerous instrument; or
 - e. The victim has not yet reached that victim's sixteenth birthday and during the commission of the crime, or during the immediate flight from the crime, or during an attempt to prevent the reporting of the crime, the person displays what appears to be a deadly weapon or represents by word or conduct that the person is in possession or control of a deadly weapon or dangerous instrument; or
 - f. The sexual penetration occurs without the victim's consent, and a principal-accomplice relationship within the meaning set forth in § 271 of this title existed between the defendant and another person or persons with respect to the commission of the crime; or
 - g. The victim has not yet reached that victim's twelfth birthday, and the defendant has reached that defendant's eighteenth birthday.
 - h. [Repealed.]

(b) Nothing in this section shall preclude a separate charge, conviction and sentence for any other crime set forth in this title, or in the Delaware Code.

(c) Notwithstanding any provision of this title to the contrary, the minimum sentence for a person convicted of rape in the second degree in violation of this section shall be 10 years at Level V.

§ 773 Rape in the first degree; class A felony.

(a) A person is guilty of rape in the first degree when the person intentionally engages in sexual intercourse with another person and any of the following circumstances exist:

(1) The sexual intercourse occurs without the victim's consent and during the commission of the crime, or during the immediate flight following the commission of the crime, or during an attempt to prevent the reporting of the crime, the person causes physical injury or serious mental or emotional injury to the victim; or

(2) The sexual intercourse occurs without the victim's consent and it was facilitated by or occurred during the course of the commission or attempted commission of:

a. Any felony; or

b. Any of the following misdemeanors: reckless endangering in the second degree; assault in the third degree; terroristic threatening; unlawfully administering drugs; unlawful imprisonment in the second degree; coercion; or criminal trespass in the first, second or third degree; or

(3) In the course of the commission of rape in the second, third or fourth degree, or while in the immediate flight therefrom, the defendant displayed what appeared to be a deadly weapon or represents by word or conduct that the person is in possession or control of a deadly weapon or dangerous instrument; or

(4) The sexual intercourse occurs without the victim's consent, and a principal-accomplice relationship within the meaning set forth in § 271 of this title existed between the defendant and another person or persons with respect to the commission of the crime; or

(5) The victim has not yet reached that victim's twelfth birthday, and the defendant has reached that defendant's eighteenth birthday.

(6) [Repealed.]

(b) Nothing contained in this section shall preclude a separate charge, conviction and sentence for any other crime set forth in this title, or in the Delaware Code.

(c) Notwithstanding any law to the contrary, a person convicted of rape in the first degree shall be sentenced to life imprisonment without benefit of probation, parole or any other reduction if:

(1) The victim had not yet reached that victim's sixteenth birthday at the time of the offense and the person inflicts serious physical injury on the victim; or

(2) The person intentionally causes serious and prolonged disfigurement to the victim permanently, or intentionally destroys, amputates or permanently disables a member or organ of the victim's body; or

(3) The person is convicted of rape against 3 or more separate victims; or

(4) The person has previously been convicted of unlawful sexual intercourse in the first degree, rape in the second degree or rape in the first degree, or any equivalent offense under the laws of this State, any other state or the United States.

§ 774 Sexual extortion; class E felony.

A person is guilty of sexual extortion when the person intentionally compels or induces another person to engage in any sexual act involving contact, penetration or intercourse with the person or another or others by means of instilling in the victim a fear that, if such sexual act is not performed, the defendant or another will:

(1) Cause physical injury to anyone;

(2) Cause damage to property;

(3) Engage in other conduct constituting a crime;

(4) Accuse anyone of a crime or cause criminal charges to be instituted against anyone;

(5) Expose a secret or publicize an asserted fact, whether true or false, intending to subject anyone to hatred, contempt or ridicule;

(6) Falsely testify or provide information or withhold testimony or information with respect to another's legal claim or defense; or

(7) Perform any other act which is calculated to harm another person materially with respect to the other person's health, safety, business, calling, career, financial condition, reputation or personal relationships.

Dating Violence

Delaware has no separate statute for dating violence, but a definition for "teen dating violence: Delaware Criminal Code defines Dating Violence in the School Teen Dating Violence and Sexual Assault Act, Title 14, Section 4112E(a)(2) as:

"Teen dating violence". — As used in this section, "teen dating violence" means assaultive, threatening or controlling behavior, including stalking as defined in § 1312 of Title 11, that 1 person uses against another person in order to gain or maintain power or control in a current or past relationship. The behavior can occur in both heterosexual and same sex relationships, and in serious or casual relationships.

Domestic Violence Related Offenses

§ 1271A Criminal contempt of a domestic violence protective order; class A misdemeanor; class F felony.

(a) A person is guilty of criminal contempt of a domestic violence protective order when the person knowingly violates or fails to obey any provision of a protective order issued by the Family Court or a court of any state, territory or Indian nation in the United States, as long as such violation or failure to obey occurred in Delaware.

(b) Criminal contempt of a domestic violence protective order is a class A misdemeanor, unless any of the elements set forth in subsection (c) of this section are met, in which case the offense shall be a class F felony.

(c) A person is guilty of felony criminal contempt of a domestic violence protective order if:

- (1) Such contempt resulted in physical injury; or
- (2) Such contempt involved the use or threatened use of a deadly weapon.

§ 606 Abuse of a pregnant female in the first degree; class B felony.

(a) A person is guilty of abuse of a pregnant female in the first degree when in the course of or in furtherance of the commission or attempted commission of assault third degree any violent felony against or upon a pregnant female, or while in immediate flight therefrom, the person intentionally and without her consent causes the unlawful termination of her pregnancy.

(b) It is no defense to a prosecution under this section that the person was unaware that the victim was pregnant.

(c) Prosecution under this section does not preclude prosecution under any other section of the Delaware Code. Abuse of a pregnant female in the first degree is a class B felony.

§ 607 Strangulation; penalty; affirmative defense.

(a) (1) A person commits the offense of strangulation if the person knowingly or intentionally impedes the breathing or circulation of the blood of another person by applying pressure on the throat or neck of the other person.

Delaware Criminal Code does not delineate Domestic Violence as a specific statute but defines such acts for the appropriate jurisdiction for prosecutorial action: 'Domestic violence' means abuse perpetrated by one member against another member of the following protected classes: Family, as that term is defined in 10 Del. C, §901(9), regardless, however, of state of residence of the parties; Former spouses, a man and a woman cohabitating together with or without a child of either or both, or a man and a woman living separate and apart with a child in common.

Stalking

§ 1311 Harassment; class A misdemeanor.

(a) A person is guilty of harassment when, with intent to harass, annoy or alarm another person:

- (1) That person insults, taunts or challenges another person or engages in any other course of alarming or distressing conduct which serves no legitimate purpose and is in a manner which the person knows is likely to provoke a violent or disorderly response or cause a reasonable person to suffer fear, alarm, or distress;

- (2) Communicates with a person by telephone, telegraph, mail or any other form of written or electronic communication in a manner which the person knows is likely to cause annoyance or alarm including, but not limited to, intrastate telephone calls initiated by vendors for the purpose of selling goods or services;
- (3) Knowingly permits any telephone under that person's control to be used for a purpose prohibited by this section;
- (4) In the course of a telephone call that person uses obscene language or language suggesting that the recipient of the call engage with that person or another person in sexual relations of any sort, knowing that the person is thereby likely to cause annoyance or alarm to the recipient of the call; or
- (5) Makes repeated or anonymous telephone calls to another person whether or not conversation ensues, knowing that person is thereby likely to cause annoyance or alarm.

§ 1312 Stalking; class G felony, class F felony, class C felony.

- (a) A person is guilty of stalking when the person knowingly engages in a course of conduct directed at a specific person and that conduct would cause a reasonable person to:
 - (1) Fear physical injury to himself or herself or that of another person; or
 - (2) Suffer other significant mental anguish or distress that may, but does not necessarily, require medical or other professional treatment or counseling.
- (b) A violation of subsection (a) of this section is a class G felony.
- (c) Stalking is a class F felony if a person is guilty of stalking and 1 or more of the following exists:
 - (1) The person is age 21 or older and the victim is under the age of 14; or
 - (2) The person violated any order prohibiting contact with the victim; or
 - (3) The victim is age 62 years of age or older; or
 - (4) The course of conduct includes a threat of death or threat of serious physical injury to the victim, or to another person; or
 - (5) The person causes physical injury to the victim.
- (d) Stalking is a class C felony if the person is guilty of stalking and 1 or more of the following exists:
 - (1) The person possesses a deadly weapon during any act; or
 - (2) The person causes serious physical injury to the victim.
- (e) Definitions. — The following terms shall have the following meaning as used in this section:
 - (1) "Course of conduct" means 3 or more separate incidents, including, but not limited to, acts in which the person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveys, threatens, or communicates to or about another, or interferes with, jeopardizes, damages, or disrupts another's daily activities, property, employment, business, career, education, or medical care. A conviction is not required for any predicate act relied upon to establish a course of conduct. A conviction for any predicate act relied upon to establish a course of conduct does not preclude prosecution under this section. Prosecution under this section does not preclude prosecution under any other section of the Code.
 - (2) "A reasonable person" means a reasonable person in the victim's circumstances.
- (f) Notwithstanding any contrary provision of § 4205 of this title, any person who commits the crime of stalking by engaging in a course of conduct which includes any act or acts which have previously been prohibited by a then-existing court order or sentence shall receive a minimum sentence of 6 months incarceration at Level V. The first 6 months of said period of incarceration shall not be subject to suspension.
- (g) Notwithstanding any contrary provision of § 4205 of this title, any person who is convicted of stalking within 5 years of a prior conviction of stalking shall receive a minimum sentence of 1 year incarceration at Level V. The first year of said period of incarceration shall not be subject to suspension.
- (h) In any prosecution under this law, it shall not be a defense that the perpetrator was not given actual notice that the course of conduct was unwanted; or that the perpetrator did not intend to cause the victim fear or other emotional distress.
- (i) In any prosecution under this section, it is an affirmative defense that the person charged was engaged in lawful picketing.
- (j) This section shall not apply to conduct which occurs in furtherance of legitimate activities of law-enforcement, private investigators, security officers or private detectives as those activities are defined in Chapter 13 of Title 24.

Definitions in the State of New Jersey

At Wilmington University, Consent is defined as: Consent is the act of willingly agreeing to engage in sexual contact or conduct. Individuals who consent to sex must be able to understand what they are doing. Under this policy, "No" always means "No," and the absence of "No" may not mean "Yes".

1. Consent is informed, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity.
2. Consent to one form of sexual activity cannot imply consent to other forms of sexual activity.
3. Previous relationships or consent does not imply consent to future sexual acts.
4. Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercion is unreasonable pressure for sexual activity.

Consent

2C:2-10. Consent

- a. In general. The consent of the victim to conduct charged to constitute an offense or to the result thereof is a defense if such consent negatives an element of the offense or precludes the infliction of the harm or evil sought to be prevented by the law defining the offense.
- b. Consent to bodily harm. When conduct is charged to constitute an offense because it causes or threatens bodily harm, consent to such conduct or to the infliction of such harm is a defense if:
 - (1) The bodily harm consented to or threatened by the conduct consented to is not serious; or
 - (2) The conduct and the harm are reasonably foreseeable hazards of joint participation in a concerted activity of a kind not forbidden by law; or
 - (3) The consent establishes a justification for the conduct under chapter 3 of the code.
- c. Ineffective consent. Unless otherwise provided by the code or by the law defining the offense, assent does not constitute consent if:
 - (1) It is given by a person who is legally incompetent to authorize the conduct charged to constitute the offense; or
 - (2) It is given by a person who by reason of youth, mental disease or defect or intoxication is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature of harmfulness of the conduct charged to constitute an offense; or
 - (3) It is induced by force, duress or deception of a kind sought to be prevented by the law defining the offense.

Sexual Assault

Sexual assault

a. An actor is guilty of aggravated sexual assault if he commits an act of sexual penetration with another person under any one of the following circumstances:

- (1) The victim is less than 13 years old;
- (2) The victim is at least 13 but less than 16 years old; and
 - (a) The actor is related to the victim by blood or affinity to the third degree, or
 - (b) The actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional, or occupational status, or
 - (c) The actor is a resource family parent, a guardian, or stands in loco parentis within the household;
- (3) The act is committed during the commission, or attempted commission, whether alone or with one or more other persons, of robbery, kidnapping, homicide, aggravated assault on another, burglary, arson or criminal escape;
- (4) The actor is armed with a weapon or any object fashioned in such a manner as to lead the victim to reasonably believe it to be a weapon and threatens by word or gesture to use the weapon or object;
- (5) The actor is aided or abetted by one or more other persons and the actor uses physical force or coercion;
- (6) The actor uses physical force or coercion and severe personal injury is sustained by the victim;
- (7) The victim is one whom the actor knew or should have known was physically helpless or incapacitated, intellectually or mentally incapacitated, or had a mental disease or defect which rendered the victim temporarily or permanently incapable of understanding the nature of his conduct, including, but not limited to, being incapable of providing consent.

Aggravated sexual assault is a crime of the first degree.

b. An actor is guilty of sexual assault if he commits an act of sexual contact with a victim who is less than 13 years old and the actor is at least four years older than the victim.

c. An actor is guilty of sexual assault if he commits an act of sexual penetration with another person under any one of the following circumstances:

- (1) The actor uses physical force or coercion, but the victim does not sustain severe personal injury;

- (2) The victim is on probation or parole, or is detained in a hospital, prison or other institution and the actor has supervisory or disciplinary power over the victim by virtue of the actor's legal, professional or occupational status;
- (3) The victim is at least 16 but less than 18 years old and:
 - (a) The actor is related to the victim by blood or affinity to the third degree; or
 - (b) The actor has supervisory or disciplinary power of any nature or in any capacity over the victim; or
 - (c) The actor is a resource family parent, a guardian, or stands in loco parentis within the household;
- (4) The victim is at least 13 but less than 16 years old and the actor is at least four years older than the victim (Statutory Rape).

Aggravated criminal sexual contact; criminal sexual contact

a. An actor is guilty of aggravated criminal sexual contact if he commits an act of sexual contact with the victim under any of the circumstances set forth in 2C:14-2a. (2) through (7).

Aggravated criminal sexual contact is a crime of the third degree.

b. An actor is guilty of criminal sexual contact if he commits an act of sexual contact with the victim under any of the circumstances set forth in section 2C:14-2c. (1) through (4).

Dating Violence

The State of New Jersey does not specifically define dating violence; however, the following related statutes may be helpful:

Assault.

a. Simple assault. A person is guilty of assault if he:

- (1) Attempts to cause or purposely, knowingly or recklessly causes bodily injury to another; or
- (2) Negligently causes bodily injury to another with a deadly weapon; or
- (3) Attempts by physical menace to put another in fear of imminent serious bodily injury.

Simple assault is a disorderly persons offense unless committed in a fight or scuffle entered into by mutual consent, in which case it is a petty disorderly person's offense.

b. Aggravated assault. A person is guilty of aggravated assault if he:

- (1) Attempts to cause serious bodily injury to another, or causes such injury purposely or knowingly or under circumstances manifesting extreme indifference to the value of human life recklessly causes such injury; or
- (2) Attempts to cause or purposely or knowingly causes bodily injury to another with a deadly weapon; or
- (3) Recklessly causes bodily injury to another with a deadly weapon; or
- (4) Knowingly under circumstances manifesting extreme indifference to the value of human life points a firearm, as defined in section 2C:39-1f., at or in the direction of another, whether or not the actor believes it to be loaded.

