



WINSTON-SALEM
STATE UNIVERSITY

Annual Security & Fire Safety Report 2024

Crime Years: 2021, 2022, 2023

601 S. Martin Luther King Jr. Drive
Winston Salem, NC 27110





WINSTON-SALEM STATE UNIVERSITY

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A Letter From Chancellor Brown

Dear Campus Community:

At Winston-Salem State University, the health and safety of our students, faculty, and staff are our top priorities. We are committed to creating a secure and supportive environment where everyone can thrive.

Each of you plays a vital role in maintaining the safety of our campus. By staying informed and practicing good safety habits, we can all contribute to a safer, more secure university community. Together, we can uphold our core values and advance the mission of WSSU.

In this annual report, you'll find important information about campus safety, including crime statistics, crime prevention tips, emergency response procedures, and fire safety data. We also highlight our initiatives to address sexual assault, substance abuse, and violence on campus.

We hope you find this report informative and useful. Personal safety is a shared responsibility, and we greatly appreciate your efforts in helping us keep WSSU a safe place to learn and work. Please take the time to review this information, as your health, safety, and well-being are very important to us.

Thank you for being a part of our community and for your commitment to campus safety.

Bonita Brown

Bonita Brown
Chancellor of Winston-Salem State University

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Together, we
can uphold our
core values
and advance
the mission
of WSSU.



A Letter from Director of Public Safety & Chief of Police Amir Henry

Dear Winston-Salem State University Community,

As a CALEA Accredited agency, our goal at the WSSU Police and Public Safety Department is to ensure the safety of our campus community. This annual report includes important information about crime prevention, campus security, crime reporting policies, and contact details for key campus offices and local resources. It also provides crime statistics from the past three years, gathered from various campus and local sources.

We are dedicated to creating a safe environment for students, faculty, staff, and visitors. To maintain campus security, we work closely with campus partners such as Athletics, the Dean of Students, Housing and Residence Life, and the Wellness Center.

We encourage everyone on campus to download the Rave Guardian app. This app lets you connect with our department, receive updates, access campus resources, and discreetly report suspicious activities. It is available for free on Google Play and the App Store.

For any safety-related concerns, training requests, or to discuss further, please contact us or visit us at the Patricia Norris Police and Public Safety Building behind Carolina Hall.

Contact Us:

336-750-2911 (emergency)

336-750-2900 (non-emergency)

campussafety@wssu.edu

Visit Us:

Patricia Norris Police and Public Safety Building

1540 Cromartie Street

Winston-Salem, NC 27110

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We are dedicated to creating a safe environment for students, faculty, staff, and visitors.

We fully support Chancellor Bonita Brown in her commitment to campus safety.

Thank you for your attention and support.

Sincerely,
Amir A. Henry
Chief of Police/Director of Public Safety.



Preparation Of The Annual Security And Fire Safety Report And Disclosure Of Crime Statistics

Winston-Salem State University provides this Annual Security Report and Annual Fire Safety Report in compliance with the Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 U.S.C. §1092(f), also known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The purpose of the Clery Act is to provide important information about the safety and security of college communities to enable people to make informed decisions about college for educational or employment purposes.

The responsibility for preparing this report falls upon the Clery Act Compliance Committee, which includes, but is not limited to, the Winston-Salem State University Police and Public Safety, Title IX, Student Affairs, Offices of Community Standards and Civility, Housing and Residence Life, Athletics, and Emergency Management/Environmental Health and Safety. The University compiles and publishes this report with the purpose of informing the Winston-Salem State University community about campus security policies, procedures, and crime prevention programs. This report includes incidents reportable under the Clery Act that have occurred within the Clery Act Geography in the previous three calendar years and have been reported to Campus Security Authorities or certain external law enforcement agencies.

Community members receive an annual notice in a university-wide email from the Integrated Marketing and Communications Department that informs them of the annual security and fire safety report, a brief description of its contents, information regarding the availability of the report, and the electronic address to access the

report. A hardcopy may be requested from the Winston-Salem State University Police and Public Safety located 1540 Cromartie Street, Winston-Salem, NC 27110. Notice of the availability of this report is made to enrolled and prospective students, and current and prospective employees, by Oct. 1 of each year.

Publicly Available Record-Keeping

Winston-Salem State University ensures that all publicly available record keeping, including Clery Act reporting and disclosures, does not contain any personal information.

Reporting Crimes And Other Emergencies

If crimes are never reported, little can be done to help other community members from also becoming victims. We encourage the Winston-Salem State University community to promptly report crimes and participate in crime prevention efforts. The university community will be much safer when all community members participate in safety and security initiatives. The Winston-Salem State University Police and Public Safety urge all campus community members to engage in WSSU's "See Something" campaign by reporting crimes, emergencies, and suspicious behaviors.

REPORTING TO UNIVERSITY POLICE

Winston-Salem State University encourages accurate and prompt reporting of all crimes to the Police and Public Safety Department and local law enforcement agencies. University Police have a communications center that is available by phone and the Rave Guardian mobile application.



WSSU POLICE AND PUBLIC SAFETY:

Emergency: (336) 750-2911
Non-Emergency: (336) 750-2900

WINSTON-SALEM POLICE DEPARTMENT:

Emergency: 911
Non-Emergency: (336) 773-7700

Crimes and emergencies can be reported in person twenty-four hours a day, seven days a week, at the University Police Department, located at the Police and Public Safety building behind Carolina Hall. WSSU encourages accurate and prompt reporting of all crimes when the victim elects to do so or when the victim is unable to make such a report. If you witness a crime in which the victim is unable to report, we encourage you to report the incident immediately.

Though there are many resources available on campus, the Police and Public Safety should be notified of any crime to ensure that WSSU can evaluate any security concerns and inform the community if there is a significant threat to the WSSU community. For more information regarding the efforts Campus Police conduct to educate the community in instances of significant threats, please read the sections titled Timely Warning and Emergency Notifications.

EMERGENCY CALL BOXES

The university has installed more than 60 emergency call boxes (blue light phones) throughout campus for use when Police and Public Safety assistance is needed. These call boxes are strategically located in prominent places on campus, including parking, areas outside the residence halls and administrative buildings, and other areas commonly used by students, faculty, and staff. The emergency call boxes are monitored 24 hours and provide direct voice communications to the Campus Police Communication Center. By pressing the red button on the phone, users can communicate directly with an emergency communications personnel. In addition, the location of the emergency call box is digitally displayed on on-campus police computers so that the Campus Police can be made aware of where the call is coming from.

RAVE GUARDIAN MOBILE APPLICATION

WSSU’s Rave Guardian mobile application puts safety right into the hands of students, faculty and staff. The app can be downloaded for free to an Apple or Android device for on-the-go and is an easy way to connect with WSSU Police and Public Safety.

Rave Guardian is used on campuses around the country and enables increased safety through a two-way communication channel between the campus community and safety officials. Users can directly access police and 911 emergency services from their devices, share their location with friends, and anonymously submit tips about potential campus safety issues to campus police.

Rave Guardian app empowers users to:

- Report tips to WSSU Police & Public Safety
- Rave Guardian uses a two-way texting system
- Sending tips is a discrete and fully anonymous process
- Tips can include photos, videos, and locations
- Tips can include:
 - Dangerous situations
 - Suspicious activity
 - Mental health concerns
 - Sexual assault

RECEIVE RAMALERT EMERGENCY COMMUNICATIONS:

Emergency notifications will come through loud and clear, even if you do not have a cell signal.

VIRTUAL ESCORT AND TIMER:

This feature will make sure that you never walk alone.

EMERGENCY CALL BUTTON:

You can connect directly with WSSU Police and Public Safety with the touch of a button.

REPORTING TO CAMPUS SECURITY AUTHORITIES (CSA'S)

While the university prefers that community members promptly report all crimes and other emergencies directly to the Campus Police at 336-750-2991 (emergency) or 336-750-2900 (non-emergency), we also recognize that some may prefer to report to other individuals or university offices. The Clery Act recognizes that certain officials and offices as Campus Security Authorities. The act defines these individuals as “officials of an institution who have significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, athletics, and Title IX office. An official is defined as any person who has the authority and the duty to act or respond to specific issues on behalf of the institution.



OFFICIAL	CAMPUS ADDRESS	PHONE NUMBER
WSSU Police and Public Safety	Patricia D. Norris Police & Public Safety Building 1540 Cromartie Street	336-750-2911
Vice Chancellor for Student Affairs	Thomas Center, Room 307 780 Success Way	336-750-3206
Office of the Dean of Students	Thomas Center, Room 303 780 Success Way	336-750-3356
Office of Community Standards and Civility	Thomas Center, Room 303 780 Success Way	336-750-3356
The Office Housing and Residence Life, including all RA's, HD's & AC's	Thomas Center, Room 307 (Main Office) 780 Success Way	336-750-3400
Title IX Office	Blair Hall, Suite 213 770 Welcome Lane	336-750-8758

*Crimes that are reported to these individuals will be evaluated for making timely warning reports, as well as for the inclusion of the incident in the annual statistic.

While the university has identified several hundred CSA's, we officially designate the offices above as places where campus community members may report crimes.

CONFIDENTIAL REPORTING

Students who wish to seek support services and wish that the information be kept confidential may do so at the Counseling and Health Center located in A.H. Ray Student Health Building, 475 Health Center Dr, Winston Salem, NC 27110.

According to the Clery Act, pastoral and professional counselors who are appropriately credentialed and hired by WSSU to serve in a counseling role are not considered Campus Security Authorities (CSA). Therefore, all services afforded to students at the WSSU Counseling Center are confidential except in circumstances where mental health providers are allowed by North Carolina state law to disclose information to other entities both within and outside of the campus community. This level of confidentiality is vital to both those receiving counseling services as well as victims of abuse. Circumstances, where confidentiality may be waived include when the client gives permission to do so and when the client poses a threat to themselves or others. In addition, professional and pastoral counselors have the option to report crimes on a voluntary, confidential

basis for the inclusion in the annual disclosure of crime statistics when they deem appropriate. This reporting in no way compromises the confidentiality of professional and pastoral counselors under North Carolina state law. WSSU does not have pastoral counselors.

As always, anyone may call Campus Police at 336-750-2911 to report suspicious activity or share concerns regarding public safety matters. Callers may remain anonymous.

DAILY CRIME AND FIRE LOG

WSSU Campus Police and Public Safety maintains a combined Daily Crime and Fire Log. This log contains all crime and fire incidents reported to Police and Public Safety. This log can be viewed online at [Daily Crime/Fire Log](#) or is available upon request by visiting the Patricia D. Norris Police & Public Safety Building.

About WSSU Police and Public Safety

The Winston-Salem State University Police and Public Safety Department (WSSUPD) is accredited by CALEA and protects and serves the university community 24 hours a day, 365 days a year.

WSSUPD is committed to enhancing the quality of life of the campus community, integrating the best practices of public policing, and providing services with the highest standards of professionalism. The WSSUPD includes a staff of approximately 30 personnel, including the chief's office, administrative services, accreditation, patrol, investigations, telecommunications, and security.

WSSU Police Officers are sworn full-time police officers who are state certified by the North Carolina Criminal Justice Training and Standards Commission. They must receive Basic Law Enforcement Training before being declared as police officers. Upon successful completion of Basic Law Enforcement Training, officers are placed on a one-year probationary period. Enforcement powers are derived from the state of North Carolina as each officer receives their commission in accordance with provisions outlined in N.C.G.S. 116-40.5. Sworn officers employed by WSSUPD have complete authority to enforce local, state, and federal laws on all property owned or leased by the university and on streets that run through, are adjacent to or border the campus. UPD has the same authority as municipal police officers in North Carolina, being authorized to carry firearms and empowered to make arrests. When additional police officers from other agencies are hired by the WSSUPD, these officers may exercise arrest authority for special events on any part of the university. The university also employs non-sworn security officers who do not have arrest authority and whose jurisdiction is confined to the university property.

Police Officer training occurs regularly through the department's training program. Training includes, but is not limited to, mandated in-service training, crime prevention strategies, firearms instruction and requalification, rapid deployment and active shooter, CPR, interview and interrogation, and interpersonal communications.

WORKING RELATIONSHIP WITH LOCAL, STATE, AND FEDERAL LAW ENFORCEMENT AGENCIES

The UPD shares concurrent law enforcement jurisdiction on the adjacent public streets, areas and in communities surrounding the university owned and controlled properties and cooperate fully with the Winston-Salem Police Department (WSPD) on the main campus, and other local, state, and federal law enforcement agencies. When additional sworn officers from local law enforcement agencies are hired by the university, those officers may exercise arrest authority throughout campus. All offenses committed on WSSU property are investigated by the WSSUPD, except homicides and sexual assaults which are investigated by the City of Winston Salem Police Department. Upon request of the WSSUPD, and through mutual aid agreement, Winston-Salem Police Department, Kernersville Police Department and/or the Forsyth County Sheriff's Office will aid in the investigation of major criminal cases deemed beyond the resources available to the WSSUPD. The WSSUPD maintains operational Memorandums of Understanding with Winston Salem Police Department in accordance with applicable statutes. UPD officers may also work in collaboration with other law enforcement agencies in incidents involving campus community members or requiring inter-agency law enforcement collaboration.

MONITORING AND RECORDING OF CRIMINAL ACTIVITY OF NON-CAMPUS LOCATIONS

WSSU relies on its close working relationships with WSPD and other local law enforcement agencies to receive information about incidents involving WSSU's students off-campus. Currently, there are no officially recognized student organizations off-campus. Nevertheless, in coordination with local law enforcement agencies, WSSUPD will actively investigate certain crimes occurring on or near campus. If WSSUPD learns of criminal activity involving students or student organizations, it will coordinate with the appropriate external agency and forward information about the situation to the Division of Student Affairs, as necessary. WSSUPD requires all recognized student organizations to abide by federal, state, local laws and university regulations. WSSUPD may become involved in off-campus conduct when a student engages in behavior on or off-campus, which jeopardizes the integrity of the university.

Accessibility to Information and Non-Discrimination Policy

Winston-Salem State University is committed to the policy that all persons shall have equal access to programs, facilities, admission, and employment without regard to personal characteristics not related to ability, performance, or qualifications as determined by university policy or state or federal authorities.

Equal Employment Opportunity & Nondiscrimination Policy
University Group Policy 900.16

I. Executive Summary

It is the policy of the State of North Carolina to provide equal opportunity in education and employment to all qualified persons and to prohibit discrimination based on race, color, national origin, creed, religion, sex, sexual orientation, age, veteran status, disability, genetic information or political affiliation, except where religion, sex or age are bona fide job-related employment requirements. Winston-Salem State University prohibits sexual harassment, including sexual violence. The Director of EEO/AA and Diversity Officer has been designated to handle inquiries regarding non-discrimination policies and to serve as the overall campus Title IX Coordinator, EEO/AA, and Diversity Officer. For further information on notice of nondiscrimination, contact the campus Title IX Coordinator, Office of Equal Employment Opportunity/Affirmative Action and Diversity 115 Blair Hall, Winston-Salem State University, Winston-Salem, North Carolina, 27110, 336-750-8759 or visit Office of Civil Rights - Department of Education.

II. Policy Statement

In furtherance of this policy, Winston-Salem State University prohibits retaliatory action of any kind taken by any employee of Winston-Salem State University against any other employee or applicant for employment because that person made a charge, testified, assisted or participated in any manner in a hearing, proceeding or investigation of employment discrimination.



To ensure that equal employment opportunity exists throughout the university, a results-oriented program will be implemented to overcome the effects of past discrimination and to eliminate any artificial barriers to employment opportunities for all qualified individuals that may exist in any of our programs. This program shall ensure greater utilization of all persons by identifying the underutilized groups in the workforce and making special efforts to increase their participation in recruitment, selection, training and development, upward mobility programs, and many other terms, conditions, or privileges of employment.

III. *Roles and Responsibilities*

Program objectives and timetables shall be established to reduce and eliminate underutilization through the equal employment opportunity plan and program. Responsibility for the development of this plan and program is assigned to the Equal Employment Officer. However, responsibility for the implementation of and compliance progress of this program will be presented to the Chancellor by the Equal Employment Officer.

Any individual with a concern, grievance, or complaint of discrimination, harassment, or retaliation should seek redress through the Office of Equal Employment Opportunity/Affirmative Action & Diversity.

IV. *Applicability*

This policy applies to all Winston-Salem State University faculty, students, and staff.

V. *Compliance*

This is in keeping with Title VII of the Civil Rights Act of 1964 as amended, Executive Order 11246, the Rehabilitation Act of 1973, the Civil Rights Restoration Act of 1988, the Americans with Disabilities Act of 1990, NC G.S. 126- 16 and 126-17, and other applicable Federal and State laws. Consistent with the policy of the State of North Carolina, WSSU is an equal opportunity employer.

For further information on the notice of nondiscrimination, contact the EEO Director at ContactEEO@wssu.edu.

Office of Equal Employment Opportunity/Affirmative Action and Diversity
Winston Salem State University
Anderson Center Suite 111
1545 Reynolds Park Rd
Winston-Salem, NC, 27110
336-750-8653

Or by visiting the website of: [The Office of Civil Rights, United States Department of Education](#)

VOLUNTARY REPORTING FOR THE INCLUSION IN CRIME STATISTICS

Victims or witnesses that wish to report crimes on a voluntary, confidential basis for the inclusion in the annual disclosure of crime statistics may contact the Clery Act Compliance Coordinator and request a copy of the Reporting Form. Once the form is completed, it may be submitted to the Clery Act Compliance Coordinator.

UNFOUNDED REPORTS

An institution may not withhold , of subsequently remove, a reported crime form it crime statistics based on a decision, by a court, corner, jury , prosecutor, or other non-campus official.

Only sworn or commissioned law enforcement personnel can make a formal determination that an incident report was false or baseless when making the crime report “unfounded.” Crime reports can be appropriately determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not completed or attempted in any matter.



Clery Act Qualifying Crime Definitions

These definitions are taken from the FBI Uniform Crime Reporting (UCR) handbook and are required to be used for the classification of crimes that fall within the Clery Act within Clery Geography that are reported to a campus security authority. Clery Act reporting does not require an investigation or disclosing personal information, about the victim as defined in the Violence Against Women Act of 1994.

CRIME	DEFINITIONS
Aggravated Assault	An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is accompanied using a weapon or by means likely to produce death or great bodily harm (included attempted Criminal Homicide and if an injury occurred or not).
Arson	Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, or aircraft, personal property, of another, etc.
Burglary	The unlawful entry of a structure to commit a felony or theft. (Includes forced and non-forced entry).
Dating Violence	Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of: <ol style="list-style-type: none"> The length of the relationship. The type of relationship. The frequency of interaction between the persons involved in the relationship.
Domestic Violence	A felony or misdemeanor crime of violence committed by: <ol style="list-style-type: none"> A current or former spouse or intimate partner of the victim. By a person with whom the victim shares a child in common. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
Drug/Narcotic Violations	The unlawful possession, distribution, sale, purchase, use, transportation, importation, cultivation, and/or manufacturing of any controlled drug or narcotic substance and the equipment or devices utilized in their preparation and/or use. *Drawn from the State Statutes and County/Local Ordinances.
Illegal Weapon Violations	The unlawful possession or control of any firearm, deadly weapon, illegal knife, or explosive device while on the property of Winston Salem State University except as required in the lawful course of business (i.e., sworn law enforcement personnel). *Drawn from the State Statutes and County/Local Ordinances.
Liquor Law Violations	The unlawful possession, sale, transportation, manufacturing, furnishing alcohol to a minor (under 21 years), or maintaining an unlawful drinking place. The Clery Act does not require reporting of public drunkenness or DUI/DWI offenses. *Drawn from State Statutes and County/Local Ordinances.
Motor Vehicle Theft	The theft or attempted theft of a motor vehicle. (e.g., cars, trucks, buses, motorcycles, motor scooters, mopeds, all-terrain vehicles, golf carts, etc.).
Murder	The willful (non-negligent) killing of a human being by another.
Manslaughter by Negligence	The killing of another person through gross negligence.
Robbery	The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
Sexual Assault	Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
Fondling	The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
Incest	Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
Rape	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.
Statutory Rape	Sexual intercourse with a person who is under the statutory age of consent.

CRIME	DEFINITIONS
Stalking	<p>Engaging in a course of conduct directed at a specific person that would cause a reasonable person to Fear for the person's safety or the safety of others; or suffer substantial emotional distress.</p> <p>a. Course of conduct means two or more acts, including, but not limited to acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.</p> <p>b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.</p> <p>c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.</p>
Larceny/Theft (Included Hate Crime Only)	<p>The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Included pocketpicking, purse snatching, shoplifting, theft from building, theft from a motor vehicle, theft of motor vehicle parts or accessories, and all other larcenies.</p>
Simple Assault (Included Hate Crime Only)	<p>Unlawful physical attack by one person upon another where neither the offender displays a weapon nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.</p>
Destructions of Property/Vandalism (Included Hate Crime Only)	<p>To destroy willfully or maliciously, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.</p>
Intimidation (Included Hate Crime Only)	<p>To unlawfully place another person in reasonable fear of bodily harm using threatening words and/ or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.</p>

HATE CRIMES

Hate crimes must also be counted in Clery Act crime statistics. Hate Crimes can involve one or more of the previously described crimes, as well as the crimes below, that are shown or suspected to have been motivated by bias against any person or group of persons, or the property of any person or group of people, based upon the perception that the person or group has one or more of the following characteristics:

- **Ethnicity:** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.
- **National Origin:** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a specific national origin.
- **Race:** A performed negative opinion or attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair, facial features, etc.) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (e.g., Asians, blacks or African Americans, whites).
- **Religion:** A performed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).



- **Disability:** A performed negative opinion or attitude toward a group of persons based on their physical or mental impairments/ challenges, whether such disability is temporary or permanent, congenital, or acquired by heredity, accident, injury, advances age, or illness.
- **Gender:** A performed negative opinion or attitude toward a group of persons because those persons are male or female.
- **Sexual Orientation:** A performed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).
- **Gender Identity:** A performed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity (e.g., bias against transgender or gender non-conforming individuals).



CLERY GEOGRAPHY DEFINITIONS

The Clery Act specifies geographic locations that must be included in annual crime statistics. For purposes of reporting statistics, the university must count criminal offenses according to where they occur. There are four geographic locations for which statistics must be reported. These include:

On-Campus: (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area (generally within one mile of the edge of the core of campus) 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 institutional purposes (such as a food or retail vendor).

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

Crime statistics for on-campus student housing/residential facilities must be reported as a subset of the on-campus totals (i.e. they are included in both on-campus and on-campus student residential facility categories).

Non-Campus Buildings or Property: (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: All public property, including thoroughfares, streets, sidewalks, parking facilities, and recreation facilities, that is within the campus, or immediately adjacent to and accessible from the campus. This generally includes, but is not limited to, public streets bordering the campus and the sidewalk on both sides of the street.

Annual Disclosure of Crime Statistics

MISSING STUDENT NOTIFICATION PROCEDURES

University Group Policy 200.6

POLICY STATEMENT

WSSU takes student safety very seriously. As such, this policy is established in compliance with Section 488 of the Higher Education Act of 2008 to assist in locating any WSSU student, who based on facts and circumstances known to WSSU, are determined to be missing for 24 hours. In addition, the following policy and procedures apply to any student living in on-campus housing or alternative housing managed by the university, located off-campus.

RESIDENTIAL STUDENT INFORMATION:

At the beginning of each academic year, a residential student will have the option and will be asked to provide emergency contact information for an individual who would be contacted by the Vice Chancellor for Student Affairs no later than 24 hours after the time that the student has been reported to be missing. A student can register this confidential contact information through the Director of Housing and Residence Life Officer. In addition, each student must verify permanent and/or local addresses before registering for classes each semester; this process will occur through the university's BANNER system. The contact information provided by the student will be recorded confidentially, will only be accessible to authorized campus officials, and will not be disclosed except to law enforcement personnel with the purpose of furthering a missing person investigation.

Notwithstanding, **any residential student under 18 years of age must** provide the Department of Housing and Residence Life with accurate emergency contact information. This is not optional and failure to do so will preclude the student from registering. The university will cancel the registration of any student under 18 years of age who fails to provide emergency contact information as required by this policy. If such a student is not an emancipated individual, the Vice Chancellor for Student Affairs will only notify the custodial parent or guardian within 24 hours after the student is determined to be missing.

WSSUPD will begin its investigation no later than 24 hours after the student is determined to be missing. Additionally, the Police and Public Safety will notify the National Crime Information Center's (NCIC) Missing Person File and the Division of Criminal Information (DCI).

If Police and Public Safety determines that a student is missing, the Vice Chancellor for Student Affairs will initiate the emergency contact procedure in accordance with the student's designation.

NOTIFICATION PROCEDURES

Anyone that needs to report a missing student who has been missing for 24 hours should report to WWSUPD (336)-750-2911. Reports may also be made to the following individuals on campus: Vice Chancellor for Student Affairs (336)-750-3206. Office of the Dean of Students (336)-750-3356, or the Office of Housing and Residence Life (336)-750-3400.

Any reports of a missing student by residence life staff are referred immediately to the WSSU Police and Public Safety Department. If a student is determined to be missing, the Vice Chancellor for Student Affairs will contact the individual identified by the student. In addition, if the missing student is under the age of 18 and not emancipated, the institution will notify the custodial parent or guardian and the student's designated contact person within 24 hours of the determination that the student is missing.

ROLES AND RESPONSIBILITIES

DEPARTMENT OF POLICE AND PUBLIC SAFETY:

Upon notification of a missing student, the WSSUPD will conduct a thorough investigation in the manner it deems fit, including but not limited to conducting a thorough investigation and obtaining all necessary information. Additionally, the Police Department will:

- Secure a description of the person, clothing, whom they may be with or where they may be vehicle description and the physical and mental wellbeing of the individual.
- Conduct a quick and thorough search of the campus buildings and parking lots using the student's class schedule.
- Check to assess card logs to determine the last time the ID card was used and any surveillance video.
- Request assistance from Resident Assistants or others to assist in a search on campus.
- Issue an ID card photograph to assist in the identification of the missing student.
- Contact the National Crime Information Center (NCIC) after a search has been conducted with negative results.
- The local law enforcement agency, Winston-Salem Police Department, will be notified of the missing student through the NCIC within 25 hours of determining that the student is missing.

CAMPUS COMMUNICATIONS

In all cases of a missing student, the university and Media Relations will provide information to the media designed to obtain public assistance in searching for any missing student. The local law enforcement agency will consult with the WSSU Media Relations Office and the Chief of Police or designee. Any media requests to the university will be directed to the WSSU Media Relations.

Timely Warning Notification

A requirement within the Clery Act is “to alert the campus community of certain crimes in a manner that is timely and will aid in the prevention of similar crimes,” called a timely warning. To provide timely notice to the campus community in the event a situation arises, either on or off-campus, that, in the judgment of the Chief of Police or his/her designee, constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued. In cases that pose an imminent threat to campus, the warning will be issued through the University Emergency Notification System to students, faculty, and staff via email and text messages. If available, the timely warning will provide details of the crime, a description of the suspect, and information that will aid in the prevention of similar incidents, including safety information and protective steps. WSSUPD may omit some information from the timely warning if it could identify the victim or compromise law enforcement efforts to respond. Victims can remain “mostly confidential” when reporting. Mostly confidential means that internal notifications will be limited to only those required departments (i.e., Title IX Coordinator, Dean of Students, and University Police). Victims can remain mostly confidential when reporting to Police and Public Safety or other Campus Security Authorities (CSAs). Therefore, in consideration of this requirement:

1. Timely Warnings will be sent out within a reasonable time with pertinent information and may be updated when new or information that is more accurate becomes available.
2. At minimum, timely warnings will be issued when the pertinent information is available and
 - a. One of the following Clery crimes is reported in good faith:
 1. Criminal Homicide, including Murder and Manslaughter
 2. Sex Offenses including Rape, Fondling, Incest, and Statutory Rape
 3. Robbery
 4. Aggravated Assault
 5. Major incidents of Arson
 6. A motor vehicle theft happens more than twice in a two-week
 7. All other Clery or non-Clery crimes, as deemed appropriate case-by-case basis
 - b. The crime is reported to a Campus Security Authority (CSA) or local/state/federal law enforcement agency that forwards the information to the WSSU Campus Police for evaluation and
 - c. The crime occurs within WSSU’s Clery Geography
 - d. The perpetrator has not been apprehended; and
 - e. The university determines the incident represents a serious or ongoing threat that poses a substantial risk to the physical safety and/or the property of the campus community; or

- f. The crime represents a pattern that has occurred two or more times within a specific area or shortened/condensed
3. Depending on the circumstances of the crime, especially in all situations that could pose an immediate and/or continuing threat to the community, the WSSUPD may issue an emergency notification in lieu of a timely warning. Emergency notifications are covered in a separate policy that addresses a broader range of incidents and requires a greater urgency than timely warnings. All available information known at the time will be considered when evaluating the need for a timely warning. Considerations include, but are not limited to:
 - a. The nature and seriousness of the crime
 - b. When and where the incident occurred
 - c. When it was reported
 - d. The duration of time between the occurrence and the report
 - e. The relationship between the victim and perpetrator
 - f. The patterns of trends of other incidents
 - g. The continuing danger to the campus community
 - h. The risk of compromising law enforcement efforts or identifying the victim
 4. Although each case will be evaluated on an individual basis, **timely warnings may not be issued:**
 - a. When a report is filed more than seven (7) calendar days after the date of the alleged incident
 - b. The pertinent information has not been acquired
 - c. The suspect has been apprehended
 - d. The report was not made in good faith
 - e. There is a possible risk of compromising law enforcement efforts
 - f. The report does not pose an ongoing threat to the campus

If in the professional judgment of WSSUPD, issuing a timely warning would compromise efforts to address the crime, the notification may be delayed, or information may be limited. In those cases, Police Communications will notify the University Chief of Police or the highest-ranking officer in charge. Once the potentially compromising situation has been addressed, a timely warning will be issued immediately if the serious or continuing threat still exists.

Anyone with information warranting a timely warning or any criminal conduct should report the circumstances to Winston-Salem State University Police and Public Safety by phone at 336-750-2911, by activating the RAVE Guardian mobile safety app, or in person at the Winston-Salem State University Police Department located at the Patricia D. Norris Police and Public Safety Building, 601 S Martin Luther King Jr. Drive, Winston-Salem, NC 27110.

Emergency Notifications- RamALERTS

WSSU is committed to ensuring the campus community receives immediate, accurate, and helpful information in the event of a significant emergency or dangerous situation on campus or in the local area, which poses an imminent threat to the health and safety of the campus community members. Therefore, WSSU takes four immediate steps to initiate an Emergency Notification:

1. Confirm the Existence of a Significant Emergency or Dangerous Situation

The Department of Police and Public Safety and/or other local first responders may become aware of a critical incident or emergency that potentially affects the campus community's health and/or safety. Generally, WSSUPD becomes aware of these situations when they are reported to the Police Communications Center or upon discovery during a patrol or other assignments. To confirm the existence of emergency, Winston-Salem State WSSUPD will respond to the incident location. WSSU also considers notification of the presence of an actual emergency by another law enforcement agency or local first responders as confirmation.

2. Determine the Appropriate Segment or Segments of the Campus Community to Receive an Emergency Notification

University and/or local first responders on the scene of a critical incident or emergency will assist those preparing an Emergency notification by determining what segment or segments of the university community should receive the notification.

3. Determine the Contents of the Emergency Notifications

The Police Communications Center, the division responsible for issuing emergency notifications, may converse with the university and local first responders to determine the contents of the notification. The university has developed a wide range of template messages addressing several different emergencies. The individual authorizing the alert will advise on the template message most appropriate to the ongoing situation and may modify it to include appropriate incident specifics. In those cases where there are no pre-determined template messages in the system, the individual authorizing the alert will develop the most concise message to convey the appropriate information to the community. The goal is to ensure individuals are aware of the situation and know the steps to take to safeguard their personal and community safety.

4. Initiate the Notification

The university's authorized representatives will consider the campus community's safety and initiate all or some portions of the university's Emergency Notification System.

Once WSSUPD confirms there is, in fact, a significant emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the

campus community, WSSU will immediately notify the campus community. In addition, the Police Communications Center will notify the supervising officer on duty in the Department of Police and Public Safety or other appropriate university officials to authorize activations of the Emergency Notification System.

Any of the following university officials can authorize activation of RamAlert:

- Senior Public Safety Field Supervisor on Duty
- Chief of Police
- Public Information Officer (PIO)
- Director of Emergency Management
- Assistant Director of Emergency Management or Designee
- Chancellor or their Designee

Once the appropriate official gives authorization, WSSU will, without delay and taking into account the safety of the campus community, notify the campus community utilizing RamALERT.

RamALERT is the university's emergency notification system and is used to send an emergency notification to campus community members. The emergency notification system includes but is not limited to outdoor sirens, e-mail, text messages, Rave Guardian Push Notifications, webpage alerts, and network desktops and displays alerts. Monthly tests of the emergency notification system are completed by WSSUPD on the first Wednesday of each month, with full-system tests occurring each February and September. In addition to the emergency notification that may be issued via RamAlert, the university may also post relevant messages about an incident or operating condition change on the university homepage and/or social media sites to ensure the community is aware of the situation and the steps they should take to maintain personal and campus safety.

In the professional judgment of first responders, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency; the university may elect to delay issuing an emergency notification. As soon as the condition that may compromise response efforts is no longer present, the university will issue the emergency notification to the campus community.

PROCEDURES FOR DISSEMINATING EMERGENCY INFORMATION TO THE GREATER COMMUNITY

WSSU uses a three-tiered notification process in an emergency or disaster:

- Students, Faculty, and Staff
- Family members of those directly affected
- Media and the public

WSSU's Public Information Officer Team is responsible for disseminating emergency information to Tiers 2 and 3.

ENROLLING IN THE UNIVERSITY'S EMERGENCY NOTIFICATION SYSTEM

We encourage all WSSU students, faculty, and staff to enroll in RamALERT by visiting Banner Rams Online and electing into the RamALERT Text and or Voice Message Service. In addition, we encourage those who are registered to update their information at the same site regularly.

For complete instructions on registering for RamALERT, please refer to Attachment 1 at the end of this publication. Questions regarding RamALERT should be directed to campussafety@wssu.edu or to wssu.edu/ramalert

Emergency Response and Evacuation Procedures

EMERGENCY MANAGEMENT AT WSSU

The Office of Emergency Management holds the primary responsibility for emergency management functions across campus, including coordination of the Crisis Management Group (CMG). The CMG plans for and responds to crises affecting the university by coordinating the organizational resources of the university during crisis response through a collaborative approach based upon best practices and authority.

OEM Goals

- Ensure that potential impacts of known hazards are mitigated as best as possible prior to an emergency or hazard occurring
- Provide emergency management training and learning opportunities for the campus community
- Ensure plans are in place to effectively respond to emergencies and hazards on campus
- Ensure effective and efficient recovery after an emergency or incident
- Partner with internal and external stakeholders to improve communication, build expertise, and engage readiness opportunities for all phases of emergency management
- Build a culture of awareness, readiness, and resiliency across the University

During an emergency, Winston-Salem State University follows the Timely Warning Report and Emergency Notification Procedures detailed above. As always, the university encourages anyone to report crimes, emergencies, or suspicious activities to the WSSU Police and Public Safety.

GENERAL CAMPUS EMERGENCY PROCEDURES: SHELTER IN PLACE/LOCKDOWN

In certain situations, it may be safer to remain at your current location rather than evacuate. This is known as shelter-in-place. Examples of incidents requiring a shelter-in-place include hazardous material release outside in the air, severe weather like tornadoes, and active shooter or violent situations.

Sheltering-in-place is only for a short amount of time. Authorities will attempt to provide information on when to shelter-in-place or evacuate, and any other appropriate actions to follow. Authorities may not be able to immediately provide certain information so be personally alert to changing conditions.

GENERAL CAMPUS EMERGENCY PROCEDURES: FIRE/EXPLOSION

WSSU's emergency procedures for fire and explosion are in the Fire Safety portion of this report.

Further information concerning the university's Office of Emergency Management and emergency response procedures are located on the [WSSU Emergency Management Webpage](#).

DRILLS, EXERCISES, AND TRAINING

Annually, the university conducts emergency management exercises to test emergency procedures. The scenarios for these exercises change year to year and include several departments from across the campus.

To ensure the university's emergency management plans remain current and actionable, the university conducts an emergency management exercise yearly. These exercises may include discussion-based and operations-based exercises. It is important to note that all emergency exercises are scheduled in advance though some components of exercises may be announced or unannounced. In addition, the university conducts after-action reviews of all emergency management exercises. For each exercise, the after-action reports include a description of the training, the date and time, and summarized evaluated strengths, as well as areas of improvement.

WSSUPD participates in an Inter-Municipal Mutual Aid Agreement that authorizes police officers and supervisors of the participating agencies to request mutual aid for incidents based upon a reasonable belief that such assistance will enhance the public's and or officer safety and efficiency. The agencies participating in the agreement include the Winston-Salem Police Department, Forsyth County Sheriff's Office, and the Kernersville Police Department. The agreement also allows for joint training and cooperation on other matters such as pre-planned large-scaled special events amongst the participating agencies.

In conjunction with at least one emergency management exercise each year, the university will notify the community of the exercise and remind the community of the information included in the university's publicly available information regarding emergency response procedures.



Security of and Access to University Facilities

Administrative buildings are open from 7:30 a.m. until 5:00 p.m., Monday through Friday, and academic facilities generally are available from 8:00 a.m. until 10:00 p.m. Most buildings have one or more card readers for entry and are programmed to unlock/lock automatically. Other doors are manually locked/opened by security personnel and/or housekeeping staff. Access to individual classrooms and laboratories is limited to those enrolled in the courses meeting there. Likewise, access to most programs is restricted to those enrolled in the program or otherwise authorized access.

Many cultural and athletic events held in university facilities are open to the public. Other facilities such as the bookstore and library are likewise available to the public. However, only those who have demonstrated a need are issued keys to a building and/or have their RAM ID card programmed to enter a given building through RAM card access and Key and Door Control and Electronic Card Access policy governs this. The policy strictly controls whom and under what circumstances master keys and Ram card access can be issued and requires executive approval.

Most areas of campus inside and outside buildings are monitored by security cameras that feed to the WSSU police communications center. Recordings are maintained for 30 days by default and in the event of incidents can be retrieved and archived for as long as necessary.

All residence halls, academic buildings, and the library operate under a computerized Access Control and Security Monitoring System. While the residence halls are locked at times and require identifications cards for access, the academic and library remain open to the public during operating hours. Should an emergency occur that requires a lockdown of the campus, the computerized Access Control can lockdown the buildings on campus.

SPECIAL CONSIDERATIONS FOR RESIDENCE HALL ACCESS

All residence halls operate under a computerized Access Control and Security Monitoring System on the WSSU campus. Identification cards are coded so that only students in a particular building are authorized electronic access entry to that hall; the system denies entry to all unauthorized persons. Security officers are responsible for checking and securing doors when needed. When a door is malfunctioning, personnel are summoned for immediate repair. Remember to lock your doors and windows. All residence hall and apartment exterior doors are equipped with locks and crash bars to ensure a quick emergency exit. Only residents and their guests are permitted in the living areas of the residence halls. The resident's responsibility is to ensure that their guest is aware of the university and residence hall policies. Guests are not to be provided with room keys or door access cards. A resident of the building must always escort guests. All exterior doors are locked 24 hours a day. It is the responsibility of residents and staff members to challenge or report individuals who cannot be identified as residents or the guests of residents.