Domestic Violence

Domestic Violence means the occurrence of one or more of the following criminal offenses upon a person protected under the Prevention of Domestic Violence Act of 1990:

Homicide N.J.S.A. 2C:11-1

Assault N.J.S.A. 2C:12-1

Terroristic threats N.J.S.A. 2C:12-3

Kidnapping N.J.S.A. 2C:13-1

Criminal restraint N.J.S.A. 2C:13-2

False imprisonment N.J.S.A. 2C:13-3

Sexual assault N.J.S.A. 2C:14-2

Criminal sexual contact. N.J.S.A. 2C:14-3

Lewdness N.J.S.A. 2C:14-4

Criminal mischief. N.J.S.A. 2C:17-3

Burglary N.J.S.A. 2C:18-2

Criminal trespass N.J.S.A. 2C:18-3

Harassment N.J.S.A. 2C:33-4

Stalking N.J.S.A. 2C:12-10

Victim of Domestic Violence means a person protected by the domestic violence act and includes any person:

who is 18 years of age or older, or who is an emancipated minor, and who has been subjected to domestic violence by: spouse, former spouse, any other person who is a present or former household member, OR who, regardless of age, has been subjected to domestic violence by a person: with whom the victim has a child in common, or with whom the victim anticipates having a child in common, if one of the parties is pregnant, or who, regardless of age, has been subjected to domestic violence by a person with whom the victim has had a dating relationship. A victim may be below the age of 18. The domestic violence assailant must be over the age of 18 or emancipated at the time of the offense. See Paragraph C3 below for criteria for determining whether a person is emancipated. Note: The Prevention of Domestic Violence Act does not define a victim of domestic violence by age, physical or psychological condition or sex.

II. Mandatory Arrest. A police officer must arrest and take into custody a domestic violence suspect and must sign the criminal complaint against that person if the victim exhibits signs of injury caused by an act of domestic violence.

Stalking

Stalking designated a crime; degrees.

1. a. As used in this act:

(1) "Course of conduct" means repeatedly maintaining a visual or physical proximity to a person; directly, indirectly, or through third parties, by any action, method, device, or means, following, monitoring, observing, surveilling, threatening, or communicating to or about, a person, or interfering with a person's property; repeatedly committing harassment against a person; or repeatedly conveying, or causing to be conveyed, verbal or written threats or threats conveyed by any other means of communication or threats implied by conduct or a combination thereof directed at or toward a person.

(2) "Repeatedly" means on two or more occasions.

(3) "Emotional distress" means significant mental suffering or distress.

(4) "Cause a reasonable person to fear" means to cause fear which a reasonable victim, similarly situated, would have under the circumstances.

b. A person is guilty of stalking, a crime of the fourth degree, if he purposefully or knowingly engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for his safety or the safety of a third person or suffer other emotional distress.

c. A person is guilty of a crime of the third degree if he commits the crime of stalking in violation of an existing court order prohibiting the behavior.

d. A person who commits a second or subsequent offense of stalking against the same victim is guilty of a crime of the third degree.

e. A person is guilty of a crime of the third degree if he commits the crime of stalking while serving a term of imprisonment or while on parole or probation as the result of a conviction for any indictable offense under the laws of this State, any other state or the United States.

f. This act shall not apply to conduct which occurs during organized group picketing.

PROCEDURES FOR REPORTING A COMPLAINT

The University has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the Department of University Safety or local law enforcement.

At Wilmington University, Consent is defined as: Consent is the act of willingly agreeing to engage in sexual contact or conduct. Individuals who consent to sex must be able to understand what they are doing. Under this policy, "No" always means "No," and the absence of "No" may not mean "Yes".

1. Consent is informed, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity.

2. Consent to one form of sexual activity cannot imply consent to other forms of sexual activity.

3. Previous relationships or consent does not imply consent to future sexual acts.

4. Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercion is unreasonable pressure for sexual activity.

In order to give effective consent, one must be of legal age and have the capacity to consent. Incapacity may result from mental disability, intellectual disability, unconsciousness/sleep, age, or use of alcohol, drugs, medication, and/or other substances. Consent given by someone who one should know to be, or based on the circumstances, reasonably should have known to be, mentally or

physically incapacitated, is a policy violation. Incapacitation is a state where someone cannot make rational, reasonable decisions because he or she lacks capacity to give knowing consent. Incapacity may result from a level of alcohol ingestion that is more severe than impairment, being under the influence, drunkenness or intoxication. It is less severe than alcohol poisoning or overdose. Whether a person is incapacitated is a subjective determination that will be made after the incident and in light of all facts available. Individuals reach incapacitation at different points and as a result of different stimuli [and] exhibit incapacity in different ways.

Note, that indications of consent are irrelevant if the initiator knows or should reasonably have known of the incapacity of the other person. The act of willingly agreeing to engage in sexual contact/conduct. In order to give consent, one must be of legal age and have the capacity to consent.

This definition will be utilized as a measure of assessment in any Title IX violation or other related reported incident.

Students and employees should contact Linda Van Drie Andrzejewski, the Title IX Coordinator, 47 Reads Way, New Castle, DE 19720 at 302-356-6754 (office) or 302-983-6866 (cell) to request accommodations related to a case of sexual misconduct.

To report a crime of sexual assault, domestic violence, dating violence or stalking (or any other crime) to local police, use the contact information found below according to the jurisdiction in which the crime occurred or call 911: To report a directly to the University Safety Department refer to these campus phone numbers:

NEW CASTLE CAMPUS	(302) 325-3333
WILSON GRADUATE CENTER	(302) 325-3333
DOVER	(302) 325-3333
ATHLETICS COMPLEX	(302) 325-3333
BRANDYWINE	(302) 325-3333

Delaware:

Wilson Graduate Center

Physical Location: 31 & 47 Reads Way
New Castle, DE 19720

Police Contact: New Castle County Police
3601 N. DuPont Hwy.,
New Castle, DE 19720
Non-emergency line (302) 573-2800

Main Campus/New Castle

Physical Location: 320 N. DuPont Hwy.,
New Castle, DE 19720

Police Contact: Delaware State Police – Troop 2
100 Lagrange Ave,
Newark, DE 19702
(302) 834-2620

Dover Site

Physical Location: 3282 North DuPont Hwy.,
Dover, DE 19901

Police Contact: Dover Police Department
400 S Queen St,
Dover, DE 19904
(302) 736-7111

Brandywine Site

Physical Location: 10 Beaver Valley Road
Wilmington, DE 19803

Police Contact: Delaware State Police – Troop 1
603 Philadelphia Pike
Wilmington, DE 19809
(302) 761-6677

Dover Air Force Base

Physical Location: 436 FSS/FSDE, 261 Chad St, Rm 301, Dover Air Force Base, DE 19902

Police Contact: 436 Security Forces Squadron, 910 Paris St, Dover AFB, Dover, DE 19901

(302) 677-3000

Georgetown Site

Physical Location: Delaware Technical & Community College
Carter Partnership Center
21225 College Drive
Georgetown, DE 19947

Police Contact: Georgetown Police Department
335 N Race St,
Georgetown, DE 19947
(302) 856-6613

New Jersey:

Burlington Site

Physical Location: Burlington County College,
Mt. Laurel Campus,
3331 Route 38
Mt. Laurel, NJ 08054

Police Contact: Burlington Township Police Department
851 Old York Rd,
Burlington Township, NJ 08016
(609) 386-2019, (609) 386-1000

Camden Site (Blackwood Campus)

Physical Location: 200 College Dr.
Blackwood, NJ 08012

Police Contact: Gloucester Township Police Department
1261 Chews Landing Rd.
Laurel Springs, NJ 08021
(856) 228-4500

Camden Site (Camden City Campus)

Physical Location: 200 North Broadway #1
Camden, NJ 08012

Police Contact: Camden County Police Department
800 Federal St.
Camden, NJ 08103
(856) 757-7400

Cumberland Site

Physical Location: Cumberland County College
3322 College Dr
Vineland, NJ 08362

Police Contact: New Jersey State Police Troop A – Woodbine
823 Franklin St.
Woodbine Boro, NJ 08270
(609)861-5698

Gloucester Site

Physical Location: Wilmington University Gloucester County
1400 Tanyard Road
Sewell, NJ 08080

Police Contact: Washington Township Police
1 McClure Drive
Sewell, NJ 08080
(856) 589-6650, 856-256-1212

McGuire-Dix-Lakehurst

Physical Location: Joint Base McGuire-Dix-Lakehurst
(609) 754-1100

Police Contact: Salem Police Department
129 W Broadway, Salem, NJ 08079
(856) 935-0057

Mercer Site

Physical Location: 1200 Old Trenton Rd.
West Windsor, NJ 08550
Police Contact: West Windsor Township Police Department
271 Clarksville Rd.
West Windsor Township, NJ 08550

If you have been a victim...

After an incident of sexual assault or domestic violence, the victim should strongly consider seeking medical attention as soon as possible at the closest emergency room. In various states in the United States, evidence may be collected even if you chose not to make a report to law enforcement. In all states, victims may seek medical treatment for sexual assault without any associated financial obligation, regardless of their reporting decision.

In the chart below, please find the contact information for the hospitals closest to each campus as well as an indication as to whether or not the hospital offers Sexual Assault Nurse Examiner/Forensic Nurse Examiners (SANE/FNE nurse) services. SANE/FNE nurses are trained medical professionals who are sensitive and specialize in the care of crime victims. SANE/FNE nurses are able to collect forensic evidence from the bodies of victims of sexual and domestic assault. They also routinely work with law enforcement to preserve the evidence and may testify in court. If you have difficulty locating the closest hospital with evidence collecting capabilities, contact 911 and ask for help in locating a hospital with a SANE or FNE nurse. You may also contact the National Sexual Assault Hotline at 800-656-HOPE (4673) or visit the Rape, Abuse and Incest National Network at www.RAINN.org.

Locations offering medical and forensic treatment for victims of sexual assault:

(not meant as an all-inclusive list)

State	Hospital	Address	Telephone Number	Forensic Services available for evidence collection?
Delaware Victims in DE may apply with DE Victim's Compensation Assistance Program for financial assistance by calling (302) 255-1770	Christiana Care	4755 Ogletown-Stanton Road, Newark, DE 19718	(302) 733-1000	Yes-***Forensic Nurse Examiners on site, police involvement not required***
	Beebe Medical Center	424 Savannah Rd, Lewes, DE 19958	(302) 645-3300	Yes-***Forensic Nurse Examiners on site, police involvement not required***
New Jersey	Virtua Memorial Hospital, Mt. Holly	175 Madison Ave, Mt Holly, NJ 08060	(609) 914-6000	Yes-***Forensic Nurse Examiners on site, police involvement not required, 5 yr. evidence retention***
	Virtua Marlton, Marlton	90 Brick Road Marlton, NJ 08053	(856) 355-6000	Same as above (SAA)
	Lourdes Medical Center, Willingboro	218 Sunset Rd Willingboro, NJ	(609) 835-2900	SAA
	Deborah Heart and Lung Center Emergency Dept., Browns Mills	200 Trenton Rd, Browns Mills, NJ 08015	(609) 893-6610	SAA
	Cooper Health Systems, Camden	1 Cooper Plaza, Camden, NJ 08103	(856) 342-2000 or (800) 826-6737	SAA
	Kennedy University Hospital, Stratford	18 E Laurel Rd, Stratford, NJ 08084	(856) 346-6000	SAA
	Our Lady of Lourdes Medical Center, Camden	1600 Haddon Avenue Camden, NJ 08103	(856) 757-3500	SAA
	Virtua, Voorhees	100 Bowman Drive Voorhees, NJ 08043	(856) 247-3000	SAA
	Inspira Medical Center, Vineland	1505 W Sherman Ave Vineland, NJ 08360	(856) 641-8000	SAA
	Inspira Medical Center, Woodbury	509 N. Broad Street Woodbury, NJ 08096	(856) 845-0100	SAA
	Kennedy University Hospital, Washington Twp., Turnersville	435 Hurffville-Cross Keys Road Turnersville, NJ 08012	856-582-2500	SAA

Suggestions to preserve evidence.....

It is important that a victim of sexual assault not bathe, douche, smoke or use inhalants, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 72 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take prophylactic steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University hearing officers/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Department of University Safety or other law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date.

Your decision.....

Although the university strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police (including on campus and local police). The Title IX Coordinator or another Responsible Employee will assist any victim with notifying local police at the victim's request. Please refer to the information regarding the local police for each campus previously noted to find the appropriate police department responsible for your campus. If the crime occurred off campus, University Safety and the Title IX Coordinator are still able to assist you and refer you to the appropriate police agency.

Help is available.....

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you are strongly encouraged to report the incident promptly to the Title IX Coordinator or the Department of University Safety by calling, writing or coming into the office to report. The University will provide information on available resources, on-campus, off-campus, or both as are available, to include: medical, health, counseling, legal assistance, victim advocacy and visa and immigration assistance to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

University Response...

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, the below are the procedures that the University will follow as well as a statement of the standard of evidence that will be used during any judicial hearing on campus arising from such a report:

Sexual Assault, Domestic Violence, Dating Violence or Stalking	<ul style="list-style-type: none">• Depending on when reported (immediate vs. delayed report), institution will provide complainant with access to medical care;• Institution will assess immediate safety needs of complainant;• Institution will assist complainant with contacting local police if complainant requests and provide complainant with contact information for local police department;• Institution will provide complainant with information regarding on- and off-campus resources, to include health, mental health, victim advocacy, legal assistance and visa and immigration assistance. (Some of these resources may not be available on-campus and the complainant would need to utilize the off-campus resources provided.);• Institution will assess need to implement interim or long-term protective measures, such as change in class schedule, “No Contact” directive between both parties, change in work location or supervisor, change in parking location, provide an escort, or other measures as deemed appropriate according to the report and needs of the party;• Institution will provide a “No trespass” directive to accused party if deemed appropriate and/or restrict accused party from accessing certain areas or campuses if deemed necessary;• Institution will provide written instructions on how to apply for Protective Order;• Institution will provide a copy of the Sexual Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution;• Institution will provide the rights to the complainant regarding the institution’s duty to investigate or otherwise determine what occurred and will determine how to proceed;• Contact with the accused party will be made;• Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged, what the result/outcome of the investigation yielded, and whether or not the accused party was found responsible or not responsible;• Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation;• The institution will implement any long term protective measures if appropriate.
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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. Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the institution will protect the privacy of victims and other necessary parties;
- a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- a statement regarding the institution’s provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action

Further, the University complies with federal full faith and credit laws in recognizing protective orders (also referred to as restraining orders, no contact orders, protection from abuse orders) originating from other states in the United States. The University encourages any person who obtains an order of protection to provide a copy to Department of University Safety and the Office of the Title IX Coordinator. A complainant is also encouraged to meet with Department of University Safety to develop a Safety Action Plan to reduce the risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc. The University cannot apply for a legal order of protection, no contact order or restraining order on behalf of a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services; although the Department of University Safety is available to assist victims in this process. Because Wilmington University has campuses in three states (Delaware, New Jersey, Maryland), information about protective orders from each state is provided below, followed by the Victim's Bill of Rights.

Protective Orders:

DELAWARE

DELAWARE FAMILY COURT: UNDERSTANDING THE PROTECTION FROM ABUSE PROCESS

To get help, more information or to access this information directly, visit <https://courts.delaware.gov/family/pfa/index.aspx>

What is an Order of Protection from Abuse?

An Order of Protection from Abuse is an order of Family Court ordering someone to stop abusing another person, and may include other relief, such as ordering the abuser to stay away from the person being abused. Abuse is defined as any threatening or harmful conduct including serious emotional harm.

Who can file for Protection from Abuse?