When WSSUPD receive a report of an unescorted person in a residence hall, a police officer is dispatched to identify that person.



Security officers are assigned to patrol the residence hall areas from 7:00 p.m. until 4:00 a.m. During low-occupancy periods such as holidays and scheduled breaks, students are consolidated into designated buildings and access the university's electronic access control system. During the summer, when groups who are not regularly associated with WSSU are using the university's residence halls, exterior doors are locked 24 hours a day. In addition, each guest is issued an identification card that allows them to gain access to their assigned building via the electronic access control system. Residence Halls are staffed 24 hours per day. WSSU Police personnel also conduct regular checks of residence hall areas.

SECURITY CONSIDERATIONS FOR THE MAINTENANCE OF CAMPUS FACILITIES

The locks, landscaping, and outdoor lighting are designed for safety and security. Sidewalks are designed to provide well-traveled lighted routes from parking areas to buildings and from building to building. Sidewalks and building entrances are illuminated to provide well-traveled lighted routes as well. Twice annually, Safety Walks are conducted to identify areas that may need additional lighting or vegetation maintenance. We encourage community members to promptly report any security concerns, including concerns about locking mechanism, lighting, or landscaping, to WSSU Police. All repairs are forwarded to WSSU Facilities Maintenance Department, and a work order is expedited for repair.

Crime Prevention & Safety Awareness Programs

SAFETY, SECURITY, & CRIME PREVENTION PROGRAMS

The mission of the Winston-Salem State University Police and Public Safety Department is to foster a safe, secure, and service-oriented environment for all members of the WSSU community. An aspect of fostering such an environment is to prepare and equip community members to look out for themselves and one another. To accomplish this, WSSU provides ongoing safety, security, and crime prevention programming for students and employees each year.

The charts below outline some of the programming WSSU Campus Police provides. The chart includes information concerning the type of programming, the frequency, and the targeted audience of the programming. For additional information on safety and security, visit the [Police and Public Safety Webpage](#).

WSSU UNIVERSITY POLICE PROGRAMMING:

DESCRIPTION	FREQUENCY	AUDIENCE
<p>Ramdition: The WSSUPD meets with all incoming freshmen students and provides information concerning:</p> <ul style="list-style-type: none"> • Security of the Residence Halls and Residence Rooms • Crime Prevention • Drug, Alcohol, and Weapon Policies • Consent Regarding Alcohol and Sexual Relations 	Annual	Freshmen and Transfer Students
<p>Adopt a Hall: This program coordinates a WSSUPD Officer with a specific Residence Hall to promote relationships between the students and Campus Police Officers. In addition, officers organize activities such as Coffee with a Cop.</p>	Annual	Resident Students
<p>Trust Talks: These events create opportunities for open communication between students, faculty/staff, and Law Enforcement personnel. The forum allows attendees and Officers to discuss crime prevention techniques, current events, and other appropriate concerns. Officers create a safe space to engage in open dialogue, give and receive honest feedback, and build trust."</p>	Ongoing	Students

Crime Prevention Tips

WSSUPD patrols the areas around residence halls and are readily available to assist on a 24 hour basis. The emergency contact phone number is 336-750-2911. The residential facilities are equipped with door locks and security officers who patrol to ensure everyone's safety. For additional information on safety and security, visit the [Police and Public Safety Webpage](#).

ON-CAMPUS RESIDENTS

YOU ARE RESPONSIBLE FOR:

- Keeping your room door locked;
- Never prop open an entry door;
- Inviting only guests that you know personally into the building;
- Escorting your guests at all times;
- Never lending or duplicating your room key or campus identification;
- Reporting missing key(s) immediately; and
- Reporting suspicious persons or unescorted individuals immediately to your Resident Advisor (RA)
- If you or your roommate lose your keys or are unsure who might have a key, the lock needs to be changed. Notify Housing immediately.
- If your roommate is still asleep when you leave, lock the door behind you.
- Never go alone to the room of another student you do not know well.

- Never prop open an exterior residence hall door.
- When entering the residence hall, never hold the door open for a stranger.
- Keys should not be hidden outside or given to anyone you do not fully trust. For example, never duplicate your residence hall keys for a boyfriend or girlfriend.
- If you notice burned-out hallway lights in a residence hall, report them to Housing immediately.
- If you notice an area of the campus is dark because of burned-out light or the lack of a light fixture, report it to the WSSUPD (336) 750-2900 immediately.
- If you notice overgrown landscaping on the campus, report it to the WSSU Police and Public Safety Department (336) 750-2900 immediately.

PHYSICAL SECURITY

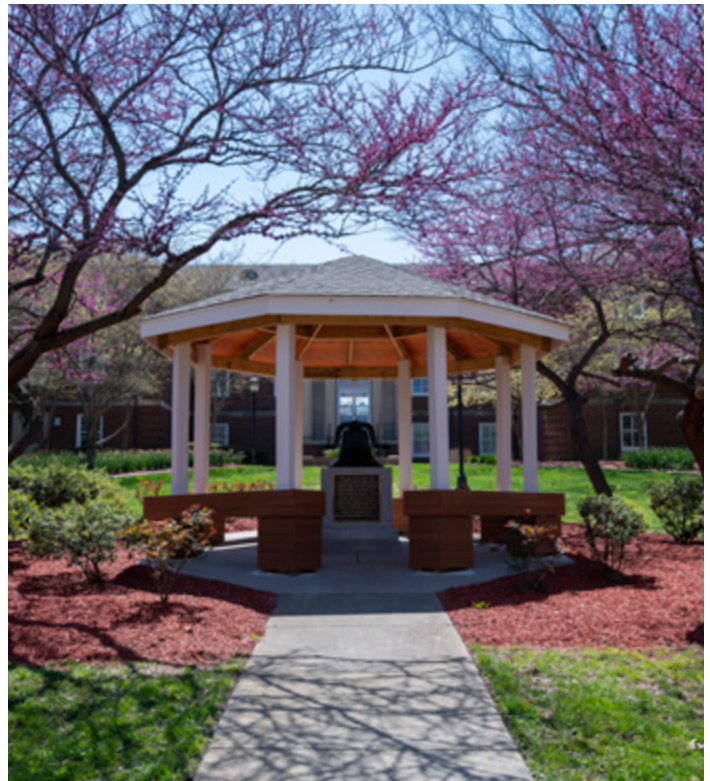
- From a security standpoint, remember that your residence hall room is not like your room at home. Instead, think of it as an apartment or a hotel room.
- Always keep your room door locked. When you leave your room, lock your door and take the key even for a few minutes.
- ALWAYS lock your room door if you are going to take a nap.
- NEVER leave your door unlocked when you go to bed at night.

GENERAL SECURITY HABITS

- Always check through the peephole or speak through an unopened door rather than open it to an unknown person. Never open the door to anyone you do not know and fully trust. Verify the identity of any service or delivery personnel with their dispatcher before you open the door.
- If someone you do not trust asks to use your phone, do not open the door. Instead, make the call for them.
- Be careful about providing information about where you live, in-person by mail or by phone.
- Plan your fastest escape routes in case you must exit quickly.
- When returning home, make sure you are not being followed. Be alert for anyone waiting for you to unlock your door so they can force their way in.
- Have your keys ready when you get to your door so that you can enter quickly.
- If you have any reason to believe that unauthorized entry was made while you were away from home, go to a safe place immediately and get help. Do not enter your room if it appears that someone else has forced their way in.
- If you find yourself trapped in your house, apartment, or other building, you must yell for help.
- Be cautious of laundry rooms, parking lots, and other isolated areas. Use those areas in the company of other trusted individuals if possible.
- Remember that there is strength in numbers. Travel in groups. Call the WSSUPD if an escort if you are traveling across campus alone at night.

SAFETY WHILE DRIVING

- Park in well-lit, well-traveled areas.
- Remember where you park. Have your keys ready so you can enter your car quickly.
- Ask for an escort if you do not feel safe. After dark for an escort on campus, use the Safe Ride from 8 p.m. until 3 a.m. or call the WSSU Parking and Traffic Services at 336-666-3588
- Always keep your car doors locked and windows rolled up, especially when you are inside.
- Before entering your car, visually check inside, under, and around it to ensure no one is hiding.
- If you find anything wrong with your car, go back inside a building and get help.
- Be wary of anyone standing by or offering assistance; they may have sabotaged it in the first place.
- Always keep your car in good running order with at least a quarter tank of gas.



- If you have a flat tire in an unsafe place, drive on at a reduced speed until you get to a safe place to stop.
- If your car breaks down, remain in the vehicle with the windows up and the doors locked. If someone stops, ask them through the window to call the police.
- Please do not stop to help other motorists but instead call for help for them at your earliest convenience.
- While driving or stopped at intersections, try to leave enough room between yourself and the vehicle in front of you to provide an escape route.
- If someone tries to enter your car and you cannot move, honk the horn and yell. If someone gets in, throw out the keys and get out immediately.
- Carjackers may “bump” you in traffic or at an intersection. Then, when you exit your vehicle to view the damage, an accomplice will jump in your car and drive it away. If another car bumps you, memorize the car’s description (and license number if you can), signal the other car to follow you, and drive to the nearest police station or a busy, well-lit area.
- If you get out of your car, take your keys and your wallet or purse with you.
- If you are being followed or harassed, drive to the nearest safe place where there are people.
- Know where you are going, the safest route to take, and what time you should arrive. Have someone monitor your arrival.
- In North Carolina, unmarked police cars must use blue lights and sirens if they stop you after dark.



SAFETY WHILE WALKING

- Do not text or become engrossed in your cell phone and walk at the same time. This can lead to accidents while walking and signal a potential criminal that you are not alert to your surroundings.
- Always be alert to your surroundings. Unfortunately, headphones or earplugs hamper your ability to hear potential attackers.
- Do not walk alone in isolated places any time, day, or night.
- When walking at night, plan your route in advance so you can stay in well-lit areas.
- Walk briskly. Do not give off signs of helplessness, preoccupation, or confusion.
- Keep your body unencumbered so you can flee quickly if necessary.
- Try not to carry big packages and if you must, then be prepared to throw them down immediately if necessary.
- Wear a backpack instead of carrying a large purse.
- If walking to your car, have your keys in your hand so that you can enter your vehicle quickly.
- If you carry a panic alarm or a whistle, keep it in your hand to be immediately available for your use.
- If you think someone is following you, use the nearest emergency callbox or go to a well-lit place where there are other people and call the police 911, (336) 750-2911, or (336) 750-2900.
- Be careful when someone asks you for directions or otherwise tries to get you to stop walking.
- If someone in a car stops to ask directions while you are on foot, keep a safe distance from the vehicle so you can be easily pulled inside.
- Cross with the light at high volume traffic intersections and anticipate what traffic will do. Do not put yourself in the middle of the intersection waiting on a break in traffic or dart out into traffic thinking it is safe to do so.

- If you see anything suspicious or unusual while walking on campus, call the WSSU Police and Public Safety Department at (336) 750-2900.

Student Conduct

The Office of Community Standards & Civility seeks and strives to promote ethical conduct through personal responsibility, encouraging civility and integrity, and a sense of community amongst WSSU students. In addition, the Office of Community Standards & Civility strives to promote campus safety and harmony by maintaining an environment consistent with WSSU's educational purposes and operations.

The Office of Community Standards & Civility's mission is to educate students on the policies of the University pertaining to conduct and their student rights. By educating students on the integrity and ethical standards of their community, it creates an environment for students to consider, in advance, the consequences of behavioral infractions, to accept responsibility for one's actions in and out of the university, and create social justice advocates. In addition, it creates an environment for students to understand that they are more than just a student at WSSU, but a representation of our community.

University Group Policy #301.8

I. Policy Statement

The university community respects certain principles that govern socially and academically acceptable standards of good conduct and behavior. All community members, including students, are expected to conduct themselves in accordance with the regulations of the university and to comply with municipal, state, and federal laws. Violations of campus or University policies, rules, or regulations, or federal, state, or local law may violate the Students' Code of Conduct, herein referred to as the Code, and imposition of student discipline. The Code provides the framework for identifying the standards of behavior and minimum due process requirements for addressing or adjudicating violations. The Chancellor has the authority to create or modify disciplinary measures, processes, and penalties of the Code in accordance with procedural and substantive due process safeguards applicable to disciplinary actions as required by Section

502D (3) of The Code of The UNC Board of Governors, Policy 700.4.1 of the UNC Policy Manual, and applicable campus policies, as they may be amended from time to time. Where there is a conflict between The Code of The UNC Board of Governors and this Students' Code of Conduct, then The Code of The UNC Board of Governors will control.

II. Applicability

This policy applies to Winston-Salem State University students.

STUDENT RIGHTS, RESPONSIBILITIES, & CONDUCT AT WWSU

- **Academic Rights** – WSSU is a constituent institution of The University of North Carolina that supports the right to academic freedom for every student. In accordance with UNC Policies, the rights of students to engage in the responsible pursuit of knowledge or their right to the fair and impartial evaluation of academic performance shall not be abridged.
- **First Amendment** – WSSU embraces and strives to uphold the freedoms of expression and speech guaranteed by the First Amendment of the U.S. Constitution and the North Carolina Constitution, as they may be amended from time to time. WSSU has the right under appropriate circumstances to regulate the time, place, and manner of exercising these and other constitutionally protected rights. WSSU fully supports the right of a student to assemble peacefully and express themselves in a manner in which order is maintained. The university has the right under appropriate circumstances to regulate the time, place, and manner of exercising these and other constitutionally protected rights in a manner consistent with applicable laws and policies, as they may be amended from time to time.
- **Freedom to Learn** – The UNC Board of Governors has prescribed that all students shall be responsible for conducting themselves in a manner that helps enhance an environment of learning in which the rights, dignity, worth, and freedom of each member of the academic community is respected.
- **Right of (FERPA)** – WSSU will comply with The Family Educational Rights and Privacy Act (FERPA) as it may be amended from time to time. No information or documentation referring to a student's academic or personal life may be released to any party outside the university without the expressed written consent of the student. Any request from a current student, former student, or graduate to release information to a third party must be made in writing and include the student's signature. Students also have the right to inspect and review their official records, except letters of recommendation.
- **Participation in Institutional Governance** – Students are encouraged to participate in activities associated with the university's governance by serving on various committees, councils and task forces charged with making decisions.
- **Student Grievances** Students who believe that their rights under the law or university policy have been violated, an employee, agent or member of the university community should refer to the WSSU students Grievance and Appeals Procedure.
- **Student Conduct** – Students who attend the university are

expected to behave in a manner consistent with life at an academic institution. The code is intended to reinforce this expectation and governs the behaviors and disciplinary process for violations.

- **Right to be Heard** – Students who have been charged with violations of the Code are entitled to due process. Students accused of violating standards of conduct will be subject to disciplinary action in accordance with this document.
- **Responsibilities** – All students are responsible for conducting themselves in a manner that helps enhance an environment of learning in which the rights, dignity, worth, and freedom of each member of the academic community are respected. WSSU expects all students and their guests to behave in a manner consistent with campus policies and applicable state and federal laws. Students are expected to observe and adhere to the university's standards of conduct outlined within the Code in the classroom, on-campus, and off-campus.

THE OFFICE OF COMMUNITY STANDARDS & CIVILITY

The Office of Community Standards & Civility is responsible for administering the WSSU Students' Code of Conduct, articulating the university's behavioral standards and equitable procedures to respond to allegations of student misconduct. The Code is administered at all University properties, on and off-campus and still applies to off-campus student misconduct when a student's behavior affects a substantial university interest. Any individual or entity may submit incident reports alleging student misconduct to the [Maxient Student Conduct Incident Reporting Form](#)

Students who violate infractions will be subject to sanctions ranging up to and including Suspension or Expulsion from the university. In addition, in instances where there is reasonable cause to believe a student is an immediate threat to the safety of themselves or other persons or property or is an immediate threat to disrupt essential campus operations, the Office of Community Standards & Civility will impose an Interim Suspension and/or other actions designed to protect the health and safety of the community and members therein.

Students residing in university housing may also lose the privilege of living on-campus, depending upon the type of infraction(s) to the university rules and regulations or conditions of the Housing and Residence Life contact and the Guide to Living On Campus.

In most cases, the Office of Community Standards & Civility will also assign educational and developmental sanctions, as well as those based in restorative justice that are designed to promote awareness, better behavior, deter future misconduct, and improved decision-making skills. Winston-Salem State University is obligated to provide all students with the university regulations, policies, and procedures, governing student conduct. Winston-Salem State University policies and procedures, including the Students' Code of Conduct, Incident Reporting Form, and Sanction Guide are all published on the [Community Standards & Civility Webpage](#). FERPA FAQs, Parental Notifications under FERPA regulations, how to report an incident, and links to all policy and procedural guidelines related to the conduct process can also be found on the Community Standards & Civility Webpage. Students are encouraged to familiarize themselves with the website and the WSSU Students' Code of Conduct.

If you have additional questions, special needs, or wish to request a hard copy of this information, please contact:

Office of Community Standards & Civility
Winston-Salem State University
780 Success Way
Winston Salem, NC 27110
(336) 750-3356

PARENTAL NOTIFICATION POLICY

The university follows FERPA guidelines regarding student discipline outcomes information to the parents or legal guardians of students.

Federal legislation authorizes WSSU to disclose disciplinary records concerning violations of the university's rules and regulations governing the use or possession of alcohol or controlled substances that involves students who are under the age of 21 regardless of whether a student is a dependent.

Other provisions under FERPA include disclosure of information from "law enforcement unit records" to anyone, including parents or federal, state, or local law enforcement authorities, without consent of the eligible student.

The university may also report non-alcohol or drug-related incidents to parents or legal guardians of dependent students. For additional information on the disclosure of information, visit the [FERPA FAQ website](#).

DISCLOSURE OF DISCIPLINARY PROCEEDINGS RESULTS

WSSU will upon written request, disclose to the alleged victim of a crime of violence, or a nonforcible sex offense, the report on the results of any disciplinary proceeding conducted by WSSU against the student who is the alleged perpetrator of the crime or offense. If the victim is deceased because of the crime or offense, WSSU will treat the next of kin of the alleged victim and will disclose the same information upon written request.

For the purpose of this policy, the term "crime of violence" is defined in Section 16 Title 18, United States Code: "An offense that has an element the use, attempted use, or threatened use of physical force against the person or property of another, or any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense."



WSSU Policies Governing Alcohol and Other Drugs

DRUG-FREE SCHOOLS AND COMMUNITIES ACT

In compliance with the [Drug-Free Schools and Communities Act](#), WSSU publishes information regarding the university's educational programs related to drug and alcohol abuse prevention, sanctions for violations of federal, state, and local laws, and WSSU's policies. Also included in the description of health risks associated with alcohol and other drug use; a description of available treatment programs for WSSU students and employees; and the potential loss of financial aid. In WSSU's Annual Security and Fire Safety Reports, all members of the university community are reminded that in addition to being subject to university regulations and sanctions regarding illegal drugs and the abuse of alcohol, they are also subject to state and federal law. Further questions may be directed to the Office of the University Attorney (Legal Affairs) or the Division of Student Affairs. There will be no consumption of alcoholic beverages in a motor vehicle while on university property or streets. There will be no public display of alcoholic beverages. WSSU is a dry campus even if you are of legal drinking age.

WINSTON-SALEM STATE UNIVERSITY ALCOHOL POLICY

University Group Policy #900.14

EXECUTIVE SUMMARY

Winston-Salem State University is a dry campus. Effective September 1, 1996, the North Carolina Alcoholic Beverage Control laws made it unlawful for any person under 21 years of age to purchase, possess, or consume such beverages, or for anyone to aid or abet such a person in purchasing, to maintain, and to consume any alcoholic beverage.

POLICY STATEMENT

The university recognizes the health risks associated with the use of illicit drugs and the abuse of alcohol. As a depressant, alcohol gives a feeling of well-being, causes a loss of coordination, intoxicates, and leaves one with a hangover. Some of the hazards of abuse include:

1. Physical and psychological dependence can develop.
2. Long-term heavy drinking is a factor in liver and heart damage, malnutrition, cancer, and many other illnesses.
3. Driving under the influence can cause accidents because of slowed reflexes, disorientation, etc.

GUIDELINES

All requests to serve alcoholic beverages on campus or at university-sponsored events must be approved by the Chancellor.

The following rules and regulations are applicable to the Winston-Salem State University community:

1. Under no circumstances may any type of alcoholic beverage be sold by any persons or organizations or corporations on the campus of Winston-Salem State University, excluding previously cited exceptions.

2. It shall be unlawful for any person to consume any malt beverage or wine - fortified or unfortified – in any public place or upon any public street or upon the private business premises of WSSU, or liquor/whiskey in any public place, upon any public or university street or parking area, upon the private business premises of the university, or in or around any residence hall or institutional facility or building without the permission of the Chancellor.
3. It is unlawful for anyone to aid or abet a person under 21 years of age in purchasing, possessing, or consuming alcoholic beverages.
4. University-sponsored off-campus affairs at which alcoholic beverages are served shall be governed by all applicable local, state, and federal laws.
5. Drunkenness coupled with disorderly conduct will not be tolerated. The institution will impose disciplinary sanctions on students and employees (consistent with local, state, and federal laws), up to and including expulsion or termination of employment and referral for prosecution for violations of the standards of conduct. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

5. Any other form or means of identification that indicates or symbolizes that the person is not prohibited from purchasing or possessing alcoholic beverages.

A violation constitutes a Class 3 misdemeanor.

PUBLIC INTOXICATION

N. C. G. S. § 14-444

It is illegal to appear in any public place under the influence of alcohol to the degree that you:

1. Block or otherwise interfere with traffic
2. Block or otherwise prevent access to or passage across a sidewalk or entrance to a building
3. Grab, shove, push, or fight with others or challenge others to fight
4. Curse or shout at, or otherwise rudely insult others; or
5. Beg for money or other property

Being intoxicated and disruptive in public also leads to other behaviors and important health concerns. Often time's public drunkenness contributes to disorderly conduct and criminal mischief on campus. Persons must be responsible for their own actions and know their limits and tolerance levels before consuming alcohol. A violation constitutes a Class 3 misdemeanor and subjects the offender to court costs and fines.

DRIVING WHILE IMPAIRED (DWI) AND REFUSING A CHEMICAL TEST

N. C. G. S. § 20-138.1

In North Carolina, a person commits the offense of driving while impaired if they drive a vehicle upon any highway, any street, or any public vehicular area within this state:

1. While under the influence of an impairing substance; or
2. After having consumed sufficient alcohol that, at any relevant time after the driving, the individual has an alcohol level of 0.08 or more; or
3. With any amount of a Schedule I controlled substance or its metabolites in their blood or urine.

The punishment for the offense is a misdemeanor to which the structured sentencing laws do not apply. It has five different levels of punishment; the level depends on the presence of, and weight assigned to certain specified aggravation and mitigating factors found by the court.

It is illegal for anyone under 21 years of age to drive a vehicle with a blood alcohol concentration of .01 or higher.

Any person who drives a motor vehicle automatically gives consent to one or more chemical analyses (e.g., breath, blood, or urine). This implied consent means that a person does not have a right to an attorney before testing, except to view the testing procedures. Under the implied consent law, you can refuse any test, but your driver's license will be revoked for one year and could be revoked for a longer period of time under certain circumstances, and an officer can compel you to be tested under other laws.

ENFORCEMENT OF STATE UNDERAGE DRINKING LAWS

Winston-Salem State University Police Officers enforce federal and state drinking laws as well as university policy. The following information is derived from the North Carolina General Statutes. Any violations of this law by members of the university community subject the individual to prosecution both by the university disciplinary proceedings and by civil authorities.

UNDERAGE DRINKING

N. C. G. S. § 18B-302

It is illegal for anyone under 21 years of age to attempt to purchase, consume, possess, or knowingly and intentionally transport any spirituous liquor, malt beverages, unfortified wine, mixed beverages, or brewed beverages. It is also illegal to lie about age to obtain alcohol and to carry a false identification card. In addition to the possession and consumption laws, North Carolina also has a no Exceptions policy for the purchase of alcohol by minors and is one of the stricter states for the enforcement of underage drinking and driving laws.

FALSE IDENTIFICATIONS

N. C. G. S. § 18B-302

It is illegal for anyone to enter or attempt to enter a place where alcoholic beverages are sold or consumed or to obtain or attempt to obtain alcoholic beverages by using or attempting to use any of the following:

1. A fraudulent or altered driver's license
2. A fraudulent or altered identification document other than a driver's license
3. A driver's license issued to another person
4. An identification document other than a driver's license issued to another person

Your driving privilege will be revoked immediately for at least 30 days if you refuse any test or the test result is 0.08, 0.04 or more if we're driving a commercial vehicle, or 0.01 or more if you are under the age of 21.

TRANSPORTING AN OPEN CONTAINER

N. C. G. S. § 20-138.7

In North Carolina, it is illegal to drive a motor vehicle:

1. While there is an alcoholic beverage in the passenger area in other than the unopened manufacturer's original container; and
2. While the driver is consuming alcohol or while alcohol remains in the driver's body.

A violation constitutes a Class 3 misdemeanor for the first offence and shall be a Class 2 misdemeanor for a second or subsequent offense.

In North Carolina, it is illegal to possess an alcoholic beverage other than in the unopened manufacturer's original container, or consume an alcoholic beverage, in the passenger area of a motor vehicle. A violation of this section shall be an infraction and shall not be considered a moving violation.

WINSTON-SALEM STATE UNIVERSITY ILLEGAL DRUGS POLICY

University Group Policy #800.8

POLICY STATEMENT

Winston-Salem State University's Board of Trustees is committed to the proposition that students, faculty, and staff should be able to engage in the scholarly pursuits of teaching, learning discourse, and research free from illegal drug use and/or abuse. Knowing the dangers of illicit drug use, the Board of Trustees has adopted a policy to safeguard the welfare and integrity of the University community. The University rules and regulations on illegal drugs are designed to promote academic integrity and an appropriate learning atmosphere for students, faculty members, administrators, and all other employees. To accomplish these goals, the possession, use, and/or trafficking of illegal drugs is strictly prohibited at Winston-Salem State University. Students, faculty members, administrators, and other employees of Winston-Salem State

University is responsible, as citizens, for knowing about and complying with the provisions of North Carolina law that make it a crime to possess, sell, deliver or manufacture those drugs designated collectively as "controlled substance" (Article 5 of Chapter 90 of the North Carolina General Statute). Any member of the university community who violates this law is subject both to prosecution and punishment under state criminal law and to disciplinary proceedings by Winston-Salem State University. The University will impose penalties in the event of a violation of state and federal drug laws consistent with due process.

GUIDELINES

EDUCATION, COUNSELING, AND REHABILITATION

Winston-Salem State University shall maintain a program of education designed to help all members of the University community avoid involvement with illegal drugs. The educational program shall emphasize the incompatibility of the use or distribution of illegal drugs with the goals of the University, the legal consequences of involvement with illegal drugs, the medical and psychological implications of the use of illegal drugs, and the ways in which illegal drugs jeopardize an individual's present accomplishments and future opportunities. Specific elements of the education program are:

1. Publicizing the University's policy in the Student Code of Conduct, the undergraduate and graduate catalogs, the Faculty Handbook, and other publications distributed to students, faculty, administrators, and other employees;
2. Continuing and expanding the drug education program conducted by Student Health Services
3. Continuing development of courses on drug education;
4. Increasing the awareness and utilization of the State's Employee Assistance Program (EAP), and local Drug Abuse Prevention Programs;
5. Encouraging academic departments to address substance abuse in appropriate health and physical education courses;
6. Emphasizing the incompatibility of the use or sale of illegal drugs with the goals of the university;
7. Emphasizing the ways in which illegal drugs jeopardize an individual's present accomplishments and future opportunities;
8. Highlighting the medical implications of the use of illegal drugs; and
9. Stressing the legal consequences of involvement with illegal drugs

The University shall disseminate information about drug counseling and rehabilitation services that are available to members of the University community. All members of the University community are responsible for assisting in maintaining a drug-free campus. Members of the community are urged to utilize the drug hotline (336-750-2912) and any other means of reporting University Officials regarding drug abuse treatment needs and/or illegal drug use or possession. The identity of an individual who brings forth information regarding illegal drug use and/or possession shall remain confidential unless the law requires disclosure. Likewise, persons who voluntarily avail themselves of such services shall be assured that applicable professional standards will be observed and that such participation will not be the basis for disciplinary action. Specific counseling and rehabilitation efforts include:

CAMPUS-BASED RESOURCES

1. Drug Prevention/Education Programs
2. Seminars

3. Development of courses on drug education
4. Evaluation and referral services of the Counseling Center for outpatient and in-patient rehabilitation
5. Consultation and evaluation portions of the Student Health Service's drug education program

COMMUNITY-BASED

1. Alcoholism Residential Care Authority (ARCA)
2. County Coalition on Alcohol and Drug Problems
3. State Employee Assistance Program
4. Daymark Recovery Services
5. Wake Forest Atrium Health
6. Novant Health Services
7. Old Vineyard Behavioral Health Services

NOTIFICATION OF LAW ENFORCEMENT PERSONNEL

Any drug violation that constitutes a felony shall be reported to local, state, and/or federal law enforcement agencies as appropriate.

ROLES AND RESPONSIBILITIES

Implementation and Reporting

1. The Chancellor shall file a copy of the campus policy with the President and notice of any change that may be made in the policy from time to time also shall be filed with the President.
2. The Chancellor shall designate a coordinator of drug education. This person, acting under the authority of the Chancellor, will be responsible for overseeing all actions and programs relating to the campus policy.
3. Annually the Chancellor shall submit to the Board of Trustees a report on-campus activities related to illegal drugs for the preceding year. The report shall include, as a minimum, the following: (1) a listing of the major education activities conducted during the year; (2) a report on any illegal drug-related incidents, including any sanctions imposed; (3) an assessment by the Chancellor of the effectiveness of the campus program; and (4) any proposed changes in the policy on illegal drugs. A copy of the report shall be provided to the President.

APPLICABILITY

This policy is applicable to the campus community of Winston-Salem State University.

COMPLIANCE

ENFORCEMENT AND PENALTIES

1. WSSU shall take all actions necessary, consistent with state and federal law and applicable University policy, to eliminate illegal drugs from the university community. The institutional policy on illegal drugs shall be publicized in catalogs and

other materials prepared for all enrolled and prospective students and in materials distributed to faculty members, administrators, and other employees.

2. Students, faculty members, administrators, and other employees are responsible, as citizens, for knowing about and complying with the provisions of North Carolina law that make it a crime to possess, sell, deliver, or manufacture those drugs designated collectively as "controlled substances" in Article 5 of Chapter 90 of the North Carolina General Statutes. Any member of the University community who violates that law is subject to both prosecution and punishment by the civil authorities and to disciplinary proceedings by the University. It is not "double jeopardy" for both the civil authorities and the University to proceed against and punish a person for the same specified conduct. The University will initiate its own disciplinary proceeding against a student, faculty member, administrator, or other employee when on-campus use, possession, or distribution of illegal drugs or improper use, possession, or distribution of prescription drugs is discovered and when the alleged conduct is deemed to affect the interests of the University. Conduct involving illegal drugs beyond campus boundaries may be considered harmful to the University. Disciplinary action may be instituted when such conduct occurs within Forsyth County and has resulted in felony-level charges of possession/trafficking.

3. Penalties will be imposed by the University in accordance with procedural safeguards applicable to disciplinary actions against students, faculty members, administrators, and other employees, as required by Section 502D (3) and Section 603 of The Code, by Board of Governor's policies applicable to other employees exempt from the State Personnel Act, by regulations of the State Personnel Commission, and by Faculty Tenure Regulations and the Student Handbook. The penalties to be imposed by the university may range from written warnings with probationary status to expulsions from enrollment and discharges from employment. However, the following minimum penalties will be imposed for the particular offenses described:

A) Trafficking in Illegal Drugs

- i. For the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver, of any controlled substance identified in Schedule I, N.C.G.S. § 90-89, or Schedule II, N.C.G.S. § 90-90 (including, but not limited to, heroin, mescaline, lysergic acid diethylamide, opium, cocaine, amphetamine, methaqualone), any student shall be expelled, and any faculty member, administrator or another employee shall be discharged.
- ii. For a first offense involving the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver, of any controlled substance identified in Schedules III through VI, N.C.G.S. §§ 90-91 through 90-94, (including, but not limited to, marijuana, pentobarbital, codeine) the minimum penalty shall be suspension from

enrollment or from employment for a period of at least one semester or its equivalent. For a second offense, any student shall be expelled, and any faculty member, administrator, or other employees shall be discharged.

B) Illegal Possession of Drugs

- i. For a first offense involving the illegal possession of any controlled substance identified in Schedule I, N.C.G.S. § 90-89, or Schedule II, N.C.G.S. § 90-90, the minimum penalty shall be suspension from enrollment or from employment for a period of at least one semester or its equivalent.
- ii. For a first offense involving the illegal possession of any controlled substance identified in Schedules III through VI, N.C.G.S. §§ 90-91 through 90-94, the minimum penalty shall be probation, for a period to be determined on a case-by-case basis. A person on probation must agree to participate in a drug education and counseling program, consent to regular drug testing, and accept such other conditions and restrictions, including a program of community service, as the chancellor or the chancellor's designee deems appropriate. Refusal or failure to abide by the terms of probation shall result in suspension from enrollment or from employment for any unexpired balance of the prescribed period of probation.
- iii. For a second or other subsequent offenses involving the illegal possession of controlled substances, progressively more severe penalties shall be imposed, including expulsion of students and discharge of faculty members, administrators, or other employees.

SUSPENSION PENDING FINAL DISPOSITION

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

ENFORCEMENT OF FEDERAL AND STATE DRUG LAWS

UPD Officers enforce federal and state drinking laws as well as university policies. Any violations of this law by members of the university community subject the individual to prosecution both by university disciplinary proceedings and by civil authorities. The university cannot attempt to shield students or employees from

criminal prosecution by handling the matter through the university disciplinary process.

CONTROLLED SUBSTANCE OFFENSES

N. C. G. S. § 90-95

It is illegal for any person to:

1. Manufacture, sell or deliver, or possess with intent to manufacture, sell, or deliver, a controlled substance.
2. To create, sell or deliver, or possess with intent to sell or deliver, a counterfeit controlled substance.
3. To possess a controlled substance.

POSSESSION OF SMALL AMOUNT OF MARIJUANA

It is illegal for a person to unknowingly or intentionally possess a small amount of marijuana (Hashish), a Schedule I substance, and it is not authorized by law to possess such substance, and is outlined under the Controlled Substances, Drugs, Device and Cosmetic Act of 1972. Persons engaged in such activity will most likely face criminal charges and be charged with a violation of university policy and will be subject to university disciplinary proceedings.

SYNTHETIC MARIJUANA

Effective March 1, 2011, the U.S. Drug Enforcement Agency classified synthetic marijuana as an illegal substance. This drug may also be known as Spice, K2, Demon, Wicked, Black Magic, Voodoo Spice, and Ninja Aroma. Individuals found responsible for manufacturing, possessing, importing/exporting, or distributing these substances will face criminal and civil penalties. University members engaging in these activities will also be held responsible under university policy and will be subject to university disciplinary proceedings.

POSSESSION OF DRUG PARAPHERNALIA OFFENSES

N. C. G. S. § 90-113.22

A person is unlawful when he/she possesses, with the intent to use, drug paraphernalia that is used for packaging, manufacturing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the Controlled Substances, Drugs, Device, and Cosmetic Act of 1972.

It is unlawful for any person to knowingly use, or to possess with intent to use, drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, package, repackage, store, contain, or conceal a controlled substance which it would be unlawful to possess, or to inject, ingest, inhale, or otherwise introduce into the body a controlled substance which it would be unlawful to possess.

Violation of this section is a Class 1 misdemeanor.

RISKS ASSOCIATED WITH DRUG AND ALCOHOL ABUSE

As an educational institution, WSSU aims to educate its community members about prevention and the risks of unlawful use of illicit drugs and alcohol, and to encourage appropriate, responsible behavior. The health risks associated with the abuse of alcohol and the use of illicit drugs are numerous. The table below outlines the risks associated with different substances.

SUBSTANCE	ASSOCIATED RISKS
Alcohol	Slow heart, sluggish nervous system, depressed brain function. Large amounts can make you stop breathing. Prolonged use causes liver damage.
Marijuana	Decreased ability to concentrate and learn. Short-term memory loss. Throat and lung cancer.
Synthetic Marijuana	Rapid heartbeat, vomiting, agitation, profuse sweating, confusion, hallucinations, raised blood pressure, cause reduced blood supply to the heart, in some cases it has been associated with heart attacks.
LSD	Hallucinations, anxiety, perception disorders. Prone to accidents. Inability to function normally. Rapid heartbeat. Fast respiration. High body temperature.
Amphetamines	Malnutrition, acute psychosis, nervousness, hyperactivity, sleeplessness, high blood pressure.
Barbiturates	Addiction, physical and psychological. Deformed babies. Death in high doses. Nausea, sluggishness, dizziness, breathing difficulty.
Cocaine	Seizures, heart fibrillation, and even death with a single use. Weight loss, sexual impotence, insomnia, irritability, paranoia, and hallucinations.
Heroin	Addiction, physical and psychological. Sluggishness. Inability to stay awake. AIDS from dirty needles. Addicted babies.
Mescaline	Addiction, physical and psychological. Sluggishness. Inability to stay awake. Addicted babies. Opium: Addiction, physical and psychological. Sluggishness. Inability to stay awake. Addicted babies.
Psilocybin (Shrooms)	Hallucinations, anxiety, perception disorders. Prone to accidents. Inability to function normally. Rapid heartbeat. Fast respiration. High body temperature.
Steroids	Insomnia, aggressive behavior, impotence, and sterility. Prolonged use damages the liver, kidneys, and heart and may cause cancer.
Additional Information:	<p>Alcohol and other drug use during pregnancy increases risk of physical harms to fetus.</p> <p>Risks of harm may occur from the use of prescription drugs in ways other than prescribed.</p> <p>Drugs taken by injection can increase the risk of infection (e.g., HIV, hepatitis, etc.) through needle contamination.</p> <p>For more information visit: National Institute of Drug Abuse</p>



DRUG AND ALCOHOL ABUSE EDUCATION PROGRAMS

WSSU is committed to continuous improvement and program analysis for all drug and alcohol abuse programs through the [Drug and Alcohol Prevention Program \(DAPP\)](#).

This program communicates annually to campus community members, including all students and employees; WSSU's standard of conduct prohibits the unlawful possession, use or distribution of illicit drugs and alcohol on campus or as a part of any of the university activities. In concert with the standards of conduct, the university disseminates to the campus community a description of the sanctions that the university may impose on an individual found in violations of university policy. In addition, students and employees are made aware of the description of the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol. Campus community members are informed of the health risks associated with the use of illegal drugs and the abuse of alcohol. In order to monitor and enhance the progress WSSU is making to educate the campus community about drug and alcohol abuse, WSSU will begin conducting a biennial review of the Drug and Alcohol Abuse Education Program. Based on each review, WSSU will make changes to the program necessary.