A member of a protected class which includes;

- A. Family as that term is defined in 10 Del. C. §9109, regardless, however, of the state of residence of the parties; or
- B. Former spouses, a man and a woman cohabitating together with or without a child of either or both, or a man and a woman living separate or apart with a child in common, and persons who are or were involved in a substantive dating relationship.

What is abuse?

Pursuant to 10 Del. C. §1041 Abuse means conduct which constitutes the following:

- A. Intentionally or recklessly causing or attempting to cause physical injury, or a sexual offense as defined in 11 Del. C. §761.
- B. Intentionally or recklessly placing or attempting to place another person in reasonable apprehension of physical injury or sexual offense to such person or another.
- C. Intentionally or recklessly damaging, destroying or taking the tangible property of another person.
- D. Engaging in the course of alarming or distressing conduct in a manner which is likely to cause fear or emotional distress or to provoke a violent or disorderly response.
- E. Trespassing on or in property of another person or on or in property from which the trespasser has been excluded by court order.
- F. Child Abuse as defined in 16 Del. C. Chapter 9.
- G. Unlawful imprisonment, kidnapping, interference with custody and coercion as defined in Title 11.
- H. Any other conduct which a reasonable person under the circumstances would find threatening or harmful.

What is a PFA Rule to Show Cause Hearing?

A PFA Rule to Show Cause hearing is a review hearing before a Family Court Commissioner in which a PFA Respondent would need to show cause as to why he/she has or has not followed through with the recommendations of the DVCC certified agency. If the Respondent has followed through with the recommendations of the DVCC certified treatment, the Respondent shall provide the appropriate documentation at the PFA Rule to Show Cause Hearing. See the frequently asked questions section for more information on this topic.

How does someone file for an Order of Protection from Abuse?

You do not need an attorney to seek an Order of Protection. Court staff will help you with the necessary forms and volunteers from a Victim Advocacy Program may also be available to help.

Go to the Family Court between the hours of 8:30 am and 4:30 pm, Monday through Friday. If you believe that you are in immediate danger of abuse, you may ask for an emergency (ex parte) hearing that same day. If you will be asking the Court for an emergency (ex parte) hearing, you should go to the Family Court early in the day, but not later than 4:30 p.m.

Ask the clerk for a Protection from Abuse Petition (form #450). If you are asking for an emergency (ex parte) hearing, also ask the clerk for the Affidavit for Emergency Hearing Form. Fill in all the blanks on both forms. Give enough facts for the Court to know how you are being abused and whether you are in immediate danger. A Court staff person will ask you some questions. Be specific with your answers.

What happens at an emergency ex parte hearing?

If the Court decides to give you an emergency hearing, you will be taken before a Commissioner of the Court the same day or the next day, and the Commissioner will ask some questions. If the Commissioner decides to sign an Emergency (ex parte) Order granting you relief, you will be given a date for a full hearing which the respondent will be asked to attend. Your emergency (ex parte) order will last until the full hearing takes place.

What happens on the hearing day?

Consent process

On the day of the full hearing, the respondent will be asked by a Court staff person if he/she is willing to have a Consent Order entered. If the respondent is willing to have a Consent Order entered, he/she does not have to admit that there was any abuse and the Court does not decide if there was any abuse, but will enter an Order for some or all of the relief requested.

If the Respondent agrees to the relief, you and the respondent will go into the courtroom and tell the Commissioner. The Commissioner will ask you some questions to make sure you both understand the Consent Order. The signed Consent Order will be given to both of you that same day.

Hearing

If the Respondent does not agree to a Consent Order, the Judicial Officer will conduct a hearing. The petitioner and the respondent will each be given a chance to present their side of the story and any evidence that they may have. If witnesses are going to be called to help tell the story, the person calling the witness must ask the Court to subpoena the witness. You may also use such things as photographs and tape recordings. You are not usually allowed to use doctors' or police reports unless the doctor or police person is present.

The Judicial Officer may ask both the petitioner and the respondent questions. At the end of the hearing, the Judicial Officer will decide whether he or she believes that abuse occurred. If so, an Order of Protection will be signed and copies will be given to both the petitioner and the respondent.

What do Orders of Protection usually say?

Orders of Protection from Abuse may provide for any or all of the following relief:

- No more abuse
- No contact with the Petitioner
- Petitioner may be given exclusive use of the home or of certain possessions
- Temporary custody
- Conditions of Visitation
- Child support or support for the Petitioner
- Payment of expenses
- Surrender of firearms
- Counseling
- Any other relief that might help prevent future violence

How long does an Order of Protection from Abuse usually last?

Order of Protection generally can last up to one year and can be extended for an extra six months following another hearing.

Depending on the facts of a case, the no contact and no abuse provisions can last up to two (2) years or permanently. (To request an extension, you must file a motion.)

The Order remains valid and effective even if the petitioner and respondent get back together. The Order can only be changed after another hearing.

The effectiveness of a PFA Order depends on the fact that the petitioner will not attempt to contact the respondent or attempt to reconcile without asking the Court to change or set aside the Order.

Victim's Rights Information for the State of Delaware

Delaware has a Victim's Bill of Rights which entitles you to be notified of and participate in all major phases of the criminal case process. You will be notified of the progress of the case in which you are the victim.

Delaware has established a Victims Compensation Assistance Program to assist innocent victims of violent crime who suffer personal injury (bodily harm or extreme mental suffering). The Board does not compensate victims for stolen or damaged property. You may be eligible for financial assistance. If you would like an application or for more information, contact the Victims Compensation Assistance Program at 255-1770.

To learn more about Victims' Rights, visit the Office of the Attorney General for Delaware at http://attorneygeneral.delaware.gov/criminal/victims_rights.shtml

NEW JERSEY

A restraining order is an order issued by the court that is intended to protect a victim of domestic violence. A restraining order is generally meant to prohibit the party it is entered against from contacting or communicating with the party on whose behalf the order is entered. The provisions contained in this type of court order are based upon the circumstances and vary from case to case.

New Jersey law recognizes two types of restraining orders: a temporary restraining order and a final restraining order. Both temporary restraining orders ("TRO") and final restraining orders ("FRO") are granted to protect the safety of the victim.

Temporary Restraining Order

Temporary restraining orders are frequently issued in order to provide temporary protection from alleged domestic abuse, and in lieu of a possible final restraining order, which requires a firmer evidentiary basis, and which may be entered at a later time. In order to issue a TRO, the judge must have a sufficient basis to believe domestic violence has occurred. TROs are often issued on allegations of the victim or can be obtained in conjunction with police who can help you obtain this type of protection if you have experienced a domestic violence incident.

Final Restraining Order

Within ten (10) days of issuance of the TRO, a hearing will be conducted by a Superior Court Judge in the Family Division to determine whether or not the TRO shall become a final restraining order. At the hearing, both parties may be represented by counsel.

To apply for a TPO, contact your local police for assistance or visit the Superior Court in the jurisdiction in which you live. There is a Superior Courts in each of New Jersey's 21 counties. Help in locating your court can be found here: <http://www.judiciary.state.nj.us/directions.htm>

For information regarding your rights as a crime victim in the State of New Jersey, visit the Office of the Attorney General at www.state.nj.us/lps/dcj/victimwitness/bill-of-rights.htm

Victim Bill of Rights – United States Attorney General - 18 U.S.C. § 3771. Crime victims' rights

(a) RIGHTS OF CRIME VICTIMS.--A crime victim has the following rights:

- (1) The right to be reasonably protected from the accused.
- (2) The right to reasonable, accurate, and timely notice of any public court proceeding, or any parole proceeding, involving the crime or of any release or escape of the accused.
- (3) The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding.
- (4) The right to be reasonably heard at any public proceeding in the district court involving release, plea, sentencing, or any parole proceeding.
- (5) The reasonable right to confer with the attorney for the Government in the case.
- (6) The right to full and timely restitution as provided in law.
- (7) The right to proceedings free from unreasonable delay.
- (8) The right to be treated with fairness and with respect for the victim's dignity and privacy.
- (9) The right to be informed in a timely manner of any plea bargain or deferred prosecution agreement.
- (10) The right to be informed of the rights under this section and the services described in section 503(c) of the Victims' Rights and Restitution Act of 1990 (42 U.S.C. 10607(c)) and provided contact information for the Office of the Victims' Rights Ombudsman of the Department of Justice.

(b) RIGHTS AFFORDED.--In any court proceeding involving an offense against a crime victim, the court shall ensure that the crime victim is afforded the rights described in subsection (a). Before making a determination described in subsection (a)(3), the court shall make every effort to permit the fullest attendance possible by the victim and shall consider reasonable alternatives to the exclusion of the victim from the criminal proceeding. The reasons for any decision denying relief under this chapter shall be clearly stated on the record.

(c) BEST EFFORTS TO ACCORD RIGHTS.--

(1) GOVERNMENT.--Officers and employees of the Department of Justice and other departments and agencies of the United States engaged in the detection, investigation, or prosecution of crime shall make their best efforts to see that crime victims are notified of, and accorded, the rights described in subsection (a).

(2) ADVICE OF ATTORNEY.--The prosecutor shall advise the crime victim that the crime victim can seek the advice of an attorney with respect to the rights described in subsection (a).

(3) NOTICE.--Notice of release otherwise required pursuant to this chapter shall not be given if such notice may endanger the safety of any person.

(d) ENFORCEMENT AND LIMITATIONS.--

(1) RIGHTS.--The crime victim or the crime victim's lawful representative, and the attorney for the Government may assert the rights described in subsection (a). A person accused of the crime may not obtain any form of relief under this chapter.

(2) MULTIPLE CRIME VICTIMS.--In a case where the court finds that the number of crime victims makes it impracticable to accord all of the crime victims the rights described in subsection (a), the court shall fashion a reasonable procedure to give effect to this chapter that does not unduly complicate or prolong the proceedings.

(3) MOTION FOR RELIEF AND WRIT OF MANDAMUS.--The rights described in subsection (a) shall be asserted in the district court in which a defendant is being prosecuted for the crime or, if no prosecution is underway, in the district court in the district in which the crime occurred. The district court shall take up and decide any motion asserting a victim's right forthwith. If the district court denies the relief sought, the movant may petition the court of appeals for a writ of mandamus. The court of appeals may issue the writ on the order of a single judge pursuant to circuit rule or the Federal Rules of Appellate Procedure. The court of appeals shall take up and decide such application forthwith within 72 hours after the petition has been filed. In no event shall proceedings be stayed or subject to a continuance of more than five days for purposes of enforcing this chapter. If the court of appeals denies the relief sought, the reasons for the denial shall be clearly stated on the record in a written opinion.

(4) ERROR.--In any appeal in a criminal case, the Government may assert as error the district court's denial of any crime victim's right in the proceeding to which the appeal relates.

(5) LIMITATION ON RELIEF.--In no case shall a failure to afford a right under this chapter provide grounds for a 2263 new trial. A victim may make a motion to re-open a plea or sentence only if--

(A) the victim has asserted the right to be heard before or during the proceeding at issue and such right was denied;

(B) the victim petitions the court of appeals for a writ of mandamus within 10 days; and

(C) in the case of a plea, the accused has not pled to the highest offense charged. This paragraph does not affect the victim's right to restitution as provided in title 18, United States Code.

(6) NO CAUSE OF ACTION.--Nothing in this chapter shall be construed to authorize a cause of action for damages or to create, to enlarge, or to imply any duty or obligation to any victim or other person for the breach of which the United States or any of its officers or employees could be held liable in damages. Nothing in this chapter shall be construed to impair the prosecutorial discretion of the Attorney General or any officer under his direction.

(e) DEFINITIONS.--For the purposes of this chapter, the term 'crime victim' means a person directly and proximately harmed as a result of the commission of a Federal offense or an offense in the District of Columbia. In the case of a crime victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardians of the crime victim or the representatives of the crime victim's estate, family members, or any other persons appointed as suitable by the court, may assume the crime victim's rights under this chapter, but in no event shall the defendant be named as such guardian or representative.

(Obtained from: <https://www.justice.gov/usao/resources/crime-victims-rights-ombudsman/victims-rights-act>)

Delaware Victim Bill of Rights

On July 23, 1992, Governor Michael N. Castle, signed the Victims Bill of Rights into law. This law mandates that victims are informed about the criminal process and extends notification and participation rights to them. The statute was amended by the 137th General Assembly and Governor Thomas R. Carper signed and made law, new requirements to the Victims Bill of Rights on July 16, 1993.

THE LAW PROVIDES THAT YOU SHOULD BE NOTIFIED OF THE FOLLOWING:

- How criminal cases go through the system.
- After a defendant is released on bail including the amount of bail and any conditions.
- Court events, possible plea agreements, outcome of the case, projected prison release dates and any sentence modification.
- If the conviction is reversed on appeal.

- Parole and pardon hearing dates, early release to community based on programs or if the offender escapes from a correctional facility.
- Procedures to be followed if the offender threatens or intimidates you.
- Services available for victims of crime.

VICTIM SERVICE ORGANIZATIONS

Most crime victims suffer from distress and/or confusion after victimization and experience difficulty dealing with the criminal justice system. These programs provide a wide range of services to help you during this time.

To help crime victims, these programs usually provide victim advocacy, crisis intervention, information about the case, referrals to social/community resources, and assistance in filing Victims Compensation Assistance Program forms, help with understanding the criminal justice system, and court accompaniment

VICTIM INFORMATION

Delaware has a Victim's Bill of Rights which entitles you to be notified of and participate in all major phases of the criminal case process. You will be notified of the progress of the case in which you are the victim. This booklet will help you better understand what is happening in court by telling you the meaning of court terms you may not know. It also gives you other information you may find helpful.

NOTE: YOU MUST FILE WITHIN ONE (1) YEAR OF THE CRIME TO BE CONSIDERED FOR ASSISTANCE.

If you have had property stolen and the police recover it, the police will keep the property as evidence until after the trial.

(Obtained from: http://attorneygeneral.delaware.gov/criminal/victims_rights.shtml)

New Jersey Crime Victim Bill of Rights

Crime victims are entitled to the following certain basic rights:

- To be treated with dignity and compassion by the criminal justice system.
- To be informed about the criminal justice process.
- To be free from intimidation.
- To have inconveniences associated with participation in the criminal justice process minimized to the fullest extent possible.
- To make at least one telephone call from the police station provided the call is reasonable in both length and location called.
- To medical assistance if, in the judgment of the law enforcement agency, medical assistance appears necessary.
- To be notified if presence in court is not needed.
- To be informed about available remedies, financial assistance and social services.
- To be compensated for their loss whenever possible.
- To be provided a secure, but not necessarily separate, waiting area during court proceedings.
- To be advised of case progress and final disposition.
- To the prompt return of property when no longer needed as evidence.
- To submit a written statement about the impact of the crime to a representative of the county prosecutor's office which shall be considered prior to the prosecutor's final decision concerning whether formal criminal charges will be filed; and
- To make, prior to sentencing, an in-person statement directly to the sentencing court concerning the impact of the crime. This statement is to be made in addition to the statement permitted for inclusion in the persistence report.

(Obtained from: <http://www.state.nj.us/lps/dcj/victimwitness/cbor.htm>)

UNIVERSITY RESPONSE

The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused.

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Wilmington University will provide written notification to students and employees about accommodations available to them. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e. the notifications will include the name and contact information for the individual or office that should be contacted to request accommodations).