RESOURCES FOR STUDENTS

WSSU implemented AlcoholEdu for College for all new incoming first-time freshman students. Each year incoming freshmen are required to complete the AlcoholEdu online course. WSSU also utilizes AlcoholEdu as a resource for other student interest groups that have been through the disciplinary process or referred to the Wellness Center.

Other programs and resources are offered to the student community:

PROGRAM/ RESOURCE	DESCRIPTION
Counseling Center	Pre-Spring Break Substance Misuse Event
Assessments	<i>eChug</i> and <i>eToke</i> address the use and abuse of alcohol or controlled substances for a student referred to the Wellness Center.
Responsible Rams	A campaign reflected through events on campus intended to encourage students to act responsibly. This campaign focuses on drug and alcohol prevention, general safety, and residential safety.
Ramrdition and Residence Hall Trust Talks	Presentations are shown in the residence halls by WSSU Campus Police enforcing the university's dry campus and zero-tolerance policies, as well as other topics that encourage safe and responsible campus living.

The Counseling Center currently offers both online education (*eChug* and *eToke*) on substance abuse issues and limited group sessions for drug and alcohol users. Intervention programs for students who self-identify or otherwise are identified as substance users are available in the Counseling Center. Intervention can be in the form of psychoeducation or therapy.

These services are afforded to students during their current matriculation. In the case that a student has been removed from campus through WSSU's disciplinary process, these services are available when the student returns to campus after the imposed sanction. For additional information about campus resources for alcohol and drug education programs, refer to the [Health Rams for Life](#) page located on the [Wellness Center's Webpage](#).

RESOURCES FOR EMPLOYEES

Employees are offered a variety of resources intended to educate and aid in the prevention of and recovery from alcohol and other drug abuse. WSSU provides the Employee Assistance Program (EAP) available to employees. This program provides support, resources, and information for personal and work-life issues, including counseling, legal aid, and guidance resources online. Employees can access more information concerning the EAP on the [Human Resources Webpage](#).

In addition, WSSU provides faculty and staff access to a Learning Management System branded LEAP: Leadership, Education, Advancement, and Performance. This resource offers a wide array of informative content, including a course on Drug and Alcohol Awareness. Some of the objectives of the course are to identify factors that can trigger substance abuse among adults, identify requirements for compliance under the 1988 Drug-Free Workplace Act, and to identify recommendations for employees to consider when they notice a coworker with a substance abuse problem. Employees can access more information concerning the EAP on the [Human Resources Learning & Development Webpage](#).

THE TITLE IX OFFICE RESPONSE TO SEXUAL MISCONDUCT AND GENDER-BASED VIOLENCE

The University is committed to providing an inclusive and welcoming environment for all community members. The University values safety, diversity, education, and equity and is firmly committed to maintaining a campus environment free from sexual misconduct, harassment, and discrimination. The University Policy and Procedures Addressing Prohibited Sexual Harassment under Title IX. This Policy and associated Procedure are grounded in The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("The Clery Act"), the Violence Against Women Act ("VAWA.") and Title IX of the Education Amendments of 1972 ("Title IX"). The policy covers a broad range of conduct because any of these behaviors can impact the ability of campus community members to live, learn and work successfully and comfortably.

For more information, please visit the [Title IX webpage](#) or see the contact information below.

Kayla Rudisel, JD
 Winston-Salem State University
 Title IX Office
 Blair Hall, Suite 123
 770 Welcome Lane
 Winston Salem, NC 27110
 Phone (336) 750-8758
 Email: rudiselka@wssu.edu

DEFINING CLERY ACT CRIMES UNDER THE VIOLENCE AGAINST WOMEN ACT AMENDMENTS

The following definitions are used to classify sexual assault, domestic violence, dating violence, and stalking for Clery Reporting purposes.



DEFINITIONS FOR CLERY REPORTING

CRIME	DEFINITION
Dating Violence	<p>Violence is committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with the consideration of:</p> <ol style="list-style-type: none"> The length of the relationship The type of relationship The frequency of interaction between the persons involved in the relationship.
Domestic Violence	<p>A felony or misdemeanor crime of violence committed by:</p> <ol style="list-style-type: none"> A current or former spouse or intimate partner of the victim by a person with whom the victim shares a child in common By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred or By any 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
Sexual Assault	<p>Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.</p>
Rape	<p>Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without consent of the victim.</p>
Fondling	<p>The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.</p>
Incest	<p>Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.</p>
Statutory Rape	<p>Sexual intercourse with a person who is under the statutory age of consent.</p>

CRIME	DEFINITION
Stalking	<p>Engaging in a course of conduct directed at a specific person that would cause a reasonable person to FEAR for the person's safety or the safety of others or suffer substantial emotional distress.</p> <p>a. 'Course of Conduct' means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.</p> <p>b. 'Reasonable person' means a reasonable person under similar circumstances and with similar identities to the victim.</p> <p>c. 'Substantial emotional distress' means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.</p>

DEFINING RAPE, SEXUAL ASSAULT, DATING VIOLENCE, DOMESTIC VIOLENCE, STALKING, AND CONSENT IN NORTH CAROLINA

FIRST DEGREE FORCIBLE RAPE

N. C. G. S. § 14-27.26.

- (a) A person is guilty of a first degree forcible sexual offense if the person engages in a sexual act with another person by force and against the will of the other person, and does any of the following:
- (1) Uses, threatens to use, or displays a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon.
 - (2) Inflicts serious personal injury upon the victim or another person.
 - (3) The person commits the offense aided and abetted by one or more other persons. NC General Statutes - Chapter 14 Article 7B 4
- (b) Any person who commits an offense defined in this section is guilty of a Class B1 felony. (1979, c. 682, s. 1; 1979, 2nd Sess., c. 1316, s. 6; 1981, c. 63; c. 106, ss. 3, 4; c. 179, s. 14; 1983, c. 175, ss. 5, 10; c. 720, s. 4; 1994, Ex. Sess., c. 22, s. 3; 2015-181, ss. 8(a), (b); 2017-30, s. 2.)

SECOND DEGREE FORCIBLE RAPE

N. C. G. S. § 14-27.22.

- (a) A person is guilty of second-degree forcible rape if the person engages in vaginal intercourse with another person:
- (1) By force and against the will of the other person; or
 - (2) Who has a mental disability or who is mentally incapacitated or physically helpless, and the person performing the act knows or should reasonably know the other person has a mental disability or is mentally incapacitated or physically helpless.
- (b) Any person who commits the offense defined in this section is guilty of a Class C felony.

- (c) Upon conviction, a person convicted under this section has no rights to custody of or rights of inheritance from any child conceived during the commission of the rape, nor does the person have any rights related to the child under Chapter 48 of the General Statutes or Subchapter I of Chapter 7B of the General Statutes. (1979, c. 682, s. 1; 1979, 2nd Sess., c. 1316, s. 5; 1981, cc. 63, 179; 1993, c. 539, s. 1130; 1994, Ex. Sess., c. 24, s. 14(c); 2002-159, s. 2(b); 2004-128, s. 8; 2015-181, ss. 4(a), (b); 2018-47, s. 4(b).)

FIRST DEGREE FORCIBLE SEXUAL OFFENSE

N.C.G.S. § 14-27.26.

- (a) A person is guilty of a first degree forcible sexual offense if the person engages in a sexual act with another person by force and against the will of the other person, and does any of the following:
- (1) Uses, threatens to use, or displays a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon.
 - (2) Inflicts serious personal injury upon the victim or another person.
 - (3) The person commits the offense aided and abetted by one or more other persons. NC General Statutes - Chapter 14 Article 7B 4
- (b) Any person who commits an offense defined in this section is guilty of a Class B1 felony. (1979, c. 682, s. 1; 1979, 2nd Sess., c. 1316, s. 6; 1981, c. 63; c. 106, ss. 3, 4; c. 179, s. 14; 1983, c. 175, ss. 5, 10; c. 720, s. 4; 1994, Ex. Sess., c. 22, s. 3; 2015-181, ss. 8(a), (b); 2017-30, s. 2.)

SECOND DEGREE FORCIBLE SEXUAL OFFENSE

§ 14-27.27.

- (a) A person is guilty of second degree forcible sexual offense if the person engages in a sexual act with another person:
- (1) By force and against the will of the other person; or
 - (2) Who has a mental disability or who is mentally incapacitated or physically helpless, and the person performing the act

knows or should reasonably know that the other person has a mental disability or is mentally incapacitated or physically helpless.

- (b) Any person who commits the offense defined in this section is guilty of a Class C felony. (1979, c. 682, s. 1; 1979, 2nd Sess., c. 1316, s. 7; 1981, c. 63; c. 179, s. 14; 1993, c. 539, s. 1131; 1994, Ex. Sess., c. 24, s. 14(c); 2002-159, s. 2(c); 2015-181, ss. 9(a), (b); 2018-47, s. 4(c).)

FIRST-DEGREE STATUTORY RAPE.

N.C.G.S. § 14-27.24.

- (a) A person is guilty of first-degree statutory rape if the person engages in vaginal intercourse with a victim who is a child under the age of 13 years and the defendant is at least 12 years old and is at least four years older than the victim.
- (b) Any person who commits an offense defined in this section is guilty of a Class B1 felony.
- (c) Upon conviction, a person convicted under this section has no rights to custody of or rights of inheritance from any child born as a result of the commission of the rape, nor shall the person have any rights related to the child under Chapter 48 or Subchapter 1 of Chapter 7B of the General Statutes. (1979, c. 682, s. 1; 1979, 2nd Sess., c. 1316, s. 4; 1981, c. 63; c. 106, ss. 1, 2; c. 179, s. 14; 1983, c. 175, ss. 4, 10; c. 720, s. 4; 1994, Ex. Sess., c. 22, s. 2; 2004-128, s. 7; 2015-181, s.

DOMESTIC VIOLENCE

N.C.G.S. § 50B-1.

- (a) Domestic violence means the commission of one or more of the following acts upon an aggrieved party or upon a minor child residing with or in the custody of the aggrieved party by a person with whom the aggrieved party has or has had a personal relationship, but does not include acts of self-defense:
 - (1) Attempting to cause bodily injury, or intentionally causing bodily injury; or
 - (2) Placing the aggrieved party or a member of the aggrieved party's family or household in fear of imminent serious bodily injury or continued harassment, as defined in G.S. 14-277.3A, that rises to such a level as to inflict substantial emotional distress; or
 - (3) Committing any act defined in G.S. 14-27.21 through G.S. 14-27.33.
- (b) For purposes of this section, the term "personal relationship" means a relationship wherein the parties involved:
 - (1) Are current or former spouses;
 - (2) Are persons of opposite sex who live together or have lived together;
 - (3) Are related as parents and children, including others acting in loco parentis to a minor child, or as grandparents

and grandchildren. For purposes of this subdivision, an aggrieved party may not obtain an order of protection against a child or grandchild under the age of 16;

- (4) Have a child in common;
 - (5) Are current or former household members;
 - (6) Are persons of the opposite sex who are in a dating relationship or have been in a dating relationship. For purposes of this subdivision, a dating relationship is one wherein the parties are romantically involved over time and on a continuous basis during the course of the relationship. A casual acquaintance or ordinary fraternization between persons in a business or social context is not a dating relationship.
- (c) As used in this Chapter, the term "protective order" includes any order entered pursuant to this Chapter upon hearing by the court or consent of the parties. (1979, c. 561, s. 1; 1985, c. 113, s. 1; 1987, c. 828; 1987 (Reg. Sess., 1988), c. 893, ss. 1, 3; 1995 (Reg. Sess., 1996), c. 591, s. 1; 1997-471, s. 1; 2001-518, s. 3; 2003-107, s. 1; 2009-58, s. 5; 2015-181, s. 36.)

Pursuant to N.C.G.S. 14-32.5 (modified in 2023 by [S.L. 2023-14](#)), WSSU will count (for Clery Act purposes) acts traditionally counted as dating violence (committed by a person who is a current or recent former dating relationship with the victim) reportedly committed on or after December 1, 2023 as domestic violence.

STALKING

N.C.G.S. § 14-277(c)

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

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

CONSENT

North Carolina does not have a state statute defining consent to sexual activity. WSSU's [Procedures For Addressing Prohibited Sexual Harassment under Title IX](#) provide the following definition and guidance concerning consent.

Consent is: voluntary, informed, clear permission by word or action, revocable at any time, to engage in sexual activity. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced. Individuals may experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity. For consent to be valid, there must be a clear expression in words or actions

that the other individual consented to that specific sexual conduct. Whether an individual actively and willingly participates in conduct may be a factor in determining whether there was consent. Clear communication from the outset is strongly encouraged. If consent is withdrawn, that sexual activity should cease. Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent. If an individual expresses conditions on their willingness to consent (e.g., use of a condom) or limitations on the scope of their consent, those conditions and limitations must be respected. Consent is not given in situations involving coercion, force, or incapacitation as defined below:

Force: Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., "Have sex with me or I'll hit you," "Okay, don't hit me, I'll do what you want."). Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

Incapacitation: Incapacitation is the physical and/or mental inability to understand the fact, nature, or extent of the sexual situation. Incapacitation is a temporary or permanent state in which an individual is unable to give consent to sexual contact due to mental, developmental, or physical impairment, or from the influence of alcohol or drugs. States of incapacitation include but are not limited to: sleep, unconsciousness or intermittent consciousness, involuntary physical restraint, or any other state where an individual is unaware of the sexual contact. For incapacitation due to alcohol and/or other drugs, incapacitation requires more than being under the influence; a person is not incapacitated just because they have been drinking or using other drugs. Where alcohol and/or other drugs are involved, incapacitation is determined based on the facts and circumstances of the particular situation, looking at whether the individual was able to understand the fact, nature, or extent of the sexual situation; whether the individual was able to communicate decisions regarding consent, non-consent, or the withdrawal of consent; and whether such condition was known or reasonably should have been known to the accused or a reasonable sober person in the accused's position. Use of drugs or alcohol by the accused is not a defense to allegations of non-consensual sexual contact.

Coercion: Coercion is undue pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent.

DATING VIOLENCE

North Carolina does not have a statute for dating violence. WSSU's definition of dating violence is below.

DATING VIOLENCE

Dating Violence, defined as:

- a. violence,
- b. on the basis of sex,

- c. committed by a person,
- d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.

The existence of such a relationship shall be determined based on the Complainant'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.

For the purposes of this definition:

- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- Dating violence does not include acts covered under the definition of domestic violence.

PROCEDURES VICTIMS CAN FOLLOW AND PRESERVATION OF EVIDENCE

Victims often have difficulty reporting gender based violence, e.g., sexual assault, dating/domestic violence, stalking for numerous reasons, such as knowing the perpetrator, fear of retaliation, fear of parents knowing about the incident, or fear of getting in trouble with law enforcement. The following information provides steps to follow should a sexual assault occur:

- Get to a safe place as soon as possible.
- Try to preserve all physical evidence. You should not bathe, shower, brush teeth, douche, use the toilet, or change clothing until you have a forensic medical exam. Any clothing removed should be placed in a paper bag
- Contact a close friend or relative who can provide support and accompany the victim to the medical exam and/ or the Winston-Salem State University Police Department. The university has an MOU with Family Services of the Piedmont here in Winston-Salem. Family Service of the Piedmont provides a 24-hour crisis line (336) 273-7273 to victims for support and provides an advocate upon request.
- Get medical attention as soon as possible; an exam may reveal the presence of physical injury of which the victim is unaware. Following a sexual assault, antibiotics are typically given at the time of the exam to help prevent the victim from acquiring certain sexually transmitted diseases. Emergency contraceptive pills are offered to all victims at the time of the exam (if the victim presents within 120 hours), to help prevent pregnancy from occurring as a result of the rape. If the victim reports memory loss, loss of consciousness, or other circumstances suspicious for a drug-facilitated assault, a urine test may be done if the victim presents within 96 hours. Please note some of the commonly used "date rape" drugs are only detectable in the urine for 6-8 hours after ingestion.
- It is important to remember that simply reporting a crime is not the same as prosecuting the crime. The decision to prosecute may be made at another time. The final decision to prosecute is determined by the district attorney.
- Consider talking to a counselor. Seeing a counselor may be important in helping the victim understand his/her feelings and

begin the process of recovery. WSSU counselors are trained to assist victims immediately and make referrals to community agencies.

If an incident of sexual assault, domestic violence, dating violence, or stalking occurs, it is important to preserve evidence to aid in the possibility of a successful criminal prosecution or obtaining a protection order. Evidence of violence, such as bruising or other visible injuries, following an incident of domestic or dating violence, should be documented, including through the preservation of photographic evidence. Evidence of stalking, including any communication, such as written notes, voice mail, or other electronic communications, should be saved and not altered in any way.

REPORTING INCIDENTS

Victims of sexual harassment or sexual violence have a variety of reporting options on the campus of Winston-Salem State University.

If a student, employee, or visitor has been the victim of an incident of sexual violence, they should immediately report it to the Campus Police at 336-750-2911 located in the Patricia Norris Police and Public Safety Building on Cromartie Street. Winston-Salem State University officials will assist any victim in notifying law enforcement, including local police if the victims elect to do so. It is important to note that victims have the right to decline to notify law enforcement authorities. If a victim does not wish to notify law enforcement, WSSU has designated other areas to which students and employees can report incidents of sexual harassment and violence if they elect to do so.

An individual can submit a report using the reporting form on the WSSU Title IX webpage or by contacting the following resource(s) at any time:

Kayla Rudisel, JD Title IX Coordinator
123 Blair Hall
770 Welcome Lane
Winston-Salem, NC 27110
P: 336-750-8758
E: rudiselka@wssu.edu

Any person may report sex discrimination, including Sexual Harassment, to the Title IX Coordinator or designee in person, by mail, by telephone, by electronic mail, or by any other means that results in the Title IX Coordinator or designee receiving the person's verbal or written report. Such a report may be made whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or Sexual Harassment. Reports may be made at any time, including during non-business hours, by using the contact information listed above.

After normal business hours and weekends, you can also contact WSSU Police and Public Safety at 336-750-9111 for an immediate response.

In addition, students who reside on campus can report said incident to either their residence assistant (RA) or the hall director (HD), who in turn will file the report via Maxient. Student reports can also be received by the Office of Title IX.

A report may be reported at any time, regardless of the length of time between the alleged offense and the decision to report. The University encourages reporting so that we can provide individuals

with support and resources. Complainants also are encouraged to report incidents of criminal activity to the police.

Reporting carries no obligation for the complainant to initiate a formal complaint or investigation. The University observes complainants' requests to forgo a formal investigation unless there is a compelling threat to health or safety. A compelling risk to health and/or safety may result from evidence of patterns of misconduct, predatory conduct, threats, abuse of minors, use of weapons, and/ or violence.

VICTIM CONFIDENTIALITY

WSSU recognizes the sensitive nature of sexual, interpersonal, and related misconduct and is committed to protecting the privacy of any individual who reports such acts.

Police ensure that personally identifying information about victims will not be included in any publicly available recordkeeping, including Clery Act reporting and disclosures such as the annual security report and the daily crime log. Personally identifying information is defined in Section 40002(a) of the Violence Against Women Act (VAWA) of 1994 as individually identifying information for or about an individual, including information likely to disclose the location of a victim of dating violence, domestic violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed or otherwise protected, including:

Different officials on campus are, however, able to offer varying levels of privacy protection to victims. Reports made to WSSU officials will be kept mostly confidential and identifying information about the victim shall not be made public. Reports made to medical professionals and licensed mental health counselors will not be shared with third parties except in cases allowed by law. Reports made to law enforcement, including if criminal prosecution is pursued, may be made public and shared with the responding party when criminal charges are filed. Any accommodations or protective measures provided by the University to the reporting party will remain confidential, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures..