Upon the victim's request and to the extent of the victim's cooperation and consent, university offices to include University Safety and the Title IX Coordinator will work cooperatively to assist the victim with their health, physical safety, work and academic status, pending the outcome of a formal university investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, working, protective measures or transportation situations regardless of whether the victim chooses to report the crime to Department of University Safety or local law enforcement. To request changes to academic, transportation, and/ or working situations, or protective measures, a victim should contact Dr. Linda Van Drie Andrzejewski, Executive Director of Title IX, Clery, and Regulatory Affairs.

Confidentiality

Additionally, personal identifiable information about the complainant will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the complainant, as defined in 42 USC 1395 (a) (20).) Further, the institution will maintain as confidential, any accommodations or protective measures provided to the complainant to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims nor house identifiable information regarding victims in the Department of University Safety’s Daily Crime Log or online. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault, or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

Victims may request that directory information on file be removed from public sources by request by contacting University Safety, the Registrar, Director of Athletics (for student athletes), or the Title IX Coordinator. Regardless of whether a victim has opted-out of allowing the University to share “directory information”, personally identifiable information about the victim and other necessary parties will be treated as confidential and only shares with the person who have a specific need-to-know—i.e. those who are investigating/ adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures.

RESOURCES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT & STALKING
On and Off Campus Services for Victims

The University has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as course scheduling, transportation and/or working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the Department of University Safety or local law enforcement. Students and employees should contact Linda Van Drie Andrzejewski, the Title IX Coordinator (see below) to request accommodations.

1. **On-Campus**

Counseling	Delaware New Jersey	Delaware Help Line – Dial 211 - 1-800-560-3372 – text 898-211 or www.delaware211.org New Jersey Help Line – Dial 211 or 1-877-652-1148 – text 898-211 or www.nj211.org
Health	Delaware New Jersey	Delaware Help Line – Dial 211 - 1-800-560-3372 – text 898-211 or www.delaware211.org New Jersey Help Line – Dial 211 or 1-877-652-1148 – text 898-211 or www.nj211.org
Mental Health	Delaware New Jersey	Delaware Help Line – Dial 211 - 1-800-560-3372 – text 898-211 or www.delaware211.org New Jersey Help Line – Dial 211 or 1-877-652-1148 – text 898-211 or www.nj211.org

Victim Advocacy	Delaware New Jersey	Delaware Help Line – Dial 211 - 1-800-560-3372 – text 898-211 or www.delaware211.org New Jersey Help Line – Dial 211 or 1-877-652-1148 – text 898-211 or www.nj211.org
Legal Assistance	Delaware New Jersey	Delaware Help Line – Dial 211 - 1-800-560-3372 – text 898-211 or www.delaware211.org New Jersey Help Line – Dial 211 or 1-877-652-1148 – text 898-211 or www.nj211.org
Visa & Immigration Assistance	International Affairs	Angelina Burns, Director International Affairs 302-327-4809
Financial Aid	Financial Aid Department	Nicole McDaniel-Smith, Director of Financial Aid 302-356-6982
Title IX Coordinator	Human Resources Department	Dr. Linda Van Drie Andrzejewski, Executive Director of Title IX, Clery, and Regulatory Affairs 302-356-6754 or (302)983-6866 (cell)
Department of University	University Safety Administrative Office	Dennis Craighton, Safety Supervisor 302-356-6985

Off-Campus

2. **On-Campus**

Counseling	Delaware New Jersey	Delaware Help Line – Dial 211 - 1-800-560-3372 – text 898-211 or www.delaware211.org New Jersey Help Line – Dial 211 or 1-877-652-1148 – text 898-211 or www.nj211.org
Health	Delaware New Jersey	Delaware Help Line – Dial 211 - 1-800-560-3372 – text 898-211 or www.delaware211.org New Jersey Help Line – Dial 211 or 1-877-652-1148 – text 898-211 or www.nj211.org
Mental Health	Delaware New Jersey	Delaware Help Line – Dial 211 - 1-800-560-3372 – text 898-211 or www.delaware211.org New Jersey Help Line – Dial 211 or 1-877-652-1148 – text 898-211 or www.nj211.org
Victim Advocacy	Delaware New Jersey	Delaware Help Line – Dial 211 - 1-800-560-3372 – text 898-211 or www.delaware211.org New Jersey Help Line – Dial 211 or 1-877-652-1148 – text 898-211 or www.nj211.org

Legal Assistance	Delaware Maryland New Jersey	Delaware Help Line – Dial 211 - 1-800-560-3372 – text 898-211 or www.delaware211.org New Jersey Help Line – Dial 211 or 1-877-652-1148 – text 898-211 or www.nj211.org
Visa & Immigration Assistance	International Affairs	Angelina Burns, Director International Affairs 302-327-4809
Financial Aid	Financial Aid Department	Nicole McDaniel-Smith, Director of Financial Aid 302-356-6982
Title IX Coordinator	Human Resources Department	Dr. Linda Van Drie Andrzejewski, Executive Director of Title IX, Clery, and Regulatory Affairs 302-356-6754 or (302)983-6866 (cell)
Department of University	University Safety Administrative Office	Dennis Craighton, Safety Supervisor 302-356-6985

Battered Women’s Shelter	Delaware Milford Georgetown New Jersey New Jersey	Turning Point at People’s Place 302-424-2420 The Safe Program 302-422-8058 Domestic Violence Advocacy Center 302-856-5843 People’s Place II 302-422-8058 Salem County Women’s Services 609-935-6655 Center for Family Services 1-877-922-2377 Real House Inc. 973-746-2400 Providence House 732-244-8259
Child, Inc. Domestic Violence Crisis Hotline	Delaware	Domestic Violence Crisis Hotline (including emergency shelters) 302-762-6110
Rape Crisis	Delaware New Jersey	Dial 211 or 1-800-560-3372 or Contact Life Line 1-800-262-9800 New Jersey Domestic Violence Hotline 1-800-572-7233
Prosecuting Attorney’s Office	Delaware New Jersey	Attorney.General@State.DE.US 302-577-8500 www.state.nj.us/lps/ 609-292-4925
Department of Education Office of Civil Rights	Philadelphia Office	Office of Civil Rights U.S. Department of Education The Wanamaker Building 100 Penn Square East, Suite 515 Philadelphia, PA 19107-3323 215-656-8451

To report a crime of sexual assault, domestic violence, dating violence or stalking (or any other crime) to local police, use the contact information found below according to the jurisdiction in which the crime occurred or call 9-1-1:

National Advocacy Resources:

<http://www.rainn.org> – Rape, Abuse and Incest National Network

<https://www.justice.gov/ovw/sexual-assault-> Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

Delaware Advocacy Resources:

24 Hour Domestic Violence Hotlines

Child Inc.'s Domestic Violence Program
New Castle County
302-762-6110

The SAFE Program at People's Place II
Kent & Sussex Counties
302-422-8058

Abriendo Puertas Bilingual Hotline
Sussex County
302-745-9874

Information/Referrals

Delaware Coalition Against Domestic Violence
New Castle County: 302-658-2958
Kent & Sussex Counties: 800-701-0456

Domestic Violence Coordinating Council
New Castle County: 302-255-0405
Kent & Sussex Counties: 302-424-7238

Shelter, Counseling, Support & Victim Advocacy Services
New Castle County

Child, Inc.
302-762-6110
Emergency shelter & transitional services, housing assistance, educational services, bilingual services, court advocacy.

Domestic Violence Treatment Program
302-762-8989

Victim counseling and support groups, treatment services for chemically dependent women, Helping Children Heal Program (individual, group & family counseling for children who have witnessed domestic violence).

YWCA Delaware
302-658-7110 ext. 204

Victim support groups, case management, safety planning, counseling, referrals, educational outreach presentations on domestic violence, transitional housing.

Latin American Community Center
302-655-7338
Victim support groups, bilingual services, support services.

Delaware Center for Justice Elderly Victims Advocate Program
302-658-7174 ext. 12

Intensive case management, long-term support, transportation for court and related appointments for victims 50+ who live in residences owned and operated by the Wilmington Housing Authority.

Kent/Sussex Counties

The SAFE Program at People's Place II, Inc.

302-422-8058

Emergency shelter & transitional services, housing assistance, employment assistance, transportation, and educational services.

Turning Point at People's Place II, Inc.

302-424-2420

Victim counseling, support groups, children's counseling program.

Abriendo Puertas

302-745-9874

Emergency shelter & transitional services, court advocacy, transportation, translation/bilingual, general case management.

La Esperanza

302-854-9262

Bilingual referrals, general case management, court accompaniment & outreach.

Dover Air Force Base, Family Advocacy Program

302-677-2711

Limited to those receiving military medical benefits and their dependents.

New Jersey Advocacy Resources:

Domestic Violence Services

The Office of Domestic Violence Services (ODVS) funds 23 domestic violence programs and the New Jersey Coalition to End Domestic Violence. There is at least one DCF-funded domestic violence program in each of New Jersey's 21 counties.

<https://www.nj.gov/dcf/women/opvaw/gacasv/>

Core Services:

- 24-hour hotline
- 24-hour access to a confidential safe house
- Counseling, support services, and advocacy for victims and children
- Legal, financial, and housing advocacy
- Community education and networking

Service Types:

- Certification
- Children's Services
- Culturally Specific Services
- Intervention Services
- Legal Services
- Special Initiatives

Programs:

Children's Services

ODVS supports services for children and youth who have been exposed to domestic violence. Children with exposure are at an increased risk of abuse (physical, sexual, etc.), emotional and behavioral challenges, and subsequent exposure to trauma and other adverse life experiences.

Services include Peace: A Learned Solution (PALS) Program and Trauma Treatment and Supportive Services.

Peace: A Learned Solution (PALS) Program:

Peace: A Learned Solution (PALS) is a research-based program for victims of domestic violence. PALS uses an intensive therapeutic treatment program model with creative arts therapies such as art, dance movement, and drama for children four to twelve who have been exposed to domestic violence. The program aims to reduce trauma effects for children, provides supportive services for their non-offending parent, and addresses parenting issues unique to families who have experienced domestic violence. The PALS program is available in 11 New Jersey counties. To find a PALS programs, click on the related link to view DFCP/ DOW's Community Program Directory.

Trauma Focused-Cognitive Behavioral Therapy (TF-CBT)

TF-CBT is an evidence-based treatment for children, adolescents, and their caregivers. It supports healing in the aftermath of many traumatic experiences. Therapy involves a combination of individual child and parent sessions and conjoint parent-child sessions. TF-CBT helps children overcome Post-Traumatic Stress Disorder, depression, feelings of shame, and behavioral difficulties, while supporting children's coping and resiliency. For caregivers, the services help overcome trauma-related distress and depression, while enhancing caregivers' skills in coping, communicating, and parenting.

TF-CBT is available in six counties: Cumberland, Gloucester, Hudson, Mercer, Morris and Somerset.

Legal Services

Legal Services of New Jersey and Central Jersey Legal Services:

New Jersey Legal Services assists victims who cannot afford legal advice and/or representation. Assistance includes referral, advice, brief assistance, preparation of a letter or routine legal document, extended representation, and technical assistance. The program also offers training to domestic violence legal advocates, programs, attorneys and others.

Legal Services of New Jersey Domestic Violence Representation Project:

(888) LSNJ-LAW (888) 576-5529

Central Jersey Legal Services (908) 354-4340

Website: www.LSNJLawHotline.org

Intervention Services

Batterers Intervention

Batterers Intervention Program (BIP) provides services to individuals who perpetrate domestic violence in households with children. It seeks to reduce or eliminate the risk posed by batterers, increase household safety, and set clear boundaries to prevent future violence. The program is available in Sussex, Morris, Burlington, Monmouth, and Atlantic counties.

Domestic Violence Liaisons

When child abuse and domestic violence co-occur, Domestic Violence Liaisons seek to strengthen and enhance service coordination between New Jersey's child welfare and domestic violence services. This partnership among DCF, the New Jersey Coalition to End Domestic Violence, and local county-based DCF-funded domestic violence agencies strives to improve safety and outcomes for women and children.

Culturally Specific Services

Bolo Behen (Speak Sister)

Bolo Behen works with different faith-based leaders throughout Hudson County, collaborating with leaders of temples, mosques, Islamic centers, Gurudwaras, and more.

Bolo Behen facilitates groups called Community Chai where women can come and express their problems and concerns openly, comfortably, and without fear. People listen to each other's story and offer support. Services are based on a holistic approach that addresses the large range of client needs. Using culturally and linguistically appropriate methods, Bolo Behen builds trust with clients and creates an environment where South Asian women feel safe, respected, and understood.

24/7 Bilingual Hotline: (201) 795-5757

Project S.A.R.A.H (Stop Abusive Relationships at Home)

Project S.A.R.A.H. is a program that works to overcome cultural, legal, and religious barriers confronting victims of domestic violence and sexual abuse. Project S.A.R.A.H. operates within an environment that is sensitive to a victim's cultural and religious needs, serving as a bridge between abuse victims in the Orthodox community and support systems and resources. Project S.A.R.A.H.

works closely with rabbis and rebbetzins, kallah teachers and mikvah attendants, camp directors and school administrators, parents, and the general public to keep the community safe for everyone. The program provides therapeutic interventions that enable victims to process the often unspeakable trauma they experienced and restore them toward fully functional and productive lives. Project S.A.R.A.H. connects victims and survivors with a broad array of services, including pro bono legal consultations, evaluations, individual and group therapy, psychiatric services, as well as emotional, financial and vocational support.

Confidential Hotline: (973) 777-7638.

Special Initiatives

Address Confidentiality Program

The New Jersey Address Confidentiality Program (ACP) assists individuals who, as a result of domestic violence, have relocated for their safety. This program limits the access to personal information that would reveal the new location of an ACP participant. ACP provides eligible victims of domestic violence with a substitute address that has no connection to their actual location. This substitute mailing address may be used when creating a new record with state or local government agencies.

New Jersey Address Confidentiality Program (ACP) Hotline 1 (877) 218-9133 Toll Free-Non-Emergency

The New Jersey Address Confidentiality Program Hotline provides services including – but not limited to – access to domestic violence information and referral services, including application procedures, and advocacy.

Safety and Accountability Assessment

The Safety and Accountability Assessment framework is used by professional and advocacy organizations that partner and strive to improve the safety and accountability of interventions in cases where individuals experience violence. The assessment addresses an institution's ability to recognize or address the needs of people experiencing violence. Examples of these systematic barriers include unequal access to services, gender stereotypes, lack of coordination, and contradictory policies and practices. The Safety Assessment is designed to allow an interagency team to discover how problems are produced in the structure of case processing and management, identify available resources, and implement solutions.

This analysis evaluates the process by which systems investigate, prosecute, and provide services while addressing the safety of victims and offender accountability at multiple levels. This team maintains responsibility for completing the Assessment process, making recommendations for improvement, and acting as ambassadors for implementation of those recommendations.

The process involves examining whether institutional policies and practices enhance the safety and well-being of victims of violence against women, as well as enforce perpetrator accountability. The Safety Assessment does not assess individual effectiveness or actions. An Assessment involves mapping the system, interviewing and observing workers, analyzing paperwork and other texts generated in the handling of domestic violence-related cases. Recommendations coming out of an Assessment process are directed toward institutional changes that will enhance victim safety and well-being and perpetrator accountability.

Certification

Violence Against Women Certificate Program

The Violence Against Women Certificate (VAWC) Program is a partnership between DCF and Rutgers University, School of Social Work. VAWC complements the Domestic Violence Liaison initiative, by providing advanced practice training for staff with a demonstrated interest in and aptitude for working with families where domestic violence occurs. The program further develops DCF's capacity to employ best practices when addressing family violence.

Contact Information

To find domestic violence resources by county, click on the related link to view [DFCP/DOW's Community Program Directory](#).