The Title IX Office will not share the identity of any individual who has made a report or Formal Complaint of harassment, discrimination, or retaliation; any Complainant; any individual who has been reported to be the perpetrator of harassment, discrimination, or retaliation; any Respondent; or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA) or required by law; or to carry out resolution process grievance arising under the applicable policies and procedures.

Documents prepared in anticipation of any hearing, such as pre-hearing submission, notices of hearing testimony, and information submitted at the hearings may not be disclosed outside the investigation and hearing proceedings, except as may be required or authorized by law or the Title IX Coordinator.

The University, in accordance with Title IX compliance, will to the extent practicable, try to comply with the wishes of the individual regarding their request for confidentiality or not pursuing a hearing.

The University will take such requests seriously; however, such requests may limit the University's ability to investigate and take reasonable action. Under federal law, the University may be required

to move forward with an investigation and take reasonable action in response to the complaint, no matter if these steps may be limited by a request for confidentiality. Title IX requires the University to evaluate the request of the complaint next to the University's concern for the safety, well-being, and nondiscriminatory environment.

SUPPORTIVE MEASURES

WSSU will provide written notification to victims about options for, available assistance and victims may contact the Title IX Office to request supportive measures. The University will make available supportive measures to the parties. Supportive measures are available before or after the filing of a formal complaint, or where no formal complaint has been filed. Supportive measures are non-disciplinary, nonpunitive individualized services offered as appropriate, as reasonably available, and without fee or charge. The University will maintain as confidential any supportive measures provided to the parties, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures. Supportive measures may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to the Employee Assistance Program
- Referral to community-based service providers
- Visa and immigration assistance Student financial aid counseling
- Education to the institutional community or community subgroup(s)
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation assistance
- Implementing contact limitations (no contact orders) between the parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Trespass, Persona Non Grata (PNG), or Be-On-the-Lookout (BOLO) orders
- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator.



Additional Resources

A Complainant or witness has many options, including seeking counseling or assistance from a Confidential Employee, making a report, and/or making a report to law enforcement. The University recognizes that deciding among these options can be difficult and is an intensely personal decision. Complainants and witnesses are encouraged to seek assistance from a Confidential Employee and to explore all potential reporting and support options.

EMERGENCY RESOURCES AND LAW ENFORCEMENT

Emergency medical assistance and campus safety/law enforcement assistance are available both on and off-campus. Individuals are encouraged to contact law enforcement and seek medical treatment as soon as possible following an incident that may pose a threat to safety or physical well-being, or following a potential criminal offense.

Community members are encouraged to immediately contact the WSSU Police Department and/or the Winston-Salem Police and Public Safety Department to report potential criminal conduct to law enforcement.

WSSU Police and Public Safety Department may be reached at:

Patricia D. Norris Police and Public Safety Building
1540 Cromartie St 27110,
Winston-Salem, NC 27110
(336)-750-2911 (emergency)
(336)-750-2900 (non-emergency)
campussafety@wssu.edu

Winston-Salem Police Department may be reached at:

Call 911 (within city limits)
101 North Main Street
Winston-Salem, NC 27101
(336)-727-8000 or 311 within Winston-Salem city limits
citylink@cityofws.org

**Note: Any law enforcement investigation is separate from, and independent of, the University's Title IX administrative investigation. The University's Title IX administrative investigation will proceed simultaneously with any law enforcement investigation, whether by the University's Department of Public Safety or the Winston-Salem Police Department.*

HEALTH CARE OPTIONS (OFF CAMPUS) TO SEEK TREATMENT FOR INJURIES AND PREVENTATIVE TREATMENT FOR STIS

**Forsyth County Department
of Public Health**
799 North Highland Avenue
Winston-Salem, NC 27101
(336)-703-3100

Guilford County Public Health
110 Wendover Avenue E.
Greensboro, NC 27405
(336) 641-7777

**Davidson County
Health Department**
915 Greensboro Street
Lexington, NC 27292
(336)-242-2300

**Novant Health Forsyth
Medical Center**
3333 Silas Creek Pkwy
Winston-Salem, NC 27103
(336)718-5000
(SANE exams and preventative
treatment offered)

**Atrium Health Wake Forest
Baptist Medical Center**
1 Medical Center Blvd.
Winston-Salem, NC 27103
(336) 716-2011

**Atrium Health High Point
Regional Health Center**
601 N. Elm Street
High Point, NC 27262
(336) 878-6000
(SANE exams and preventative
treatment offered)

Novant Health Kernersville
1750 Kernersville Medical Pkwy
Kernersville, NC 27284
(336) 564-4000
(SANE exams and preventative
treatment offered)

LOCAL RAPE CRISIS CENTER

**Family Services of
Forsyth County**
1200 S. Broad Street
Winston-Salem, NC 27101
(336) 722-8173

**Family Services of
the Piedmont**
315 E. Washington Street
County Greensboro, NC 27401
(336) 387-6161

**Davie Domestic Violence &
Rape Crisis Center**
172 S. Clement Street #2
Mocksville, NC 27023
(336) 751-4357

Family Services of Davidson
1303 Greensboro Street Ext.
Lexington, NC 27295
(336) 249-0237

CAMPUS CONFIDENTIAL RESOURCES

**Licensed University
Counselors (Confidential)
The Counseling Center**
601 Martin Luther King
Jr. Dr. Suite 155
Winston-Salem, NC 27110
(336) 375-3270

**A.H Ray Student Health
Services (Confidential)
Winston-Salem
State University**
601 Martin Luther King
Jr. Dr. Suite 244
Winston-Salem, NC 27110
(336) 750-3270

HOW TO BE AN ACTIVE UPSTANDER

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. 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. Below is a list of some ways to be an active bystander.

- Watch out for your friends and fellow students/employees. If you see someone who appears to be in trouble or need help, ask if they are ok.
- Intervene with people who seclude, hit on, 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 campus or off-campus resources listed in this document for support in health, counseling, or with legal assistance.

RISK REDUCTION

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 (taken 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 money.
- **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
- **Avoid putting music headphones in both ears** so that you can 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. Be aware of your surroundings.

- **Trust your instincts.** If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately, Winston Salem State University Police and Public Safety Department 336-750-2911 (local authorities can be reached by calling 911).
- **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 a 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.
- **If you suspect you or a friend has been drugged, contact law enforcement immediately** Winston Salem State University Police and Public Safety Department 336-750-2911 (local authorities can be reached by calling 911).
- 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 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 come to get you or make up an excuse for you to leave.

- **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

INTERPERSONAL VIOLENCE PREVENTION

The Office of Interpersonal Violence Prevention (IVP) is committed to creating a safe and non-threatening environment for all WSSU students. IVP provides services to students who are experiencing domestic and dating violence, sexual assault, social media threats, and personal crises. The office is committed to providing support and advocacy to educate our WSSU campus community.

Our goal is to foster healthy, stable, and nurturing relationships through education, holistic student development, and community resources. IVP will assist students with referrals to our counseling center or community-based programs. Additionally, Interpersonal Violence Prevention (IVP) provides ongoing programs, events, services, and training on how to identify abusive behaviors and how to create and maintain healthy interpersonal Relationships. They work with many campus stakeholders to provide programs and events, such as those listed below:

PROGRAM TITLE	TYPE/DESCRIPTION	FREQUENCY	AUDIENCE
Ramdition	The University Police Department, Emergency Management, Student Affairs Interpersonal Violence Office, and Title IX meet with all incoming freshmen students and provide information concerning: <ul style="list-style-type: none"> • Security of the Residence Halls and Residence Rooms • Crime Prevention • Drug, Alcohol, and Weapon Policies • Consent Regarding Alcohol and Sexual Relations 	Annual	Freshmen and Transfer Students
Adopt a Hall	This program connects a University Police Officer with a specific Residence Hall to promote relationships between the law enforcement. In addition, officers organize activities such as Coffee with a Cop.	Annual	Resident Students
Trust Talks	These events create opportunities for open communication between students, faculty/staff, and officers. The forum allows attendees and officers to discuss crime prevention techniques, current events, and other appropriate concerns. Officers create a safe space to engage in open dialogue, give and receive honest feedback, and build trust."	Semester	Employee and Students
Active Shooter Training	This course will focus on being prepared and gaining the skills needed to prevent, recognize and increase your ability to survive during an active shooter incident.	Semester	Employee and Students
RamALERT & RaveGuardian	Encourages the university community to download the RaveGuardian mobile safety application and to ensure mobile phone registration in the RamALERT emergency notification system. Provides resources to report anonymous tips, videos, and images to University Communications and allows Virtual Safety walks.	Ongoing	Employee and Students
Minors on Campus	In-person or online training focusing on identifying warning signs of child abuse, and neglect as reporting procedures	Required for anyone who works with minors on campus that are not under supervision by their parent	Employees, Students, and Volunteers
Title IX Training	Training defining discrimination, sexual exploitation, sexual-assault, domestic violence, stalking, and retaliation. This training also covers bystander intervention, campus resources, and reporting options. There is an additional focus on mandatory reporting	Ongoing	Employee and Students

PROGRAM TITLE	TYPE/DESCRIPTION	FREQUENCY	AUDIENCE
Peppermint Pillow Talk	The Office of Interpersonal Violence Prevention visits each residential facility to engage in candid conversations to educate students on domestic violence and sexual assault. This program is designed to provide a safe space for questions and expression.	Monthly	Female Residential Students
Barbershop Talk	As a cultural endeavor, the Barbershop Talk caters to the male students on our campus. The Barbershop Talk is modeled after the neighborhood barbershops where various subjects are molded into poignant conversations from college to politics. This program will address cultural topics for our male students.	Monthly	Male Resident Students
The Clothesline Project	This program is designed to promote increased awareness on consent, domestic violence, and sexual assault.	Annual	Faculty, Staff, and Students
Denim Day	Denim Day is an awareness and advocacy program for campuses across the world to speak out against sexual violence against women. At Winston-Salem State University, the Office of Interpersonal Violence Preventions hosts educational sessions to inform our students of the history of the program and offers question and answer sessions to explain how this international program applies to our community.	Annual	Faculty, Staff, and Students
Courageous Conversations (LGBTQ)	Courageous Conversations are designed to promote unity and advocacy for our LGBTQ student population. Courageous Conversations open the door for explicit conversation regarding this population's needs, feelings and acceptance. With innovative language activities, this program also creates a safe space for educational opportunities for allies.	Monthly	Faculty, Staff and Students

The Title IX Office Response to Sexual Misconduct and Gender-Based Violence

(Incidents occurring on or after August 14, 2020)

REPORTS TO REQUIRED EMPLOYEES

Any University official with the authority to institute corrective measures on behalf of the University, except for those designated as Confidential Employees, is considered a Required Reporter. All reports that are brought to the attention of a Required Reporter are not confidential and must be promptly submitted to the Title IX Coordinator by the Required Reporter.

NO TIME LIMITS ON REPORTING

There is no time limitation on providing reports/complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to the University's jurisdiction and/or significant time has passed, the ability to investigate, respond, and/or provide remedies may be more limited or impossible.

Acting on reports/complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of policy) is at the discretion of the Title IX Coordinator, who may document allegations for future reference, offer supportive measures, remedies, and/or engage in informal or formal action, as appropriate.

EMERGENCY REMOVAL

The University can act to remove a student Respondent from its education program or activities—partially or entirely—on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual justifies removal.

Placement of an employee on administrative leave with pay shall be in exceptional circumstances, such as to avoid disruption in the workplace or protect the safety of members of the campus community.

When an emergency removal is imposed, the Respondent will be given notice of the action and the option to request to meet with the Title IX Coordinator prior to such action/removal being imposed, or as soon as reasonably possible thereafter, to show cause why the action/removal should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate. This meeting must be requested within three (3) business days of the notice of action/removal. If a timely request is not made, the objections to the emergency action/removal will be deemed waived. There is no appeal process for emergency removal decisions.

A Respondent may be accompanied by an Advisor of their choice when meeting with the Title IX Coordinator for the show cause meeting. The Respondent will be given access to a written summary of the basis for the emergency removal prior to the meeting to allow for adequate preparation.

The Title IX Coordinator has sole discretion under this Policy to



implement or modify an emergency removal and to determine the conditions and duration. Violation of an emergency removal under this policy will be grounds for discipline within the student or employee conduct processes, which may include expulsion or termination.

The University will attempt to implement the least restrictive emergency actions possible in light of the circumstances and safety concerns. As determined by the Title IX Coordinator, these actions could include, but are not limited to: removing a student from a residence hall, temporarily re-assigning an employee, restricting a student's or employee's access to or use of facilities or equipment, allowing a student to withdraw or take incomplete grades without financial penalty, authorizing an administrative leave, and suspending a student's participation in extracurricular activities, student employment, student organizational leadership, or intercollegiate/intramural/club athletics.

CONFIDENTIALITY/PRIVACY

WSSU will not share the identity of any individual who has made a report or Formal Complaint of harassment, discrimination, or retaliation; any Complainant; any individual who has been reported to be the perpetrator of harassment, discrimination, or retaliation; any Respondent; or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA) or required by law; or to carry out resolution process grievance arising under these policies and procedures.

Documents prepared in anticipation of any hearing, such as pre-hearing submission, notices of hearing testimony, and information submitted at the hearings may not be disclosed outside the investigation and hearing proceedings, except as may be required or authorized by law or the Title IX Coordinator.

The University, in accordance with Title IX compliance, will to the extent practicable, try to comply with the wishes of the individual regarding their request for confidentiality or not pursuing a hearing. The University will take such requests seriously; however, such requests may limit the University's ability to investigate and take reasonable action. Under federal law, the University may be required to move forward with an investigation and take reasonable action in response to the complaint, no matter if these steps may be limited by a request for confidentiality. Title IX requires the University to evaluate the request of the complaint next to the University's concern for the safety, well-being, and nondiscriminatory environment.



FALSE ALLEGATIONS AND EVIDENCE

Knowingly falsifying, distorting, or misrepresenting information provided to the Title IX Coordinator, investigator, hearing or appellate decision maker(s), or any official conducting an investigation, hearing, or informal resolution; knowingly tampering with or destroying evidence; or knowingly instituting a formal complaint or submitting a report in bad faith are serious offenses and will be subject to disciplinary action under appropriate university policies. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a policy violation determination.

AMNESTY

Sometimes, Complainants or witnesses are hesitant to report to the University officials or participate in resolution processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons. To encourage reporting and participation in the process, the University typically offers parties and witnesses amnesty from minor policy violations—such as underage consumption of alcohol or the use of illicit drugs—related to the incident.

ENSURING IMPARTIALITY

Any individual materially involved in the administration of the Resolution Process including the Title IX Coordinator, investigator(s), and decision-maker(s) may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

At any time during the Resolution Process, the parties may raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable.

The Resolution Process involves an objective evaluation of all relevant evidence obtained, including evidence that supports that

the Respondent engaged in a policy violation and evidence that supports that the Respondent did not engage in a policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness.

WSSU operates with the presumption that the Respondent is not responsible for the reported misconduct unless and until the Respondent is determined to be responsible for a policy violation by the applicable standard of proof.

Due to availability, absences, conflict of interest, etc., employees may delegate their duties to another trained person upon approval by the Title IX Coordinator. All employees involved in the formal complaint process are trained as required by applicable law.

RESOLUTION OF A FORMAL COMPLAINT

A. OVERVIEW

Complaints, investigations, hearings, etc. (“Resolution Process” or “Grievance Process”) may be consolidated when the allegations of misconduct arise out of the same facts or circumstances or when the Title IX Coordinator deems it prudent to consolidate cases. In addition, the procedures below may be used to address alleged collateral misconduct by the Respondent arising from the investigation of or occurring in conjunction with reported misconduct (e.g., vandalism, physical abuse of another), when alleged violations of the Title IX Sexual Harassment Policy are being addressed at the same time.

Violations of no contact orders or other restrictions related to the allegations may be referred to appropriate student conduct or employee grievance processes for enforcement or added as collateral misconduct allegations to an ongoing complaint under the Title IX Sexual Harassment Policy and these associated procedures.

B. FILING A FORMAL COMPLAINT

A formal complaint is a designated form signed by a Complainant or signed by the Title IX Coordinator alleging the Respondent violated the Title IX Sexual Harassment Policy and requesting that WSSU investigate the allegation(s).

A Complainant can request a formal complaint form from the Title IX Coordinator. The formal complaint form can be filed with the Title IX Coordinator in person, via mail, email, or in any manner approved by the Title IX Coordinator. If a formal complaint is submitted in a manner that does not meet the approved standard, the Title IX Coordinator will contact the Complainant to ensure that it is filed correctly.

When the Title IX Coordinator executes the written complaint, they do not become the Complainant. The Complainant is the individual who is alleged to be the victim of conduct that could constitute a violation of the Title IX Sexual Harassment Policy. The Complainant may have as much or as little involvement in the process as they wish. The Complainant retains all rights of a Complainant under these Procedures irrespective of their level of participation.

C. MANDATORY AND DISCRETIONARY DISMISSAL OF FORMAL COMPLAINT

A Formal Complaint may be dismissed during the resolution process on certain grounds.

A Formal Complaint will be dismissed if the conduct reported in the Formal Complaint is:

1. It would not constitute Sexual Harassment as defined under Title IX, even if proved,
2. It did not occur in the University's education program or activity,
3. It did not occur against a person in the United States.

A Formal Complaint may be dismissed, in whole or in part, at the Title IX Coordinator's discretion, if:

1. A complainant notifies the Title IX Coordinator in writing that they would like to withdraw the formal complaint or any allegations in the complaint,
2. The respondent is no longer enrolled or employed by the University, or
3. Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the formal complaint or allegations in the complaint.

The Title IX Coordinator will promptly send written notice of the dismissal, including the reason(s) for the dismissal to the parties. The parties have the opportunity to appeal the dismissal of a formal complaint or any allegations in the formal complaint in the manner set forth in the Appeal Procedures section.

A dismissal does not preclude action under another provision of university policy. Even if the University is unable to take disciplinary action, the University will seek to take appropriate steps to prevent

sexual harassment from occurring.

D. PROMPTNESS

The university will conduct a timely investigation. Complaints typically take 60 to 90 business days to resolve. There are always exceptions and extenuating circumstances that can cause a resolution to take longer, but WSSU will attempt to avoid all undue delays within its control.

WSSU may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include but are not limited to a request from law enforcement to temporarily delay the investigation, the need for language assistance, academic breaks, the absence of parties and/or witnesses, and/or health conditions. The Title IX Coordinator maintains discretion to reasonably advance the process.

WSSU action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

E. RIGHT TO AN ADVISOR

Both parties are encouraged to seek the assistance of an advisor to support and accompany them through the process. Each party may have one (1) advisor present with them for support throughout the proceedings.

i) Who Can Serve as an Advisor?

The parties may select whoever they wish to serve as their Advisor as long as the Advisor is available. Available means the party cannot insist on an Advisor who simply doesn't have inclination, time, or availability. Also, the Advisor should not have institutionally conflicting roles, such as being a Title IX administrator who has an active role in the matter, or a supervisor who must monitor and implement sanctions.

The Advisor may be a friend, mentor, family member, attorney, or any other individual a party chooses to advise, support, and/or consult with them throughout the Resolution Process. The parties may choose Advisors from inside or outside of the WSSU community. The Title IX Coordinator will also offer to assign a trained Advisor to any party if the party so chooses. If the parties choose an Advisor from the pool available from the university, the Advisor will have been trained by the university and be familiar with the university's Resolution Process. If the parties choose an Advisor from outside the pool of those identified by the university, the Advisor may not have been trained by the university and may not be familiar with university policies and procedures. Choosing an Advisor who is also a witness in the process creates potential bias which will be explored by the hearing decisionmaker(s). Parties also have the right to choose not to have an Advisor in the initial stages of the Resolution Process, prior to a hearing.

ii) Sharing Information with the Advisor

WSSU expects that the parties may wish to have WSSU

share documentation and evidence related to the allegations with their Advisors. WSSU provides a consent form that authorizes WSSU to share such information directly with a party's Advisor. The parties must either complete and submit this form to the Title IX Coordinator before WSSU is able to share records with an Advisor.

Advisors appointed by the institution will not be asked to disclose details of their interactions with their advisees to hearing decision-maker(s).

iii) Privacy of Records Shared with Advisor

Advisors are expected to maintain the privacy of the records shared with them. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by WSSU. WSSU may restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by the WSSU's privacy expectations.

iv) Expectation of an Advisor

When scheduling a hearing, the University will make reasonable efforts to accommodate an advisor; however, the availability of the parties; witnesses; the designated administrator, panel members, or board members assigned to the matter; and other necessary participants as well as the expectation to promptly complete the Resolution Process may, in the University's discretion, take priority when determining the date and time for the hearing. WSSU may make reasonable provisions to allow an Advisor who cannot be present in person to attend a meeting/interview/hearing by telephone, video conferencing, or other similar technologies as may be convenient and available. Additionally, an advisor may not delay, disrupt, or otherwise interfere with the Resolution Process.

In order for an advisor to participate in any meeting or hearing, designated form(s) must be submitted to the Title IX Coordinator or designee no later than 3 business days prior to the meeting or proceeding.

F. INVESTIGATION OF FORMAL COMPLAINTS

1. The Title IX Coordinator will inform the Respondent and Complainant in writing of the investigation.
2. The investigator is primarily responsible for the investigation of the reported conduct. The investigation is a neutral fact gathering process. Interviews with the investigator may be recorded. No other recordings of interviews are permitted.
3. The investigator will:
 - a. Conduct a prompt, fair, and equitable investigation and will treat all participants in the process with respect.
 - b. Conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings with each party and witnesses.

- c. Create, gather, and maintain investigative documentation, as appropriate.
 - d. Disclose appropriate information to others only on a need-to-know basis, consistent with state and federal law as well as university policy.
 - e. Handle all data in accordance with applicable federal and state privacy laws.
 - f. Prepare a written investigation report summarizing relevant information collected throughout the investigation.
4. Directly related evidence will be sent to each party. Each party will have 10 calendar days to submit a written response to the Title IX Coordinator.
 5. The investigator will incorporate relevant elements of the parties' written responses into the final investigation report, include any additional relevant evidence, make any necessary revisions, and finalize the report.
 6. The investigative report will be forwarded to the Title IX Coordinator for review. The Title IX Coordinator has discretion to ask the investigator for clarification, additional investigation, and/or to have information added, removed, or redacted from the investigative report.
 7. All witnesses, evidence, and information should be presented to the investigator prior to the conclusion of the investigation. Evidence that is relevant and/or directly related will be shared with the other party at least 10 calendar days prior to the Hearing.

G. HEARING PROCEDURES

The Title IX Coordinator will designate a decision-maker(s) to serve as the decisionmaker(s) for Title IX and Sexual Misconduct matters. WSSU reserves the right to appoint any trained individuals who are without conflict or bias to serve as a decision-maker(s). The decision-maker(s) will not include the Title IX Coordinator or any person who served as an investigator for the matter.

At the hearing, the Board has the authority to hear and make determinations on all allegations of Title IX Sexual Harassment and Retaliation and may also hear and make determinations on any additional alleged policy violations that occurred in concert with the sexual offenses or retaliation, even though those collateral allegations may not specifically fall within the Title IX Sexual Harassment Policy.

Participants at the hearing may include the Hearing Chair, additional hearing board members, the hearing facilitator, the parties (or three (3) organizational representatives when an organization is the Respondent), Advisors to the parties, any called witnesses, the Title IX Coordinator, hearing board advisor, and anyone providing authorized accommodations, interpretation, and/or assistive services. The Chair will allow witnesses who have relevant information to appear at a portion of the hearing to respond to specific questions from the decision-maker(s) and the parties, and the witnesses will then be excused.

All parties, witnesses, and other participants may appear at the live hearing virtually with technology enabling participants to see and hear each other simultaneously. At the request of either party, the

university will consider conducting an in-person hearing.

Each party will have an equal opportunity to present witnesses and other evidence. Any credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

Each party's Advisor will be permitted to ask the other party and any participating witnesses all relevant questions and follow-up questions, including those challenging credibility. This cross-examination will be conducted directly, orally, and in real time by the party's Advisor and never by a party themselves.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant unless such questions and evidence about the complainant's prior sexual behavior is offered to prove that someone other than the respondent committed the conduct alleged by complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

The University cannot require, access, consider, disclose, allow, rely upon, seek disclosure of, or otherwise use a party's protected records or information without the voluntary, written consent of the relevant party or individual. Protected records or information include, but are not limited to, the following:

1. Records that are made or maintained by a physician, psychiatrist, psychologist, counselor, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party; and
2. Information protected under a legally recognized privilege (e.g., attorney-client, married individuals, clergy and communicant, psychotherapist and patient, physician and patient, etc.).

Any party or witness may choose not to offer evidence and/or answer questions at the hearing, either because they do not attend the hearing, or because they attend but refuse to participate in some or all questioning. The decision-maker(s) can only rely on whatever relevant evidence is available through the investigation and hearing in making the ultimate determination of responsibility. The hearing decision-maker(s) may not draw any inference solely from a party's or witness's absence from the hearing or refusal to submit to cross-examination.

H. JOINT HEARINGS

In hearings involving more than one Respondent and/or involving more than one Complainant, can be heard jointly if the respondent has been accused of substantially similar conduct or allegations that arise out of the same occurrence or series of events.

At the discretion of the Title IX Coordinator, investigations and/or hearings pertinent to each Respondent or complaint will be conducted separately if there is a compelling reason to do so. Charges against multiple students involved in the same incident may be heard in a single case only if each student respondent consents to such a proceeding. In joint hearings, separate determinations of responsibility will be made for each Respondent and/or for each complaint with respect to each alleged policy violation.

I. HEARING RECORDINGS

Hearings (but not deliberations) are recorded by Winston-Salem State University for the purpose of review in the event of an appeal. The parties may not record the proceedings and no other unauthorized recordings are permitted.

The hearing decision-maker(s), the parties, their Advisors, and appropriate administrators of Winston-Salem State University will be permitted to review the recording or review a transcript of the recording, upon request to the Title IX Coordinator. No person will be given or be allowed to make a copy of the recording without the permission of the Title IX Coordinator.

J. DELIBERATION AND STANDARD OF PROOF

The decision-maker(s) will deliberate in closed session to determine whether the Respondent is responsible for the policy violation(s) in question. A simple majority vote is required to determine the finding. The preponderance of the evidence standard of proof is used.

When there is a finding of responsibility on one or more of the allegations, the decision-maker(s), the parties, their Advisors, and appropriate administrators of Winston-Salem State University may then consider the previously submitted party impact and/or mitigation statement(s) in determining appropriate sanction(s). Each of the parties will have an opportunity to review any submitted impact and/or mitigation statement(s).

As part of that determination of sanctions and remedies, the Title IX Coordinator may, in their discretion, provide the decision-makers with information regarding previous conduct violations by the respondent.

K. NOTICE OF OUTCOME

The Hearing Chair will share the outcome letter, which includes the final determination, rationale, and any applicable sanction(s), with the parties and their Advisors.

The Notice of Outcome will be shared with the parties simultaneously to the parties' WSSU issued email or any other means of delivery deemed appropriate by the Title IX Coordinator (in-person, mail, to an approved email account, etc.) Once mailed, emailed, and/or received in-person, notice will be presumptively delivered.

The Notice of Outcome will include a description of the procedural steps taken by WSSU related to the grievance procedure; the finding for each alleged policy violation; a statement of, and rationale for, the result of each allegation to the extent the WSSU is permitted to share such information under state or federal law; remedies designed to restore or preserve equal access to the education program or activity will be provided to the complainant; any sanction(s) issued which the WSSU is permitted to share according to state or federal law; and the relevant procedures and bases for appeal.

L. SANCTIONS/REMEDIES

Factors considered when determining a sanction/responsive action may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history

- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the parties
- Any other information deemed relevant by the Decision-maker(s)

The sanctions and remedies will be implemented as soon as is feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested.

i) Student Sanctions

The following are the common sanctions that may be imposed upon students singly or in combination:

- Expulsion means a permanent dismissal. A student who has been expelled from WSSU may not be admitted to another constituent institution of the University, unless and until the sanction of expulsion has been rescinded by WSSU.
- Permanent Suspension means that the student is removed from good standing and must leave the University permanently without an expectation that the student may eventually return to the WSSU campus. The student is not barred, however, from seeking admission to another UNC System university, if that university wishes to permit such application following disclosure of the student's disciplinary record at WSSU.
- Suspension for a Definite or Indefinite Period means that the student is removed from good standing and must leave the University for a definite or indefinite period. This form of suspension anticipates that the student may eventually return if applicable conditions are satisfied. Academic work completed at another institution during a period in which a student is under suspension from the University may not be transferred toward the degree, but applicable health care or insurance benefits may be continued if the health insurance premium has already been paid.
- Probation for a Definite or Indefinite Period, including probation with associated conditions or requirements as set by the Hearing Officer, means that a student may remain at the University but may be required to satisfy specified conditions or requirements, report regularly to a designated administrator, and be barred from holding any office or participating in any activity in which the student represents the University, including athletics or other competitive teams, or from participating in any University-recognized student organizations either within or outside the University community. The sanction of probation prohibits graduation until the period of probation has ended and the student has complied with

all requirements.

- Other Actions: In addition to or in place of the above sanctions, the University may assign any other measures as deemed appropriate which may include the loss of privileges, residential and/or campus bans, No Contact Order, withholding or revoking a degree, restitution, educational program/project/class, housing relocation, housing termination, counseling referral, educational conversation with faculty or staff, fines, residence hall expulsion/eviction, community service, any other University sanctions, or any other appropriate measures.
- Expulsion, permanent suspension, suspension for a definite or indefinite period, and probation will be noted on a student's transcript while the sanction is in effect.

ii) Employee Sanctions

The following are the common sanctions that may be imposed upon students singly or in combination:

- Verbal or Written Warning
- Performance Improvement Plan/Management Process
- Enhanced Supervision,
- Observation, or Review
- Required Counseling
- Required Training or Education
- Probation
- Denial of Pay Increase/Pay Grade
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Transfer
- Reassignment
- Delay of (or referral for delay of) Tenure Track Progress
- Assignment to New Supervisor
- Restriction of Stipends, Research, and/or Professional Development Resources
- Suspension/Administrative Leave with Pay
- Suspension/Administrative Leave without Pay
- Termination
- Other Actions: In addition to or in place of the above sanctions/responsive actions, the university may assign any other responsive actions as deemed appropriate.

iii) Remedies

When there has been a determination that the Complainant has violated the Policy, the University will consider appropriate

remedies, based upon the findings and unique circumstances of each report. Remedies are measures taken to restore and preserve the Complainant's equal access to the University's educational programs, employment opportunities, or activities by addressing the effects of the conduct on the Complainant. Remedies seek to restore to the Complainant, to the extent possible, all benefits and opportunities lost as a result of the Title IX Sexual Harassment. Remedies may include, but are not limited to, adjustment of work or class assignments, location, and/or schedule or recommending a review of a negative performance or grade decision that may have resulted from the conduct that violated the Policy. Remedies need not be non-disciplinary or nonpunitive and need not avoid burdening the Respondent.

The Title IX Coordinator or designee will, in all cases, consider whether there is a need for additional or extended remedies. The Title IX Coordinator or designee is responsible for effective implementation of any remedies.

DISABILITY ACCOMMODATIONS IN THE RESOLUTION PROCESS

WSSU is committed to providing reasonable accommodations and support to qualifying students, employees, or others with disabilities to ensure equal access to the Resolution Process.

Students needing such accommodations or support should contact WSSU's Department of Services for Students with Disabilities and employees should contact Human Resources, who will review the request and, in consultation with the person requesting the accommodation and the Title IX Coordinator, determine which accommodations are appropriate and necessary for full participation in the process.

APPEAL PROCEDURES

Both parties have the opportunity to appeal a determination regarding responsibility and a dismissal of a formal complaint or any allegations in the complaint to the appeal decisionmaker(s) within five (5) business days of the issuance of the decision. Appeals are submitted by completing the online appeal form that will be included in any decision letter from the hearing decision-maker(s).

If neither party requests an appeal within the five (5) business day timeline, any sanction will take effect immediately at the end of the five (5) business day appeal timeline.

Appeals are limited to 2,500 words, including attachments. Grounds for the appeal must be clearly and concisely stated, and all relevant information substantiating the grounds for appeal should be included.

The following constitute appropriate grounds for appeal:

1. the procedural irregularity that affected the outcome;
2. new evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
3. Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias for or against complainant or respondent generally or the individual complainant

or respondent that affected the outcome of the matter.

Mere dissatisfaction with the hearing decision-maker(s) or dismissal outcome is not a valid basis for appeal. In addition, appeals are not intended to be a rehearing of the matter. The scope of the appeal will be limited to the grounds for appeal included in the written appeal submissions. In any request for an appeal, the burden of proof lies with the party requesting the appeal, because the outcome will be presumed to have been decided reasonably and appropriately.

If it is determined that the written appeal does not meet any of these criteria, the appeal will be denied without review by the appeal decision-maker(s). Once the appeal is filed, WSSU will provide written notice to the other party. If the appeal is determined to be properly filed, the other party will be given an opportunity to review and respond to the written appeal. Responses to written appeals are due five (5) business days after receipt of a copy of the appeal and are limited to 2,500 words.

If both parties have filed an appeal, the appeal documents from each party will be considered together in one appeal review process. Each party will be provided with the other party's appeal and may provide a response to the other party's written appeal. Responses to written appeals are due five (5) business days after receipt of a copy of the appeal and are limited to 2,500 words.

After reviewing all submitted materials, the appeal decision-maker(s) may: (1) affirm the outcome; (2) return the matter to the original or a new hearing decision-maker(s) with instructions to cure the procedural error, perceived conflict of interest/bias, or to consider the new evidence; (3) return the matter to the original or a new investigator with instructions to cure the procedural error, perceived conflict of interest/bias, or to consider the new evidence; (4) change the sanctions; or (5) overturn the dismissal.

All decisions are by majority vote and apply the preponderance of the evidence standard. Decisions by the appeal decision-maker(s) are by a majority vote of appeal decision-maker(s) present and participating in the appeal consideration.

The outcome (including rationale for the result) of the appeal decision-maker(s) will be made in writing to both the complainant and respondent. All decisions by the appeal decision-maker(s) are final.

SANCTIONS STATUS DURING THE APPEAL

Any sanctions imposed as a result of the hearing are stayed (i.e., not implemented) during the appeal process. Supportive measures may be reinstated, subject to the same supportive measure procedures above.

FAILURE TO COMPLY WITH SANCTIONS AND/OR RESPONSIVE ACTIONS

All Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Decision-maker(s) (including the Appeal Chair/Decision-maker(s)).

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, and expulsion/termination from the University. A suspension will only be lifted when compliance is achieved to the satisfaction of the Title IX Coordinator.

WITHDRAWAL OR RESIGNATION BEFORE COMPLAINT RESOLUTION

A. Students

Should a respondent decide not to participate in the Resolution Process, the process may proceed absent their participation. Should a student Respondent permanently withdraw from WSSU, the Resolution Process typically ends with a dismissal, as WSSU has lost primary disciplinary jurisdiction over the withdrawn student. However, WSSU may continue the Resolution process at the discretion of the Title IX Coordinator.

Regardless of whether the complaint is dismissed or pursued to completion of the Resolution Process, WSSU will continue to address and remedy any systemic issues or concerns that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation. The respondent who withdraws or leaves while the process is pending might not be able to return to WSSU in any capacity, if the Process is not completed.

Admissions and Security may be notified, accordingly.

If the respondent only withdraws or takes a leave for a specified period of time (e.g., one semester or term), the Resolution Process may continue and, if found in violation, that student is not permitted to return to WSSU unless and until all sanctions, if any, have been satisfied.

B. Employees

Should an employee Respondent resign with unresolved allegations pending, the Resolution Process typically ends with dismissal, as the University has lost primary disciplinary jurisdiction over the resigned employee. However, the University may continue the Resolution Process when, at the discretion of the Title IX Coordinator, doing so may be necessary to address safety and/or remedy any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

Regardless of whether the matter is dismissed or pursued to completion of the Resolution Process, the University will continue to address and remedy any systemic issues or concerns that contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

The employee who resigns with unresolved allegations pending may not be eligible for academic admission or rehire with the University, and the records retained by the Title IX Coordinator will reflect that status.

Future inquiries regarding employment references for that individual may include that the former employee resigned during a pending disciplinary matter.

INFORMAL RESOLUTION PROCESS (IRP)

The Formal Grievance/Resolution Process is WSSU's primary resolution approach unless Informal Resolution is elected by all

parties and WSSU.

At the request of either the Complainant or Respondent in writing, the University may facilitate an Informal Resolution Process (IRP). The University has chosen to offer IRP as an option for parties to choose a resolution that is best for them, while still serving the safety and educational needs of the campus community. IRP may be requested any time prior to the hearing decision-maker(s) rendering an outcome letter.

The IRP process is voluntary, and both the Complainant and Respondent must consent in writing to participating in the IRP process. The University will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints.

The Title IX Coordinator will determine whether the request for IRP is appropriate for the particular Title IX complaint. The Title IX Coordinator may deny a request for IRP if the Title IX Coordinator determines that IRP would not be appropriate for the unique allegations and circumstances, even if both the complainant and respondent consent to the request.

An IRP request must be submitted, using the IRP form provided by the Title IX Coordinator. IRP may include a broad range of strategies, including but not limited to:

- Supportive Resolution. When the Title IX Coordinator can resolve the matter informally by providing supportive measures (only) to remedy the situation
- Alternative Resolution. When the parties agree to resolve the matter through an alternative resolution mechanism including mediation, restorative practices, facilitated dialogue, facilitated agreement etc.
- Accepted Responsibility. When the Respondent accepts responsibility for violating policy, and desires to accept the recommended sanction(s) and end the Resolution Process.

IRP may be conducted by any means (in-person, virtually, email, etc.) the Title IX Coordinator determines to be appropriate, based on factors such as the nature of the complaint, the desires of the parties, and any other relevant considerations. WSSU does not offer or facilitate an IRP to resolve allegations that an employee sexually harassed a student. The Title IX Coordinator may facilitate the IRP or assign a facilitator as appropriate.

At any time prior to agreeing to a resolution in writing, the Title IX Coordinator has the right to end the IRP and each party also has the right to withdraw from the IRP and resume the formal complaint process.

As a condition of engaging in Informal Resolution, the statements made, or evidence shared, during the Informal Resolution process will not be considered in the Formal Grievance Process unless all party's consent. The facilitator is prevented from participating in a formal resolution process as a witness (to share information about the parties' IRP), Hearing Chair, and hearing decision-maker(s).

Prior to implementing Informal Resolution, WSSU will provide the parties with written notice of the reported misconduct and any sanctions (only in the case of Accepted Responsibility) or measures that may result from participating in such a process, including



information regarding any records that will be maintained or shared by WSSU.

WSSU will obtain voluntary, written confirmation that all parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the parties to participate in Informal Resolution.

WSSU maintains the right to reject any term or proposed term of the IRP agreement. WSSU may provide suggested language to be included in the agreement.

The Title IX Coordinator maintains records of any resolution that is reached, and failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions (e.g., referral for formal resolution, referral to the conduct process for failure to comply). The results or agreements resulting from an IRP are not appealable.