For more information, contact DOW at DOW@dcf.state.nj.us or at 609-888-7164.

***New Castle (Main Campus) provides limited assistance with Visa and Immigration issues.*

SEXUAL MISCONDUCT, DISCRIMINATION, AND HARASSMENT POLICY

The University is committed to creating and maintaining a learning and working environment where all persons who participate in University programs and activities can work and learn together in an atmosphere free from all forms of harassment, exploitation, bias, prejudice, or intimidation. The University condemns and prohibits discrimination and harassment based on sex or gender, race, color, religion, disability, national origin, veteran's status, age, marital status, or other legally protected characteristics when committed by managers, faculty, administrators, staff, students, volunteers or vendors on-campus or off-campus where the University has control over the perpetrator or the context of the harassment. No amnesty will be granted under this policy.

The procedures in this policy cover unwelcome conduct of a sexual nature. This includes sexual harassment (including hostile environment and quid pro quo harassment), sex discrimination (including sexual orientation, gender identity or gender expression discrimination or harassment) and pregnancy discrimination. Sexual misconduct, as described in this policy, is a form of sexual harassment, which is a form of discrimination and is prohibited by [Title IX of the Education Amendments of 1972](#), Title VII of the Civil Rights Act of 1964 and the Civil Rights Act of 1991 and includes non-consensual sexual intercourse, non-consensual sexual contact, and sexual exploitation. Sexual Misconduct in this policy also includes domestic violence, dating violence and stalking which are prohibited conduct as defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Violence Against Women Reauthorization Act of 2013. Further, the University does not discriminate on the basis of sex in any educational, employment, or extracurricular activity and acts of retaliation against a person for reporting or participating in an investigation are prohibited conduct.

Persons who have complaints alleging discrimination or harassment for any reason other than sex or gender as defined above may file their complaints with the University Human Resources Department and/or the Student Conduct Office. Any such activity committed by a member of the University community may subject the individual to University discipline and/or sanctions.

Wilmington University's Department of University Safety prepares an Annual Security Report to meet the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998. This report contains policy statements that address the University's policies, procedures and programs concerning safety and security. Three years of statistics are included for certain types of crimes that were reported to have occurred on campus, in off-campus buildings owned or controlled by the school and on public property within or immediately adjacent to the campus.

Reports of any criminal offense shall be forwarded to University Safety for the purpose of assessing them for timely warning / crime alert purposes. Reports of sexual harassment, including sexual violence, that are reported to a Responsible Employee shall be forwarded to the Title IX Coordinator. Under Delaware law, Responsible Employees are also mandated to offer to report sexual assault to law enforcement within 24 hours if requested.

The Title IX Coordinator is the chief administrator tasked with oversight of this policy and subsequent resolution procedures. The role of the Title IX Coordinator is the intake of complaints; advice to persons complaining on whether their complaint falls under the auspices of this policy or another; assignment of complaints to the investigator; the determination of responsibility of a complaint; the delivery of interim protective measures; the delivery of sanctions to an individual or remedies to the complainant or larger school community to prevent sexual harassment and remedy its effects. The Title IX Coordinator serves as the point of contact to the United States Department of Education in terms of compliance with Title IX of the Education Amendments of 1972.

Who May Utilize this Procedure (Students, Staff and Faculty)

This policy applies to all members of the Wilmington University community including managers, faculty, administrators, staff, students, volunteers or vendors. Any person who experiences sexual misconduct, discrimination or harassment on-campus or off-campus where the University has control over the perpetrator or the context of the harassment is encouraged to make a report. Reports of sexual misconduct, discrimination or harassment may be reported even if the University does not have control over the perpetrator to allow the University to take action to remedy the effects and prevent recurrence of the conduct.

Filing of Complaint

All reports of sexual misconduct, discrimination or harassment as defined in this policy, or violations of the **Consensual Sexual Relationship Policy** should be reported to Wilmington University's Title IX Coordinator, his/her designee and/or the Human Resources Department.

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Complaints may be filed in writing with the Title IX Coordinator, his/her designee, and/or the Human Resources Department. If the complaining party does not wish to put their complaint in writing, then the Title IX Coordinator, his/her designee, or the Human Resources Department shall take the verbal complaint from the party and reduce said complaint into a written document. The written document shall then be shared with the complaining party to ensure it was captured accurately.

A Complaint filed under this Title IX procedure may normally not be filed under any other University Complaint procedure. Depending on the nature of the issues involved, the Title IX Coordinator, or his/her designee, will advise the complainant about the appropriate procedure(s) to follow (e.g. applicable disciplinary policies and procedures) for conduct that is a violation of other University codes.

Nothing herein should be construed to extend or restrict a person's right to file reports, charges, lawsuits or claims with any other agency, law enforcement, or court, and individuals are encouraged to ensure their rights have not expired through these other avenues. Further, to the extent the complainant's allegations involve criminal activity perpetrated against a person under the age of 18 (minor), the Title IX Coordinator may refer such matters to local law enforcement. While the University encourages parties to report crime to law enforcement agencies, cases are not, however, automatically referred to law enforcement without the consent of the complaining party. Under the 2013 Reauthorization of the Violence Against Women Act, victims have the right to decline involvement by police. Inquires or complaints concerning the University's compliance with Title IX may be referred to the U.S. Department of Education's Office for Civil Rights.

The Title IX Coordinator may modify these procedures at any time as deemed appropriate for compliance with federal, state, local law or applicable guidance.

Advisor of Choice

The investigation, remedial action and appeal processes are strictly internal to the University, however, both the accuser and the accused are entitled to have present an advisor of choice at any disciplinary procedure or meeting in which they are required to be present. Advisors serve as a support person to a party; the advisor may not participate or interfere with the proceedings. The University will make reasonable efforts to schedule proceedings at time that the parties and their advisors may attend, but the process will not be delayed for the convenience of an advisor. An advisor that is disruptive to the proceedings may be removed at the Title IX Coordinator's discretion.

Withdrawal of Complaint

The complainant may withdraw the complaint at any point during the investigation; however, the Title IX Coordinator may determine in his or her discretion that the issues raised warrant further investigation despite the complainant's desire to withdraw the complaint.

Intentionally False Reports

Individuals who make reports that are later found to have been intentionally false or made maliciously without regard for truth, may be subject to disciplinary action up to and including termination or expulsion. This provision does not apply to reports made in good faith, even if the facts alleged in the report cannot be substantiated by an investigation.

Free Speech and Academic Freedom

Members of the University community enjoy significant free speech protections guaranteed by the First Amendment of the United States Constitution. This policy is intended to protect members of the University community from discrimination and is not designed to regulate protected speech. No provision of this policy shall be interpreted to prohibit conduct that is legitimately related to course content, teaching methods, scholarship, or public commentary of an individual faculty member or the educational, political, artistic or literary expression of students in classrooms and public forums. However, freedom of speech and academic freedom are not limitless and do not protect speech or expressive conduct that violates federal or state anti-discrimination laws.

Confidential Help Versus Private Reporting

Individuals wishing to make legally confidential reports have the option of reporting those matters to licensed counselors, health professionals, clergy, and attorneys to the extent the complainant engages them in such private capacity.

Although University officials will maintain an individual's privacy to the best of his or her ability, individuals should know that University officials (outside the context of licensed counselors and health professionals hired in their private capacity) may not be able to maintain legal confidentiality of the complainant, but will maintain his or her privacy as noted herein.

The University's ability to investigate and take action may be limited if a complainant insists his or her name not be disclosed to the alleged perpetrator. The University must weigh such requests for privacy against its duty to provide a safe and nondiscriminatory environment. Investigators and those involved with the investigation are individually charged to preserve privacy with respect to any matter investigated or heard. A breach of the duty to preserve privacy is considered a serious offense and may subject the offender to appropriate disciplinary action. Parties and witnesses are also admonished to maintain privacy with regard to these proceedings, and if they are University employees, failure to maintain said privacy may result in appropriate disciplinary action up to and including termination. Furthermore, federal law prohibits retaliation against those who file complaints, and the University will take responsive action if such retaliation occurs, up to and including termination and/or expulsion.

All records involving sexual misconduct, harassment or discrimination upon disposition of a complaint, shall be transmitted to and maintained by the Assistant Vice President & Chief Human Resources Officer as confidential records except to the extent disclosure is permissible or required by applicable law or University policy. It should be noted that under the Family Educational Rights to Privacy Act and the Clery Act that final disciplinary actions as well as the rationale and sanctions shall be reported to the both parties as well as reported in accordance with the Clery Act reporting requirements, where appropriate, to the extent the sanctions directly relate to the complainant. The University shall inform complainants if it is unable to ensure privacy.

DEFINITIONS OF PROHIBITED OFFENSES

Offenses prohibited under the University's policy include, but are not limited to sexual harassment (including hostile environment and quid pro quo harassment and discrimination), sex discrimination (including sexual orientation, gender identity or gender expression discrimination or harassment), pregnancy discrimination, and sexual misconduct (including non-consensual sexual intercourse, non-consensual sexual contact, sexual exploitation, domestic/dating violence, and stalking) and retaliation. The prohibited offenses are defined below:

Sex Discrimination: Sex discrimination includes sexual harassment and is defined as conduct directed at a specific individual or a group of identifiable individuals that subjects the individual or group to treatment that adversely affects their employment or education, or institutional benefits, on account of sex or gender (including sexual orientation, gender identity, and gender expression discrimination). It may include acts of verbal, nonverbal, or physical harassment, aggression, intimidation, or hostility based on sex or sex- stereotyping, even if those acts do not involve conduct of a sexual nature.

Pregnancy Discrimination: The University prohibits discrimination on the basis of pregnancy, childbirth, termination of pregnancy or recovery therefrom. Discrimination on the basis of pregnancy should be reported in accordance with this policy. Employees with questions regarding accommodations during pregnancy are encouraged to contact the Human Resources Department. Students and visitors with questions regarding accommodations during pregnancy are encouraged to contact the Human Resources Department and/or the Title IX Coordinator for complaints arising under this policy.

Sexual Harassment: Sexual harassment is a form of sex discrimination. Sexual harassment is unwelcome conduct whether physical, verbal, psychological, or any other means, undertaken because of an individual's gender or is sexual in nature. Students, employees, and visitors who are subject to or who witness unwelcome conduct of a sexual nature are encouraged to report the incident(s).

Hostile Environment Sexual Harassment: A hostile environment exists when a person is subject to unwelcome conduct of a sexual nature that is so severe, pervasive, or persistent, objectively and subjectively offensive that it has the systematic effect of unreasonably interfering with or depriving someone of educational, institutional, or employment access, benefits, activities, or opportunities. Whether conduct is harassing to the level of creating a hostile environment is based upon examining a totality of circumstances, including but not limited to:

- a. the frequency of the conduct;
- b. the nature and severity of the conduct;

- c. whether the conduct was physically threatening;
- d. whether the conduct was deliberate, repeated humiliation based upon sex;
- e. the effect of the conduct on the alleged victim's mental or emotional state from the perspective of a reasonable person;
- f. whether the conduct was directed at more than one person;
- g. whether the conduct arose in the context of other discriminatory conduct;
- h. continued or repeated verbal abuse of a sexual nature, such as gratuitous suggestive comments and sexually explicit jokes.

Quid Pro Quo Sexual Harassment: Quid pro quo sexual harassment exists when individuals in positions of authority over the complainant;

- a. make unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature; and
- b. indicate explicitly or implicitly, that failure to submit to or the rejection of such conduct will result in adverse educational or employment action or where participation in an educational program or institutional activity or benefit is conditioned upon the complainant's submission to such activity.

Examples of Harassment: The following are examples of harassment:

- A professor insists that a student have sex with him/her in exchange for a good grade. This is harassment regardless of whether the student accedes to the request.
- A student repeatedly sends sexually oriented jokes around in an email list he/she created, even when asked to stop, causing one recipient to go out of their way to avoid the sender.
- Explicit sexual pictures are displayed on an exterior door, or on a computer monitor in a public place.
- Two supervisors frequently "rate" several employees' bodies and sex appeal, commenting suggestively about their clothing and appearance within earshot of staff, students and/or faculty.
- A professor engages students in discussions in class about their past sexual experiences, yet the conversation is not in any way germane to the subject matter of the class. The professor probes for explicit details, and demands that students respond, though they are clearly uncomfortable and hesitant.
- An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend, to his clear discomfort, making him a social pariah on campus.
- A job applicant's employment offer is based on the acceptance or rejection of sexual advances.

Non-Consensual Sexual Intercourse is defined as any sexual intercourse, attempted penetration or penetration, no matter how slight, of the anal, oral, or vaginal opening of the victim, including sexual intercourse or penetration by any part of a person's body or by the use of an object, by one person to another without consent or against the victim's will.

Non-Consensual Sexual Contact is any intentional touching, however slight, whether clothed or unclothed, of the victim's intimate body parts (primarily genital area, groin, inner thigh, buttock or breast) with any object or body part, without consent and/or by force. It also includes the touching of any part of a victim's body using the perpetrator's genitalia and/or forcing the victim to touch the intimate areas of the perpetrator or any contact in a sexual manner even if not involving contact of or by breasts, buttocks, groin, genitals, mouth or other orifice.

Sexual Exploitation occurs when a person takes non-consensual, unjust or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior may not otherwise constitute one of the other sexual misconduct offenses.

Examples of sexual exploitation include, but are not limited to:

1. non-consensual video or audio-taping of any form of sexual activity;

2. going beyond the boundaries of consent (such as letting a person or people hide in the closet to watch you having consensual sex without your partner's knowledge or consent);
3. sexually-based bullying;
4. engaging in non-consensual voyeurism, such as observing sexual acts or body parts of another from a secret vantage point;
5. knowingly transmitting a sexually transmitted disease or illness to another;
6. exposing one's genitals in a non-consensual circumstance, or inducing another to expose his or her genitals;
7. prostituting another person;
8. other forms of invasion of sexual privacy.

Dating Violence: Dating violence is violence between individuals where the party 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 a consideration of the following factors:

- Length of the relationship
- Type of relationship
- Frequency of interaction between the persons involved in the relationship

Domestic Violence: Domestic Violence means violence committed by a:

- Current or former spouse of the victim;
- A person with whom the victim shares a child in common;
- A person who is cohabitating with or has cohabitated with the victim as a spouse;
- A person similarly situated to a spouse of the victim under Delaware domestic or family violence laws;
- Any other person against an adult or youth victim who is protected from that person's acts under Delaware domestic or family violence laws.

Note: For incidents that occur on the Maryland or New Jersey campuses, the domestic or family violence laws of that state will apply.

Stalking: Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others; or (b) suffer substantial emotional distress.

Retaliation is any attempt to penalize or take an adverse employment, educational, or institutional benefit action, including but not limited to making threats, intimidation, reprisals or other adverse action, against a person because of participation in a complaint or the investigation of sexual misconduct, harassment or discrimination. Retaliatory conduct is prohibited under this policy and is also a violation of Title IX if it rises to the level of creating a hostile environment. Incidents of retaliation should be reported to the Title IX Coordinator, his or her designee, and/or the Human Resources Department.

Other Definitions

Consent: Consent is the act of willingly agreeing to engage in sexual contact or conduct. Individuals who consent to sex must be able to understand what they are doing. Under this policy, "No" always means "No," and the absence of "No" may not mean "Yes".

- Consent is informed, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding the conditions of sexual activity.
- Consent to one form of sexual activity cannot imply consent to other forms of sexual activity.
- Previous relationships or consent does not imply consent to future sexual acts.
- Use of alcohol, medications, or other drugs will not excuse behavior that violates this policy.
- Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion.

Coercion: Coercion is unreasonable pressure including physical, verbal, emotional or psychological pressure) for sexual activity.

Incapacitation: In order to give effective consent, one must be of legal age and have the capacity to consent. Incapacity may result from mental disability, intellectual disability, unconsciousness/sleep, age, or use of alcohol, drugs, medication, and/or other substances. Consent given by someone who one knows to be, or based on the circumstances, reasonably should have known to be, mentally or physically incapacitated, is a policy violation. Incapacitation is a state where someone cannot make rational, reasonable decisions because he or she lacks capacity to give knowing consent (e.g. to understand the “who, what, when, where, why or how” of their sexual interaction). Incapacity may result from a level of alcohol ingestion that is more severe than impairment, being under the influence, drunkenness or intoxication. It is less severe than alcohol poisoning or overdose.

Whether a person is incapacitated is a subjective determination that will be made after the incident and in light of all facts available. Individuals reach incapacitation at different points and as a result of different stimuli [and] exhibit incapacity in different ways. Note, that indications of consent are irrelevant if the initiator knows or should reasonably have known of the incapacity of the other person.

Possible indicators of incapacitation include, but are not limited to:

- (a) the amount of alcohol, medication or drugs consumed, or
- (b) imbalance or stumbling, or
- (c) slurred speech, or
- (d) lack of consciousness or inability to control bodily functions or movements, or
- (e) vomiting.

CONSENSUAL SEXUAL RELATIONSHIP POLICY

Sexual behavior that is welcome or consensual does not constitute sexual harassment under the law. However, amorous, dating or sexual relationships that might be appropriate in other circumstances have inherent dangers when they occur between: i) co-workers, ii) a faculty, staff, student or community member or iii) any person for whom an employee has a professional or academic responsibility. These dangers can include:

- That a student or employee may feel coerced into an unwanted relationship because he or she fears the refusal to enter into the relationship will adversely affect his or her education or employment;
- That conflicts of interest may arise when a faculty member, supervisor, or other member of the University community is required to evaluate the work or make personnel or academic decisions about a person with whom he or she is having a romantic relationship;
- That students or employees may perceive that a fellow student or co-worker involved in a romantic relationship will receive an unfair advantage, or
- That if the relationship ends in a way that is not amicable, either or both of the parties may wish to take action to injure the other party.

Faculty, supervisors and other members of the University community who are professionally responsible for other individuals, must remain aware that any romantic or sexual involvement with a student or employee for whom they have any academic or professional responsibility will raise questions about their integrity, the mutuality of the relationship and may lead to charges of sexual harassment.

For the reasons stated above, such relationships are not permitted.

Relationships with Students:

Faculty, supervisors and other members of the University community who are professionally responsible for students are in a position of direct power or authority. These relationships must never jeopardize the student experience. Therefore, it is our policy that consensual sexual relationships or efforts by employees to initiate such a relationship, while the employee is in a position of direct power and authority, is prohibited. Violations of this policy by an employee is grounds for discipline, up to and including discharge. Consensual relationships between a student and employee who is not in a position of direct power and authority may also be inappropriate. Any employee who engages in such a relationship must accept responsibility for assuring it does not result in a conflict of interest or raise any other issues of impartiality or professionalism. If the employee is unsure, the Human Resources Director should be consulted as soon as reasonably practical.

Relationships at Work:

Employees at Wilmington University are encouraged to develop collaborative relationships in the workplace. These relationships facilitate a cooperative atmosphere that transcends among various departments and colleges and enhances a team approach. However, should a relationship advance beyond the workplace and become intimate, there is always potential for conflict, endangering the university environment.

If a romantic relationship develops amongst employees, particularly where one party is in a position of power and authority, it may interfere with the goals and objectives of the university, due to: a relationship dispute, or favoritism, bias, conflicts of interest, or other impartiality; real or perceived. Therefore, it is our policy that a party to a romantic relationships among employees who has a position of power and authority over the other party has an obligation to disclose the relationship to either the next level administrator or Human Resources Director. Violation of this policy is grounds for discipline, up to and including discharge.

VIOLATIONS OF SEXUAL MISCONDUCT, HARASSMENT AND DISCRIMINATION: ONE POLICY, ALL CAMPUSES

No matter which campus you work or attend classes or whether or not criminal charges are filed, the university or a person may file a complaint under the Sexual Misconduct, Harassment and Discrimination Policy alleging that a student or employee violated the University's policy.

All reports of all domestic violence, dating violence, sexual assault and stalking made to Department of University Safety will automatically be referred to the Title IX Coordinator for investigation regardless of whether the complainant chooses to pursue criminal charges. The disciplinary process for Title IX violations follow a separate and distinct, but similar process than do all other alleged conduct violations. Annually, Title IX investigators and disciplinary board members receive training specifically focused on sexual assault, domestic violence, dating violence, and stalking investigations, as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability.

Adjudications of Violations

The university's disciplinary process includes a prompt, fair, and impartial investigation and resolution process. The proceeding will be *completed within reasonably prompt timeframes designated by an institution's policy, including a process that allows for the extension of timeframes for good cause with written notice to the complainant and the respondent of the delay and the reason for the delay.* In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the complainant and the respondent. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the complainant and the respondent of the delay and the reason for the delay. University officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault, and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Officials are training through face-to-face professional development seminars, webinars, and online training. Furthermore, each policy provides that:

1. The complainant and the respondent will have timely notice for meetings at which the complainant or respondent, or both, may be present;
2. The complainant, the respondent and appropriate officials will have timely and equal access to any information that will be used during decision making process;
3. The investigation will not be conducted by officials who have a conflict of interest or bias for or against the complainant or the respondent;
4. The complainant and the respondent will have the same opportunities to have others present during any investigative meetings. The complainant and the respondent each have the opportunity to be advised by an advisor of their choice at

any stage of the process and to be accompanied by that advisor to any related meeting. The University will not limit the choice of advisor or presence for either the complainant or the respondent in any meeting. However, advisors serve as a support person to a party; the advisor may not participate or interfere with the proceedings. The University will make reasonable efforts to schedule proceedings at a time that the parties and their advisors may attend, but the process will not be delayed for the convenience of an advisor. An advisor that is disruptive to the proceedings may be removed at the Title IX Coordinator's discretion.

5. The complainant and the respondent will be notified simultaneously, in writing, of the any initial, interim and final decision of an investigation; and
6. Where an appeal is permitted under the applicable policy, the complainant and the respondent will be notified simultaneously in writing, of the procedures for the respondent and the complainant to appeal the result of the appeal proceeding. When an appeal is filed, the complainant and the respondent will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

INVESTIGATIVE AND RESOLUTION PROCEDURES

The University recognizes its obligation to address incidents of sexual misconduct, discrimination and harassment on campus when it becomes aware of its existence even if no complaints are filed; therefore, the University reserves the right to take appropriate action unilaterally under this procedure, including but not limited to issuing discipline, no-contact orders, modification of course-schedules, etc.

Students: With respect to students, the University Vice President for Student Life or other appropriately designated person(s) in authority, may take immediate administrative or disciplinary action deemed necessary for the welfare or safety of the University community.

Employees: With respect to employees, upon a determination at any stage in the investigation or Complaint procedure that the continued performance of either party's regular duties or University responsibilities would be inappropriate, the Assistant Vice President of Human Resources/ Chief Human Resources Officer may issue a written warning, suspension or termination, may suspend or reassign said duties or responsibilities, place the individual on leave of absence, or any combination of the above, pending the completion of the investigation or Complaint procedure.

Investigation

Upon receipt of a complaint, the Title IX Coordinator, or his/her designee, will notify complainant of the receipt of the complaint, and the Title IX Coordinator, or his/her designee, will conduct an inquiry into the allegation to determine if it falls under the Title IX policy's purview. Additionally when a student or employee reports to the institution that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the Title IX Coordinator and/ or his/her designee, will provide the student or employee a written explanation of the student's or employee's rights and options.

If the misconduct alleged does fall under the Title IX policy's purview, the Title IX Coordinator, or designee, will forward the complaint to the appropriate investigator who have received annual training to investigate the complaint, to interview the parties and witnesses, and to gather any evidence deemed pertinent. The Title IX Coordinator or designee will provide notice to the parties, including the names of the assigned investigator(s).

Where a complainant does not wish to be identified, the extent of the investigation may be limited; however, some form of limited investigation will be attempted while maintaining confidentiality of the complainant's identity.

The University may impose interim actions or protective measures at any point prior to the outcome of the investigation in order to protect the complainant. These actions are designed to eliminate the harassment and prevent its recurrence. These measures may include, but are not limited to, discipline, University no contact orders, accommodations in academic courses (like moving a party to a separate section of a course or mandating a student complete assignments from home), withdraw from/retake a class without penalty; access academic support such as tutoring; removal from campus, transportation accommodations, a change in work location or supervisor, and/or emotional support. The University will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of WU to provide the accommodations or protective measures. In certain circumstances, the University must proceed with a full investigation despite a

complainant's wish to remain confidential. The Title IX Coordinator or designee will make the determination as to confidentiality based on the following factors:

- An increased risk of the alleged perpetrator committing additional acts of sexual violence or other violence (e.g., whether there have been other sexual violence complaints about the same alleged perpetrator, whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence, whether the alleged perpetrator threatened further sexual violence or other violence against the student or others, and whether the sexual violence was committed by multiple perpetrators).
- An increased risk of future acts of sexual violence under similar circumstances (e.g., whether the student's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group).
- whether the sexual violence was perpetrated with a weapon;
- the age of the student subjected to the sexual violence; and
- whether the school possesses other means to obtain relevant evidence (e.g., security cameras or personnel, physical evidence).

Evidence may be sought from any relevant party or witness, including but not limited to, people, email communications, social media postings, text messages, closed circuit television cameras, card access swipes, etc. Failure to cooperate with an investigation will result in a decision being made without the input or facts from the non-cooperating party. Parties should be aware that as members of the University community, their access to University resources has very limited privacy rights, and the University may obtain information through the University's resources and informational technology system with or without the individual's cooperation. The investigation and findings generally should be completed within (60) calendar days of receipt of the complaint, preferably sooner. The University reserves the right to exceed 60 days for purposes of conducting a thorough investigation. If the timeframe is exceeded, the University will notify the complainant and the respondent in writing advising them of the reason for the delay and the anticipated timeframe for conclusion.

Once the investigator has completed the investigation, the investigator will draft a summary report, and will subsequently meet with the complainant and respondent separately after the fact finding but before a final decision of responsibility has been reached to discuss what facts will be used in making the decision. This also provides the parties with the opportunity to correct any information that is factually inaccurate or to provide any new evidence uncovered by the parties relevant to the investigation. Once the investigator has gathered the information and the Title IX Coordinator, or designee, has determined the investigation is complete, he/she shall discuss his/her findings with the Title IX Administrator for a determination as to whether sufficient grounds exist to issue a finding of responsibility.

At all times, throughout the process, the complainant shall have all rights afforded to the respondent.

Finding

Once the investigator has finalized the report and the Title IX Coordinator, or designee, has determined the investigation is complete, the Title IX Coordinator shall render a finding based on the evidence as a whole, the totality of the circumstances, and the context in which the alleged incident(s) occurred, utilizing a preponderance of the evidence standard, i.e. the facts complained of are more likely true than not.

Upon completion of the Title IX investigation, the Title IX Coordinator, or designee, is authorized to take the following actions:

1. **Finding of Not Responsible:** The Title IX Coordinator or designee finds that no policy violation occurred and dismisses the complaint.
2. **Finding of Responsible:** The Title IX Coordinator or designee finds the respondent responsible for sexual misconduct, harassment or discrimination as defined in this policy and assigns one or more sanctions.

SANCTIONS AND PROTECTIVE MEASURES

In all cases, investigations that result in a finding of more likely than not that a violation of the Sexual Misconduct, Harassment and/or Discrimination Policy occurred will lead to the initiation of disciplinary procedures against the respondent individual. University sanctions including, but not limited to:

Sanctions for students include but are not limited to:

- a) Permanent dismissal from the University. *Note:* If a student is suspended or dismissed from the University and is later reinstated, credits for courses at other institutions of higher learning are not transferrable.
- b) Dismissal from the University with permission to reapply after a specified period of time. Conditions precedent to readmission may be established in conjunction with such a dismissal.
- c) Suspension from the University for a specified period of time. Any suspension may be followed by a probationary period and may include restriction or forfeiture of privileges.
- d) A delay as to when a degree is to be conferred upon the student.
- e) A determination that the student is not entitled to have their degree conferred.
- f) Disciplinary probation with or without loss of designated privileges for a specified period of time.
- g) Restricted privileges such as removal from elective or appointed office and/or ineligibility in representing the University.
- h) Mandatory training
- i) Letter of warning regarding conduct.
- j) No contact directive

Sanctions for employees include but are not limited to:

- a) Disciplinary probation with or without loss of designated privileges for a specified period of time.
- b) Mandatory training
- c) No contact directive
- d) Documented Counseling
- e) Written warning
- f) Suspension
- g) Demotion
- h) Reassignment
- i) Termination

All violations fall within the auspices of the University’s Sexual Harassment Policy, regardless of whether the parties are: managers, faculty, administrators, staff, students, visitors, or vendors. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law.

The Title IX Coordinator or designee will provide an outcome letter with finding, the reason for the finding and the sanction, if any, to the complainant and respondent, simultaneously and via University email or US Mail. The Title IX Coordinator or designee will also convey any permanent protective measures that he or she determines appropriate based on the facts of the case (for example, the Title IX Coordinator may impose permanent no contact between the parties, or may restrict a party’s access to certain spaces on campus indefinitely.) At that time, the investigation and the record shall be closed unless and until an appeal is filed by either party.

Conflict of Interest

If there is a conflict of interest or bias for or against the complainant or respondent on the part of the Title IX Coordinator, investigator(s), or Title IX Appeals Board, the party may submit, in writing, a request for the person to recuse himself/herself to the Title IX Coordinator or designee. The request for recusal must be made within (5) days of receipt of notice of involvement and must include a rationale. The Title IX Coordinator or the Assistant Vice President of Human Resources (when the request for recusal is for the Title IX Coordinator) will make a decision on the request and if necessary appoint a new investigator, Appeals Board member or Title IX Coordinator designee.

Appeals Process of the Title IX Coordinator Findings

Both the complainant and the respondent have the right to appeal the findings. The appealing party will have (5) calendar days from receipt of the outcome letter to request an appeal to the Title IX Coordinator. The appeal must be in writing and specifically state the reasons for the appeal. The grounds for considering an appeal are as follows:

1. A procedural error that substantially impacts the finding and/or sanction, or
2. New evidence otherwise not discoverable that would have substantially impacted the finding and/or sanction.

Should a complainant or respondent feel that a satisfaction resolution has not been arrived at, he/she will have (5) calendar days from receipt of the outcome letter to request an appeal per the policy.

Accommodations and Protective Measures

The University has procedures in place that serve to be sensitive to those who report sexual misconduct, discrimination and harassment including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between the parties and otherwise eliminate the alleged hostile environment. Students and employees should contact the Title IX Coordinator, a designee, or the Human Resources Department to request accommodations.

The University will make such accommodations, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the Department of University Safety or local law enforcement.

The University recognizes its obligation to address incidents of sexual misconduct, discrimination and harassment on campus when it becomes aware of its existence even if no complaints are filed; therefore, the University reserves the right to take appropriate action unilaterally under this procedure. Action may be taken at any time as deemed necessary for the welfare or safety of the complainant or the University community and will be communicated as appropriate to the parties. The University will maintain as confidential, any accommodations or protective measures provided to the complainant to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations or protective measures.

Accommodations and protective measures may include but are not limited to:

- issuing discipline,
- no-contact orders,
- escorts,
- transportation assistance,
- modification of course schedules
- withdrawal from a course without penalty
- limiting access to campus locations or activities,
- rescheduling exams or assignments,
- disciplinary probation
- written warning,
- leave of absence,
- modification of work schedule,
- suspension,
- termination/expulsion

A determination of appropriate protective measures will be made by the Title IX Coordinator, a designee or the Human Resources Department, in consultation as appropriate with the program Dean and/or Wilmington University Department of Safety.

EDUCATION AND PREVENTION PROGRAMS

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that: are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

- Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Uses definitions provided both by the Department of Education, as well as state statutes, what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- Defines what behavior and actions constitute consent to sexual activity in the State of Delaware, Maryland and/or New Jersey, depending on which campus(es) the student is attending or the employee is employed and/ using the definition of consent found in the Student Code of Conduct and the purposes for which that definition is used;

- Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act. Information regarding:
 - a. procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document)
 - b. how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
 - c. existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this document); and
 - d. options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);
 - e. procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document);

The University has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation.

The University offered the following primary prevention and awareness programs for all employees in 2017-2018:

Name of Program	Which Prohibited Behavior Covered?
Overview of the Clery Act and Title IX for Employees	This session provided a brief overview of the two laws, the Clery Act and Title IX of the Education Amendments of 1972 and guidance with regard to responsibilities under the Clery Act as “Campus Security Authorities” and under Title IX as “Responsible Employees”.
CSA Training	Identified CSA’s are offered this online course to familiarize their roles and responsibilities under the Clery Act.

The University offered the following ongoing awareness and prevention programs for students in 2017:

Name of Program	Date Held	Location Held	Which Prohibited Behavior Covered?
First Year Experience (FYE)	Multiple (approx. 23) sessions, (approx. 249 students) throughout year	Various campuses	Comprehensive overview of safety/security function, Title IX, Clery, & VAWA overview, dating/domestic violence/stalking definitions and applicable statutes.
Dating Violence	September (1 date)	New Castle	Interactive and thorough review of dating violence, consent definitions, criminal laws and university policies surrounding these topics. Presented to male and female athletes in separate sessions.
Sexual Assault	September 27	All Campuses	Delaware Sexual Assault Awareness Day. In conjunction with the other colleges in the state of Delaware, Wilmington University had a Sexual Assault Awareness Day. Commemorative wristbands were distributed, a soccer game was held where student-athletes wore teal shoelaces, and students and employees wore teal. Information was distributed throughout the day at various campuses.

Domestic Violence and Sexual Assault	Month of October	New Castle	Displays were presented in the Student Center to call attention to Domestic Violence. Information and resources were available on preventing domestic violence.
Sexual Assault Awareness Display	April 9-13	New Castle	Information and resources were available in the Student Center about preventing sexual assault and for survivors of sexual assault.
Become A Student Leader	November 9, 2018	New Castle	<ul style="list-style-type: none"> • Develop Leadership Skills • Boost your résumé • Promote self-awareness • Build your social network • Strengthen time management • Build your professional portfolio
International Student Orientation	Throughout the year	New Castle	Title IX/Clery overview, domestic/dating violence, personal safety, reporting instructions, conduct expectations, active shooter preparedness.
Accepted Student Session	Throughout the year	New Castle and Dover	Brief introduction to Department of Safety services, overview of Title IX/Clery
New Student Orientation	Throughout the year	New Castle	Title IX/Clery overview, domestic/dating violence, personal safety, reporting instructions, conduct expectations, active shooter preparedness.

The University offered the following ongoing awareness and prevention programs for new students in 2017-2018:

Name of Program	Date Held	Location Held	Which Prohibited Behavior Covered?
First Year Experience (FYE)	Multiple (72 sections, approx. 1089 students) throughout year	Various campuses	Comprehensive overview of safety/security function, Title IX, Clery, & VAWA overview, dating/domestic violence/stalking definitions and applicable statutes.
International Student Orientation	Throughout the year	New Castle	Title IX/Clery overview, domestic/dating violence, personal safety, reporting instructions, conduct expectations, active shooter preparedness.
Accepted Student Session	Throughout the year	New Castle and Dover	Brief introduction to Department of Safety services, overview of Title IX/Clery
New Student Orientation	Throughout the year	New Castle	Title IX/Clery overview, domestic/dating violence, personal safety, reporting instructions, conduct expectations, active shooter preparedness.

University-Initiated Protective Measures

In addition to those protective measures previously described, the Title IX Coordinator will determine whether interim interventions and protective measures should be implemented. and if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include but are not limited to: a University order of no contact, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Wilmington University.

How to be an Active Bystander...because we all have a role and responsibility

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes

recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. For further free training, go to: <http://www.wilmu.edu/titleix/training-students.aspx>

We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt. Below is a list¹ of some ways to be an active bystander:

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, and try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk Reduction...*be proactive*

Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (obtained from Rape, Abuse, & Incest National Network, www.rainn.org):

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash on hand for transportation.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid being distracted with your phone or having earbuds/headphones in both ears so that you may be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect 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.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
- If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - 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.
 - Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.

¹ Bystander intervention strategies adapted from Stanford University's Office of Sexual Assault & Relationship Abuse

- Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

SEX OFFENDER REGISTRY

In accordance to section 121 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921), concerning registered sex offenders may be obtained through a direct link to the Delaware Sex Offender Central Registry:

(<https://sexoffender.dsp.delaware.gov/>). This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student.

In Delaware, information regarding registered sex offenders is maintained by the Delaware Department of Safety and Homeland Security, Division of State Police. The Delaware State Police have created the Sex Offender Central Registry. The Sex Offender Central Registry may be accessed by the internet at: <https://sexoffender.dsp.delaware.gov/>. Sex offenders from out of state are required to register with the Delaware State Police within three (3) business days of establishing permanent or temporary residence within the State of Delaware. All registrants must provide an address and place of employment and/or study.

Upon annual review, registered sex offenders, who reside, work, or attend school as reported to the Sex Offender Central Registry, in close proximity (approximately 2 mile radius) to a Wilmington University campus, will be included in the Daily Crime Log located at security station at the respective campus.

In **Delaware**, convicted sex offenders must register within 3 days if they move residences, gain employment, or attend school in the State of Delaware, with the State Bureau of Identification at:

In New Castle County (by appointment only)

The office is located at Delaware State Police Troop 2, on Route 40, in Bear, just west of the Fox Run Shopping Center, between routes 72 and 896.

The hours of operation are:

- Mon, Wed, Thurs, and Fri, 8:30 a.m. to 3:15 p.m.
- Tuesday, 11:30 a.m. to 6:15 p.m.
- To schedule an appointment call 302-739-2528, or toll free in DE at 1-800-464-4357

In Kent County (no appointment needed)

The office is located at 655 South Bay Road, Suite 1B, Dover, DE 19901, in the Blue Hen Corporate Center. Enter the road between Kent County Levy Court and Firestone, then follow the fingerprint signs.

Hours of operation are:

- Mondays, 8:30 a.m. to 6:30 p.m.
- Tuesday through Friday, 8:30 a.m. to 3:30 p.m.

In Sussex County (by appointment only)

The office is located at Delaware State Police Troop 4, in Georgetown, on the corner of Shortly Road and Route 113, across from Motor Vehicle Department.

Hours of operation are:

- Every other Wednesday, from Noon to 6:30 p.m.
- To schedule an appointment call 302-739-2528, or toll free in DE at 1-800-464-4357
- CASH IS NOT ACCEPTED at this location.

You can link to this information, which appears at: <http://dsp.delaware.gov/StateBureauofIdentification.shtml>

In **New Jersey**, convicted sex offenders must register within 10 days with the any local or state police department where sex offender resides, is employed, or attends school at:

Atlantic City Expressway Station
P.O. Box 389
Hammonton, NJ 08037
(609) 965-7200
(609) 965-3703 (FAX)

389 State Highway 130
Bordentown, NJ 08505
(609) 298-1171
(609) 291-8551 (FAX)

Bellmawr Station
Wellwood Avenue
Bellmawr, NJ 08030
(856) 933-0662
(856) 931-5301(FAX)

Hamilton Sub-Station
1400 Negron Drive
Hamilton, NJ 08691
(609) 584-5000
(609) 584-8115 (FAX)

Bridgeton
1 Landis Ave.
Bridgeton, NJ 08302
(856)451-0101

Kingwood Station
945 State Highway 12
Frenchtown, NJ 08825
(908) 996-2864
(908) 996-7812 (FAX)

Buena Vista Headquarters
1045 Rt. 54
Williamstown, NJ 08094
(609)561-1800

Red Lion Station
R.D. #6
U.S. 206 Red Lion
Southampton, NJ 08088
(609) 859-2282
(609) 859-2281 (FAX)

Metro South
101 Haddon Avenue
Suite 11, 5th Fl
Camden, NJ 08102
(856)757-0300

Office of State Governmental Security
125 West State St.
Trenton, NJ 08618
(609) 777-4949
(609) 633-0622 (FAX)

Port Norris
8861 Highland Street
Port Norris, NJ 08349
(856)785-0036

Tuckerton Station
399 Main Street
West Creek, NJ 08092
(609) 296-3132
(609) 296-7080 (FAX)

Strategic Investigations Unit - South
101 Haddon Avenue
Suite 11, 5th Fl
Camden, NJ 08102
(856)757-0300

Holmdel Station
Garden State Parkway
Milepost 115.8
Holmdel, New Jersey 07733
732-441-4550 Ext. 7400
732-264-7037 (Fax)

Woodbine
823 Franklin St.
Woodbine Boro, NJ 08270
(609)861-5698

Woodstown
769 Rt. 40
Pilesgrove, NJ 08098
(856)769-0775

Bloomfield Station
Garden State Parkway
Milepost 153
P.O. Box 1262
Bloomfield, New Jersey 07003

Bordentown Station

732-441-4500 Ext. 3400
973-589-7912 (Fax)

Cranbury Station
278 Prospect Plains Road
Cranbury, NJ 08512
732-441-4500 Ext. 4400
609-860-9644 (Fax)

Moorestown Station
200 Mount Laurel Road
Mount Laurel, New Jersey 08054
732-441-4500 Ext. 3222
856-273-3324 (Fax)

Newark Station
14 Port Street
Newark, NJ 07114
732-441-4500 Ext. 1401
973-466-1717 (Fax)

You can link to this information, which appears at: <https://www.njsp.org/sex-offender-registry/>

HATE CRIME DEFINITIONS

Delaware Criminal Code – Title 11

Hate crimes:

(a) Any person who commits, or attempts to commit, any crime as defined by the laws of this State, and who intentionally:

(1) Commits said crime for the purpose of interfering with the victim's free exercise or enjoyment of any right, privilege or immunity protected by the First Amendment to the United States Constitution, or commits said crime because the victim has exercised or enjoyed said rights; or

(2) Selects the victim because of the victim's race, religion, color, disability, sexual orientation, gender identity, national origin or ancestry, shall be guilty of a hate crime. For purposes of this section, the term "sexual orientation" means heterosexuality, bisexuality, or homosexuality, and the term "gender identity" means a gender-related identity, appearance, expression or behavior of a person, regardless of the person's assigned sex at birth.

New Jersey – per the Office of the Attorney General

In compliance with the instructions of Attorney General Deborah T. Poritz, and pursuant to the Criminal Justice Act of 1970, N.J.S.A. 52:17B-97 et seq., it is hereby directed that the Bias Incident Investigation Standards are hereby amended as set forth below to expand the definition of a "bias incident" to include offenses that occur with an anti-gender or anti-handicap motivation.

All New Jersey law enforcement agencies shall incorporate such amendment into their agency policy and procedures: For New Jersey law enforcement purposes, a bias incident is defined as any suspected or confirmed offense or unlawful act which occurs to a person, private property, or public property on the basis of race, color, religion, gender (except matters involving a violation of N.J.S.A. 2C:14-2 or 2C:14-3), handicap, sexual orientation or ethnicity. An offense is bias-based if the motive for the commission of the offense or unlawful act pertains to race, color, religion, gender, handicap, sexual orientation or ethnicity. For the purpose of this definition, the term, "handicap" shall be construed consistently with N.J.S.A. 10:5-5(q). All other definitions and requirements in the Bias Incident Investigation Standards not inconsistent with these amendments shall remain in full force and effect.

Obtained from: <http://www.state.nj.us/oag/dcj/agguide/bias01b.pdf>

United States Department of Justice defines Hate Crime as:

Hate crime is the violence of intolerance and bigotry, intended to hurt and intimidate someone because of their race, ethnicity, national origin, religious, sexual orientation, or disability. The purveyors of hate use explosives, arson, weapons, vandalism, physical violence, and verbal threats of violence to instill fear in their victims, leaving them vulnerable to more attacks and feeling alienated, helpless, suspicious and fearful. Others may become frustrated and angry if they believe the local government and other groups in the community will not protect them. When perpetrators of hate are not prosecuted as criminals and their acts not publicly condemned, their crimes can weaken even those communities with the healthiest race relations.

Obtained from: <http://www.justice.gov/crs/hate-crime>

APPENDICES

APPENDIX A—COUNSELING AND EMOTIONAL SUPPORT SERVICES

Delaware Crisis Service Locations

Northern Delaware:

Crisis Intervention Services, Northern Delaware

Location & Hours: Herman Holloway Health Campus, 1901 N. DuPont Hwy., Springer Building, New Castle, DE 19720; Staffed 24 hours a day, 7 days a week

Phone: (302)-577-2484 or (800)-652-2929

Serves all of New Castle County and greater Smyrna in Northern Kent County.

Provides phone support, mobile outreach and walk-in crisis services.

CAPES Unit - Wilmington Hospital Emergency Department

Location & Hours: 501 W 14th St, Wilmington, DE 19801; 24 hours/day, everyday

Phone: (302) 428-2118

Wilmington Mental Health Center

Location & Hours: Williams State Service Center, 1906 Maryland Ave, Canby Park Shopping Center, Wilmington, DE 19805; Hours: 8 a.m. - 4:30 p.m.

Phone: (302) 778-6900

Southern Delaware

Crisis Intervention Services, Southern Delaware

Location & Hours: 700 Main Street (Rear Entrance), Ellendale, DE 19941; Staffed 24 hours a day, 7 days a week

Phone: (302) 577-2484 or (800) 345-6785

Serves all of Sussex County and Kent County south of greater Smyrna.

Provides phone support, mobile outreach and walk-in crisis services.

Dover Mental Health Center

Location & Hours: Williams State Service Center, 805 River Road, Dover, DE 19901; 8 a.m. - 4:30 p.m.

Phone: (302) 739-4275

Georgetown Mental Health Center

Location & Hours: Adams State Service Center, 546 S. Bedford Street, Georgetown, DE 19947; 8 a.m. - 4:30 p.m.

Phone: (302) 856-5490

Recovery Response Center

Location & Hours: 700 Main Street, Ellendale, DE 19941; Staffed 24/7

Phone: (302) 739-4275

Provides recovery support services and crisis stabilization services to divert people from inpatient hospitalization and communicate the message of hope and the possibility of recovery. The RRC Living Room is a crisis alternative where people having a difficult time can become a guest where they receive comfort and hope from a team of Peer Support Specialists in recovery.

APPENDIX B—SEX OFFENSES DEFINITIONS

As per the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program:

SEX OFFENSES

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

- A. **RAPE:** Is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ or another person without consent of the victim.

- B. **FONDLING:** Is defined as 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 or physical incapacity.

- C. **INCEST:** Is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

- D. **STATUTORY RAPE:** Is defined as sexual intercourse with a person who is under the statutory age of consent.

CRIME DEFINITIONS FROM THE UNIFORM CRIME REPORTING (UCR) HANDBOOK

- G. **AGGRAVATED ASSAULT:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or serious bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

- H. **ARSON:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling, house, building, motor vehicle or aircraft, personal property, etc.

- I. **BURGLARY:** The unlawful entry of a structure to commit a felony or a theft. For reporting purpose this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

- J. **MOTOR VEHICLE THEFT:** The theft or attempted theft of a motor vehicle. This includes cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned— including joyriding.

- K. **MURDER AND NON-NEGLIGENT MANSLAUGHTER:** The willful (non-negligent) killing of one human being by another.

- L. **MANSLAUGHTER BY NEGLIGENCE:** The killing of another person through gross negligence.

- M. **ROBBERY:** The taking of/ or attempting to take anything of value from the care, custody, or control, of a person or persons by force or threat of force, violence, and/or causing the victim to fear.

- N. **WEAPON LAW VIOLATIONS:** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing weapons; all attempt to commit any of the aforementioned.

O. **DRUG ABUSE VIOLATIONS:** Violations of state and local laws relating to the unlawful possession, sale, use growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

P. **LIQUOR LAW VIOLATIONS:** The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; all attempts to commit any of the aforementioned. (Drunkness and driving under the influence are not included in this definition.)

OFFENSE DEFINITIONS RELATING TO HATE/BIAS RELATED CRIME STATISTICS

As per the UCR Hate Crime Reporting Guidelines:

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

R. **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.

S. **LARCENY:** the wrongful taking and carrying away of the personal goods of another from his or her possession with intent to convert them to the taker's own use.

T. **THEFT:** the act of stealing; the wrongful taking and carrying away of the personal goods or property of another

U. **DESTRUCTION/DAMAGE/VANDALISM OF PROPERTY:** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law.

APPENDIX C— GEOGRAPHY DEFINITIONS FROM THE CLERY ACT

ON-CAMPUS—DEFINED AS: (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students and supports an institutional purpose (such as a food or retail vendor).

NON-CAMPUS BUILDING OR PROPERTY—DEFINED AS: (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

PUBLIC PROPERTY—DEFINED AS: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

NOTE: Wilmington University crime statistics do not include crimes that occur in private homes or commercial establishments regardless of their proximity to campus boundaries, unless otherwise determined to be within our Clery geography (owned or controlled by University).

APPENDIX D— CRIME AND ARREST STATISTICS

Delaware:

NEW CASTLE CAMPUS
CLERY ACT CRIME STATISTICS

Offense (Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Unfounded
Murder/Non Negligent Manslaughter	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Negligent Manslaughter	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Rape	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	1	0	1	0
Fondling	2018	0	0	0	0	0
	2017	0	0	0	1	0
	2016	0	1	0	1	0
Incest	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Statutory Rape	2018	1	0	0	1	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Aggravated Assault	2018	0	0	0	0	0
	2017	1	0	0	1	0
	2016	0	1	0	1	0
Burglary	2018	0	4	0	4	0
	2017	0	1	0	1	0
	2016	0	3	0	3	0
Motor Vehicle Theft	2018	0	1	0	1	0
	2017	0	1	0	1	0
	2016	0	3	0	3	0
Liquor Law Arrests	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Drug Law Arrests	2018	0	1	0	1	0
	2017	0	2	0	2	0
	2016	0	0	0	0	0
Weapons Law Arrests	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non- Campus	Public Property	Total	Unfounded
Weapons Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0

Arson	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Domestic Violence	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	2	0	2	0
Dating Violence	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Stalking	2018	0	2	0	2	0
	2017	1	0	0	1	0
	2016	0	0	0	0	0

NOTE: This campus does not have any residential facilities.

HATE CRIME REPORTING: There were five hate crimes reported on noncampus properties in 2016—1 rape, 1 fondling, and 3 motor vehicle thefts...

WILSON GRADUATE CENTER CAMPUS
CLERY ACT CRIME STATISTICS

Offense (Reported By Hierarchy)	Year	On Campus	Non- Campus	Public Property	Total	Unfounded
Murder/Non Negligent Manslaughter	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Negligent Manslaughter	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Rape	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Fondling	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Incest	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Statutory Rape	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Robbery	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Aggravated Assault	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Burglary	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Liquor Law Arrests	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Drug Law Arrests	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Weapons Law Arrests	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non- Campus	Public Property	Total	Unfounded
Drug Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Arson	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Domestic Violence	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Dating Violence	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Stalking	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0

NOTE: This campus does not have any residential facilities.

HATE CRIME REPORTING: No Hate Crimes Reported for 2016, 2017, and 2018.

DOVER CAMPUS
CLERY ACT CRIME STATISTICS

Statistics were requested from the Dover Police but were not provided in 2016. As a result, statistics provided by the Dover Police were not included in the crime statistics reported for this campus in 2016.

Offense (Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Unfounded
Murder/Non Negligent Manslaughter	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Negligent Manslaughter	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Rape	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Fondling	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2015	0	0	0	0	0
Incest	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Statutory Rape	2017	0	0	0	0	0
	2016	0	0	0	0	0
	2015	0	0	0	0	0
Robbery	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Aggravated Assault	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Burglary	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Liquor Law Arrests	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Drug Law Arrests	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Weapons Law Arrests	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non- Campus	Public Property	Total	Unfounded
Weapons Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0

Arson	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Domestic Violence	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Dating Violence	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Stalking	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0

NOTE: This campus does not have any residential facilities.

HATE CRIME REPORTING: No Hate Crimes Reported for 2016, 2017 & 2018.

NORTH WILMINGTON CAMPUS (FORMERLY THE BRANDYWINE CAMPUS)
CLERY ACT CRIME STATISTICS

Offense (Reported By Hierarchy)	Year	On Campus	Non-Campus	Public Property	Total	Unfounded
Murder/Non Negligent Manslaughter	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Negligent Manslaughter	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Rape	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Fondling	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Incest	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Statutory Rape	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Liquor Law Arrests	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Drug Law Arrests	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Weapons Law Arrests	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Non- Campus	Public Property	Total	Unfounded
Arson	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Domestic Violence	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Dating Violence	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0
Stalking	2018	0	0	0	0	0
	2017	0	0	0	0	0
	2016	0	0	0	0	0

NOTE: This campus does not have any residential facilities.

HATE CRIME REPORTING: No Hate Crimes Reported for 2016, 2017 & 2018.

GEORGETOWN (Separate Campus)
CLERY ACT CRIME STATISTICS

Offense (Reported By Hierarchy)	Year	On Campus	Public Property	Total	Unfounded
Murder/Non Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Fondling	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Incest	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Statutory Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	1
Burglary	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0
	2016	0	0	0	0
	2016	0	0	0	0
Liquor Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Public Property	Total	Unfounded
Arson	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Domestic Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Dating Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Stalking	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

NOTE: The 2016 Sex Offenses, Non Forcible (Incest and Statutory) unfounded report involved an adult and a reported juvenile. Additional investigation by the Georgetown Police department determined the victim was not a juvenile and he was subsequently arrested for making a false report. All charges against the adult were Nolle Prosequi by the Attorney General’s office and the incident was changed to unfounded by the Georgetown Police Department.

HATE CRIME REPORTING: No Hate Crimes Reported 2016, 2017 & 2018.

DOVER AIR FORCE BASE (Separate Campus)
CLERY ACT CRIME STATISTICS

Offense (Reported By Hierarchy)	Year	On Campus	Public Property	Total	Unfounded
Murder/Non Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Fondling	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Incest	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Statutory Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Burglary	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Public Property	Total	Unfounded
Arson	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Domestic Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Dating Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Stalking	2018	0	0	0	0
	2017	0	0	0	0
		0	0	0	0

NOTE: This campus does not have any residential facilities.

HATE CRIME REPORTING: No Hate Crimes Reported 2016, 2017 & 2018.

New Jersey:

GLOUCESTER COUNTY—Rowan College—separate site
CLERT ACT CRIME STATISTICS

Offense (Reported By Hierarchy)	Year	On Campus	Public Property	Total	Unfounded
Murder/Non Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Fondling	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Incest	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Statutory Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Aggravated Assault	2018	1	0	1	0
	2017	0	0	0	0
	2016	0	0	0	0
Burglary	2018	0	0	0	0
	2017	0	0	0	0
	2016	2	0	2	0
Motor Vehicle Theft	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Arrests	2018	0	0	0	0
	2017	2	0	2	0
	2016	0	0	0	0
Weapons Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Public Property	Total	Unfounded
Arson	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Domestic Violence	2018	0	0	0	0
	2017	1	0	1	0
	2016	0	0	1	0
Dating Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Stalking	2018	0	0	0	0
	2017	1	0	1	0
	2016	0	0	0	0

HATE CRIME REPORTING: No Hate Crimes Reported 2016, 2017 & 2018.

JOINT BASE/MAGUIRE-DIX-LAKEHURST (Separate Campus)**CLERY ACT CRIME STATISTICS**

Statistics were requested from the 87th Security Forces Squadron but were not provided in 2016. As a result, statistics provided by the 87th Squadron were not included in the crime statistics reported for this campus in 2016.

Offense (Reported By Hierarchy)	Year	On Campus	Public Property	Total	Unfounded
Murder/Non Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Rape	2017	0	0	0	0
	2018	0	0	0	0
	2016	0	0	0	0
Fondling	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Incest	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Statutory Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Burglary	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Public Property	Total	Unfounded
Arson	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Domestic Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Dating Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Stalking	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

NOTE: This campus does not have any residential facilities.

HATE CRIME REPORTING: No Hate Crimes Reported 2016, 2017 & 2018.

CUMBERLAND (Separate Campus)

CLERY ACT CRIME STATISTICS

Statistics were requested from the New Jersey State Police Troop A but were not provided in 2017 OR 2018. As a result, statistics provided by the New Jersey State Police Troop A were not included in the crime statistics reported for this campus in 2017 OR 2018.

Offense (Reported By Hierarchy)	Year	On Campus	Public Property	Total	Unfounded
Murder/Non Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Fondling	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Incest	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Statutory Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Burglary	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Public Property	Total	Unfounded
Arson	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Domestic Violence	2018	1	0	1	0
	2017	0	0	0	0
	2016	0	0	0	0
Dating Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Stalking	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

NOTE: This campus does not have any residential facilities.

HATE CRIME REPORTING: No Hate Crimes reported for 2016, 2017 & 2018.

CAMDEN COUNTY COLLEGE—BALCKWOOD CAMPUS (Separate Campus)

CLERY ACT CRIME STATISTICS

*There were no statistics collected for this site for 2016 and 2017.

Offense (Reported By Hierarchy)	Year	On Campus	Public Property	Total	Unfounded
Murder/Non Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Fondling	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Incest	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Statutory Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Robbery	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Aggravated Assault	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Burglary	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Public Property	Total	Unfounded
Arson	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Domestic Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Dating Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Stalking	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

NOTE: This campus does not have any residential facilities.

HATE CRIME REPORTING: No Hate Crimes reported for 2016, 2017 & 2018.

CAMDEN COUNTY COLLEGE—CAMDEN CITY CAMPUS (Separate Campus)

CLERY ACT CRIME STATISTICS

*There were no statistics collected for this site for 2016 and 2017.

Offense (Reported By Hierarchy)	Year	On Campus	Public Property	Total	Unfounded
Murder/Non Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Fondling	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Incest	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Statutory Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Robbery	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Aggravated Assault	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Burglary	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Public Property	Total	Unfounded
Arson	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Domestic Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Dating Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Stalking	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

NOTE: This campus does not have any residential facilities.

HATE CRIME REPORTING: No Hate Crimes reported for 2016, 2017 & 2018.

MERCER COUNTY COMMUNITY COLLEGE—JAMES KERNEY CAMPUS (Separate Campus)

CLERY ACT CRIME STATISTICS

*There were no statistics collected for this site for 2016 and 2017. University Safety and the area police departments did not provide statistics for the report for 2018. Campus police provided information on all but VAWA crimes.

Offense (Reported By Hierarchy)	Year	On Campus	Public Property	Total	Unfounded
Murder/Non Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Fondling	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Incest	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Statutory Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Robbery	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Aggravated Assault	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Burglary	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Public Property	Total	Unfounded
Arson	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Domestic Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Dating Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Stalking	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

NOTE: This campus does not have any residential facilities.

HATE CRIME REPORTING: No Hate Crimes reported for 2016, 2017 & 2018.

ROWAN at MT. LAUREL (Separate Campus)
CLERY ACT CRIME STATISTICS

Offense (Reported By Hierarchy)	Year	On Campus	Public Property	Total	Unfounded
Murder/Non Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Fondling	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Incest	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Statutory Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Motor Vehicle Theft	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Arrests	2018	0	0	0	0
	2017	2	0	2	0
	2016	0	0	0	0
Weapons Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Offense (Crimes Not Reported By Hierarchy)	Year	On Campus	Public Property	Total	Unfounded
Arson	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Domestic Violence	2018	0	0	0	0
	2017	1	0	1	0
	2016	0	0	0	0
Dating Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0
Stalking	2018	0	0	0	0
	2017	1	0	1	0
	2016	0	0	0	0

NOTE: This campus does not have any residential facilities.
HATE CRIME REPORTING: No Hate Crimes reported for 2016, 2017 & 2018.

ADDITIONAL RESOURCES:**DEPARTMENT OF UNIVERSITY SAFETY**

NEW CASTLE CAMPUS	(302) 325-3333
WILSON GRADUATE CENTER CAMPUS	(302) 325-3333
DOVER CAMPUS	(302) 325-3333
BRANDYWINE CAMPUS	(302) 325-3333
ATHLETICS COMPLEX	(302) 669-6212
POLICE/FIRE/AMBULANCE	911

HOSPITALS

A.I. DUPONT HOSPITAL FOR CHILDREN	(302) 651-4000
BAY HEALTH MEDICAL CENTER, DOVER	(302) 674-4700
CHRISTIANA CARE CHRISTIANA/WILMINGTON HOSPITALS	(302) 733-1000
NEWARK EMERGENCY ROOM	(302) 738-4300
ST. FRANCIS HOSPITAL	(302) 421-4100

ABUSE AND ASSAULT

DELAWARE STATE POLICE VICTIMS SERVICES UNIT	1-800-VICTIM1
DOMESTIC VIOLENCE HOTLINE	(302) 762-6110
RAPE CRISIS / CONTACT LIFELINE	1-800-262-9800
VIOLENT CRIME COMPENSATION BOARD	(302) 995-8383

ALCOHOL AND DRUG ABUSE

ALCOHOLICS ANONYMOUS	(302) 655-5113
NARCOTICS ANONYMOUS	1-800-317-3222

CRIME INFORMATION

DELAWARE CENTER FOR JUSTICE	(302) 658-7174
DELAWARE CRIME STOPPERS	1- 800-847-3333

WILMINGTON UNIVERSITY OFFICE OF STUDENT AFFAIRS

VICE PRESIDENT	(302) 356-6939
STUDENT ACTIVITIES	(302) 356-6966
STUDENT CONCERNS	(302) 295-1163
STUDENTS WITH DISABILITIES	(302) 356-6937

This publication was modeled after guidance provided by the U.S. Department of Education Handbook for Campus Safety and Security Reporting. For additional information, go online to: <http://ope.ed.gov/campussafety/#/> or contact Wilmington University Executive Director of Title IX, Clery, and Regulatory Affairs, Linda M. Van Drie Andrzejewski, Ed.D, office: 302-356-6754 linda.m.andrzejewski@wilmu.edu.

Thank you to all of our internal and external contributors.
And always stay safe!