PUBLIC NOTIFICATIONS AND RECORDKEEPING

The University will make publicly available on its website the following materials:

- Name and contact information of the Title IX Coordinator
- The Title IX Sexual Harassment Policy and these Procedures, and
- All materials used to train Title IX Coordinators, investigators, Hearing Decisionmakers, Appeals Decision-Makers, other decision-makers under this resolution process, and facilitators of informal resolutions.

The University will maintain for a minimum period of seven (7) years records of the following:

- Each Sexual Harassment investigation, including any determination regarding responsibility and any audio or audiovisual recording, any disciplinary sanctions imposed on the Respondent, and any remedies provided to the Complainant;

- Any appeal and results of the appeal;
- Any informal resolution and results of that resolution; and
- All materials used to train Title IX Coordinators, investigators, Hearing Officer, Appeals Officers, other decision-makers under this resolution process, and facilitators of informal resolutions.

REVISION OF THE POLICY AND THESE PROCEDURES

The Policy and these procedures supersede any previous policies addressing Title IX Sexual Misconduct and Retaliation for incidents occurring on or after August 14, 2020, under Title IX and will be reviewed and updated annually by the Title IX Coordinator. The University reserves the right to make changes to this Policy and Procedures as necessary, and once those changes are posted online, they are in effect.

During the Resolution Process, the Title IX Coordinator may make minor modifications to procedures that do not materially jeopardize the fairness owed to any party, such as to accommodate summer schedules.

If government laws or regulations change the requirements in a way that impacts this document, this document will be construed to comply with the most recent government laws or regulations.

This document does not create legally enforceable protections beyond the protections of the background state and federal laws which frame such policies and codes, generally. In the event any provision of this Policy and Procedures conflicts with applicable law, the law will supersede such provision.

The Title IX Office Response to Sexual Misconduct And Gender-Based Violence

(Incidents occurring on or after August 1, 2024)

Winston-Salem State University (WSSU) is committed to providing an inclusive and welcoming environment for all members of our community. The University values safety, diversity, education, and equity and is firmly committed to maintaining a campus environment free from sex-based discrimination and sexual misconduct. This Policy and associated Procedures are grounded in Title IX of the Education Amendments Act of 1972 ("Title IX") and its implementing regulations.

WSSU values and upholds the equal dignity of all members of its community and strives to balance the rights of the Parties in the resolution process during what is often a difficult time for all involved.

To ensure compliance with federal, state, and local civil rights laws and regulations and affirm its commitment to promoting fairness and equity in all aspects of the education program or activity, WSSU has developed policies and procedures that provide for prompt, fair, and impartial resolution of allegations of sex-based discrimination, sexual misconduct, or retaliation.

WSSU will promptly and effectively address any such discrimination of which it has Knowledge/Notice using these Procedures.

MANDATED REPORTING AND CONFIDENTIAL EMPLOYEES

All WSSU faculty and employees (including student-employees), other than those deemed Confidential Employees, are Required Reporters and are expected to promptly report all known details of actual or suspected discrimination, harassment, and/or retaliation to Title IX Coordinator immediately, although there are some limited exceptions. Supportive measures may be offered as the result of such disclosures without formal WSSU action.

Complainants may want to carefully consider whether they share personally identifiable details with Required Reporters, as those details must be shared with the Title IX Coordinator.

If a Complainant expects formal action in response to their allegations, reporting to any Required Reporters can connect them with resources to report alleged crimes and/or Policy violations, and these employees will immediately notify the Title IX Coordinator (and/or police if desired by the Complainant or required by law), who will act when an incident is reported to them.

CAMPUS CONFIDENTIAL RESOURCES

To enable Complainants to access support and resources without filing a Complaint, WSSU has designated specific employees as Confidential Resources. Those designated by WSSU as Confidential Resources are not required to report actual or suspected discrimination, harassment, or retaliation in a way that identifies the Parties. They will, however, provide the Complainant with the Title IX Coordinator's contact information and offer options and resources without any obligation to inform an outside agency or WSSU official

unless a Complainant has requested the information be shared.

There are three categories of Confidential Employees: 1) Those with confidentiality bestowed by law or professional ethics, such as lawyers, medical professionals, clergy, and counselors; 2) Those whom WSSU has specifically designated as confidential for purposes of providing support and resources to the Complainant; and 3) Those conducting human subjects research as part of a study approved by WSSU's Institutional Review Board (IRB). For those in category 1 above to be able to respect confidentiality, they must be in a confidential relationship with the person reporting, such that they are within the scope of their licensure, professional ethics, or confidential role at the time of receiving the Notice. These individuals will maintain confidentiality, except disclosure may be made in extreme cases of immediacy of threat or danger or abuse of a minor, elder, or individual with a disability or when required to disclose by law or court order.

If a Complainant would like the details of an incident to be kept confidential, the Complainant may speak with the following Confidential Employees:

Confidential Employees

- On-campus licensed professional counselors and staff
- On-campus health service providers and staff

Institutional counselors and medical professionals are available to help free of charge.

SCOPE

These Procedures are only applicable to alleged incidents that occur after August 1, 2024. For alleged incidents of sexual harassment occurring prior to August 1, 2024, the policy and procedures in place at the time of the alleged incident apply. Applicable versions of those policies and procedures are available from the Title IX Coordinator and at this link.

These Procedures apply to all faculty, employees, students, and other individuals participating in or attempting to participate in WSSU's program or activities, including education and employment.

WSSU is committed to non-discrimination and does not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of sex. These Procedures prohibit discrimination based on actual or perceived characteristics related to sex, including:

- Gender identity
- Sex
- Sex characteristics
- Sexual orientation
- Sex stereotypes
- Pregnancy or related conditions

These Procedures may be applied to incidents, to patterns, and/or to the institutional culture/climate, all of which may be addressed in accordance with this Policy.

JURISDICTION

These Procedures applies to WSSU's education programs and

activities (defined as including locations, events, or circumstances in which WSSU exercises substantial control over both the Respondent and the context in which the conduct occurred), circumstances where WSSU has disciplinary authority, and to misconduct occurring within any building owned or controlled by a WSSU-recognized student organization. A Complainant does not have to be a member of the WSSU community to file a Complaint, at the discretion of the Title IX Coordinator.

These Procedures may also apply to the effects of off-campus misconduct that limit or deny a person's access to WSSU's education program or activities. WSSU may also extend jurisdiction to off-campus and/or to online conduct when the conduct affects a substantial WSSU interest.

A substantial WSSU interest includes:

- Any action that constitutes a criminal offense as defined by law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law.
- Any situation in which it is determined that the Respondent poses an immediate threat to the physical health or safety of any student, employee, or other individual.
- Any situation that significantly impinges upon the rights, property, or achievements of others, significantly breaches the peace, and/or causes social disorder.
- Any situation that substantially interferes with WSSU's educational interests or mission.

For disciplinary action to be issued under this Policy, the Respondent must be a WSSU faculty member, student, or employee at the time of the alleged incident. If the Respondent is unknown or is not a member of WSSU community, the Title IX Coordinator will offer to assist the Complainant in identifying appropriate institutional and local resources and support options, and will implement appropriate supportive measures and/or remedial actions (e.g., trespassing a person from campus). The WSSU can also assist in contacting local or institutional law enforcement if the individual would like to file a police report about criminal conduct.

All vendors serving WSSU through third-party contracts are subject to the policies and procedures of their employers and/or to these Policies and procedures to which their employer has agreed to be bound by their contracts.

When the Respondent is enrolled in or employed by another institution, the Title IX Coordinator can assist the Complainant in contacting the appropriate individual at that institution, as it may be possible to pursue action under that institution's policies.

Similarly, the Title IX Coordinator may be able to assist and support a student or employee Complainant who experiences discrimination in an externship, study abroad program, or other environment external to WSSU where sexual harassment or nondiscrimination policies and procedures of the facilitating or host organization may give the Complainant recourse. If there are effects of that external conduct that impact a student or employee's work or educational environment, those effects can often be addressed remedially by the Title IX Coordinator if brought to their attention.

SUPPORTIVE MEASURES

WSSU will offer and implement appropriate and reasonable supportive measures to the Parties upon Notice of alleged discrimination, harassment, and/or retaliation. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate and reasonably available. They are offered, without fee or charge to the Parties, to restore or preserve access to WSSU's education program or activity, including measures designed to protect the safety of all Parties and/or WSSU's educational environment and/or to deter discrimination, harassment, and/or retaliation.

The Title IX Coordinator promptly makes supportive measures available to the Parties upon receiving Notice/Knowledge or a Complaint. At the time that supportive measures are offered, if a Complaint has not been filed, WSSU will inform the Complainant, in writing, that they may file a Complaint with WSSU either at that time or in the future. The Title IX Coordinator will work with a party to ensure that their wishes are considered with respect to any planned and implemented supportive measures.

WSSU will maintain the confidentiality of the supportive measures, provided that confidentiality does not impair WSSU's ability to provide those supportive measures. WSSU will act to ensure as minimal an academic/occupational impact on the Parties to the extent that is reasonable. The WSSU will implement measures in a way that does not unreasonably burden any party.

These actions may include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services
- Referral to the Employee Assistance Program
- Referral to community-based service providers
- Visa and immigration assistance
- Student financial aid counseling
- Education to the institutional community or community subgroup(s)
- Altering campus housing assignment(s)
- Altering work arrangements for employees or student-employees
- Safety planning
- Providing campus safety escorts
- Providing transportation assistance
- Implementing contact limitations (no contact orders) between the Parties
- Academic support, extensions of deadlines, or other course/program-related adjustments
- Trespass, Persona Non Grata (PNG), or Be-On-the-Lookout (BOLO) orders
- Timely warnings
- Class schedule modifications, withdrawals, or leaves of absence
- Increased security and monitoring of certain areas of the campus
- Any other actions deemed appropriate by the Title IX Coordinator

Violations of no-contact orders or other restrictions may be referred to appropriate student or employee conduct processes for

enforcement or added as collateral misconduct allegations to an ongoing Complaint under the Policy.

The Parties are provided with a timely opportunity to seek modification or reversal of WSSU's decision to provide, deny, modify, or terminate supportive measures applicable to them. A request to do so should be made in writing to the Title IX Coordinator. An impartial employee other than the employee who implemented the supportive measures, who has the authority to modify or reverse the decision, will determine whether to provide, deny, modify, or terminate the supportive measures if they are inconsistent with the definition of supportive measures in § 106.2 of the federal Title IX Regulations. WSSU will also provide the Parties with the opportunity to seek additional modification or termination of supportive measures applicable to them if circumstances change materially.

STANDARD OF PROOF

WSSU uses the preponderance of the evidence standard of proof when determining whether a Policy violation occurred. This means that WSSU will decide whether it is more likely than not, based upon the available information at the time of the decision, that the Respondent is in violation of the alleged Policy violation(s).

REPORTS/COMPLAINTS OF DISCRIMINATION, HARASSMENT, AND/OR RETALIATION

A Report provides notice to WSSU of an allegation or concern about discrimination, harassment, or retaliation and provides an opportunity for the Title IX Coordinator to provide information, resources, and supportive measures. A Complaint provides notice to WSSU that the Complainant would like to initiate an investigation or other appropriate resolution procedures. A Complainant or individual may initially make a report and may decide at a later time to make a Complaint. Reports or Complaints of discrimination, harassment, and/or retaliation may be made using any of the following options:

- File a Report/Complaint with, or give verbal Notice directly to, the Title IX Coordinator. Such a Report/Complaint may be made at any time (including during non-business hours) by using the telephone number, email address, or by mail to the office of the Title IX Coordinator.
- Submit online Notice at https://cm.maxient.com/reportingform.php?WinstonSalemStateUniv&layout_id=4.

Anonymous Notice is accepted, but the Notice may give rise to a need to try to determine the Parties' identities. Anonymous Notice typically limits WSSU's ability to investigate, respond, and provide remedies, depending on what information is shared. Measures intended to protect the community or redress or mitigate harm may be enacted. It also may not be possible to provide supportive measures to Complainants who are the subject of anonymous Notice.

Reporting carries no obligation to initiate a Complaint, and in most situations, WSSU is able to respect a Complainant's request to not initiate a resolution process. However, there may be circumstances, such as pattern behavior, allegations of severe misconduct, or a compelling threat to health and/or safety, where WSSU may need to initiate a resolution process. If a Complainant does not wish to file a

Complaint, WSSU will maintain the privacy of information to the extent possible. The Complainant should not fear a loss of confidentiality by giving Notice that allows WSSU to discuss and/or provide supportive measures, in most circumstances.

TIME LIMITS ON REPORTING

There is no time limitation on providing Notice/Complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to WSSU's jurisdiction and/or significant time has passed, the ability to investigate, respond, and/or provide remedies may be more limited or impossible.

Acting on Notice/Complaints significantly impacted by the passage of time (including, but not limited to, the rescission or revision of Policy) is at the Title IX Coordinator's discretion; they may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.

OVERVIEW

WSSU will act on any Notice, Complaint, or Knowledge of a potential violation of the Policy that is received by the Title IX Coordinator or any other Required Reporters by applying the Resolution Process below.

The procedures below apply to all allegations of discrimination on the basis of an actual or perceived sex-based protected characteristic, harassment, retaliation, or Other Prohibited Conduct as involving students, staff, administrators, faculty members, or third parties.

NOTICE/COMPLAINT

Upon receipt of Notice, a Complaint, or Knowledge of an alleged Policy violation, the Title IX Coordinator will initiate a prompt initial evaluation to determine WSSU's next steps. The Title IX Coordinator will contact the Complainant/source of the Notice to offer supportive measures, provide information regarding resolution options, and determine how they wish to proceed.

COLLATERAL MISCONDUCT

Collateral misconduct is defined to include potential violations of other WSSU policies not incorporated into the Policy that occur in conjunction with alleged violations of the Policy, or that arise through the course of the investigation, for which it makes sense to provide one resolution for all charges. Thus, the collateral allegations may be charged along with potential violations of the Policy, to be resolved jointly under these Procedures. In such circumstances, the Title IX Coordinator may consult with WSSU officials who typically oversee such conduct (e.g., human resources, student conduct, academic affairs) to solicit their input as needed on what charges should be filed, but the exercise of collateral charges under these procedures is within the discretion of Title IX Coordinator. All other allegations of misconduct unrelated to incidents covered by the Policy will typically be addressed separately through procedures described in the student, faculty, and staff handbooks.

INITIAL EVALUATION

The Title IX Coordinator conducts an initial evaluation upon receiving Notice/Complaint/Knowledge of alleged misconduct. The initial evaluation typically includes:

- Assessing whether the reported conduct may reasonably constitute a violation of the Policy.
- If the conduct may not reasonably constitute a violation of the Policy, the matter is typically dismissed from this process, consistent with the dismissal provision in these procedures. It may then be referred to another process, if applicable.
- Determining whether WSSU has jurisdiction over the reported conduct, as defined in the Policy.
- If the conduct is not within WSSU jurisdiction, the matter is typically dismissed from this process, consistent with the dismissal provision in these procedures. If applicable, the conduct will be referred to the appropriate WSSU office for resolution.
- Offering and coordinating supportive measures for the Complainant.
- Offering and coordinating supportive measures for the Respondent, as applicable.
- Notifying the Complainant of the resolution processes, including a supportive and remedial response, an Informal Resolution option, or the Resolution Process described below.
- Determining whether the Complainant wishes to make a Complaint.
- Notifying the Respondent of the resolution processes, including a supportive and remedial response, an Informal Resolution option, or the Resolution Process described below, if a Complaint is made.

HELPING A COMPLAINANT TO UNDERSTAND OPTIONS

If the Complainant indicates they wish to initiate a Complaint (in a manner that can reasonably be construed as reflecting intent to make a Complaint), the Title IX Coordinator will help to facilitate the Complaint, which will include:

- Working with the Complainant to determine whether the Complainant wishes to pursue one of three resolution options:
 - o a supportive and remedial response, and/or
 - o Informal Resolution, or
 - o the Resolution Process described below.

The Title IX Coordinator will seek to abide by the wishes of the Complainant but may have to take an alternative approach depending on their analysis of the situation.

If the Complainant elects for the Resolution Process below, and the Title IX Coordinator has determined the Policy applies and that WSSU has jurisdiction, they will route the matter to the appropriate Resolution Process, will provide the Parties with a Notice of Investigation and Allegation(s), and will initiate an investigation consistent with these Procedures.

If any Party indicates (either verbally or in writing) that they want to pursue an Informal Resolution option, the Title IX Coordinator will assess whether the matter is suitable for Informal Resolution and refer the matter, accordingly.

If the Complainant indicates (either verbally or in writing) that they

do not want any action taken, no Resolution Process will be initiated (unless deemed necessary by the Title IX Coordinator), though the Complainant can elect to initiate one later, if desired.

TITLE IX COORDINATOR AUTHORITY TO INITIATE A COMPLAINT

If the Complainant does not wish to file a Complaint, the Title IX Coordinator, who has ultimate discretion as to whether a Complaint is initiated, will offer supportive measures and determine whether to initiate a Complaint themselves. To make this determination, the Title IX Coordinator will evaluate that request to determine if there is a serious and imminent threat to someone's safety or if WSSU cannot ensure equal access without initiating a Complaint. The Title IX Coordinator will consider the following non-exhaustive factors to determine whether to file a Complaint:

- The Complainant's request not to proceed with initiation of a Complaint;
- The Complainant's reasonable safety concerns regarding initiation of a Complaint;
- The risk that additional acts of discrimination would occur if a Complaint is not initiated;
- The severity of the alleged discrimination, including whether the discrimination, if established, would require the removal of a Respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
- The age and relationship of the Parties, including whether the Respondent is a WSSU employee;
- The scope of the alleged discrimination, including information suggesting a pattern, ongoing discrimination, or discrimination alleged to have impacted multiple individuals;
- The availability of evidence to assist a Decision-maker in determining whether discrimination occurred;
- Whether WSSU could end the alleged discrimination and prevent its recurrence without initiating its resolution process.

If deemed necessary, the Title IX Coordinator may consult with appropriate WSSU employees, and/or conduct a violence risk assessment to aid their determination whether to initiate a Complaint.

When the Title IX Coordinator initiates a Complaint, they do not become the Complainant. The Complainant is the person who experienced the alleged conduct that could constitute a violation of this Policy.

PRESERVATION OF EVIDENCE

The preservation of evidence is critical to potential criminal prosecution and to obtaining restraining/protective orders, and it is particularly time-sensitive. WSSU will inform the Complainant of the importance of preserving evidence by taking actions such as the following:

Sexual Assault

- Seek forensic medical assistance at the nearest hospital, ideally within 120 hours of the incident (sooner is better).
- Avoid urinating, showering, bathing, washing hands or face, or

douching, if possible, but evidence may still be collected even if you do.

- If oral sexual contact took place, refrain from smoking, eating, drinking, or brushing your teeth.
- If clothes are changed, place soiled clothes in a paper bag (plastic destroys evidence) or a secure evidence container (if provided one by law enforcement)
- Seeking medical treatment can be essential, even if it is not for the purposes of collecting forensic evidence.

Stalking/Dating Violence/Domestic Violence/Sex-Based Harassment

- Evidence in the form of text and voice messages will be lost in most cases if the Complainant changes their phone number.
- Make a secondary recording of any voice messages and/or save the audio files to a cloud server.
- Take screenshots and/or a video recording of any text messages or other electronic messages (e.g., Instagram, Snapchat, Facebook).
- Save copies of email and social media correspondence, including notifications related to account access alerts.
- Take timestamped photographs of any physical evidence, including notes, gifts, etc., in place when possible.
- Save copies of any messages, including those showing any request for no further contact.
- Obtain copies of call logs showing the specific phone number being used rather than a saved contact name if possible.

DISMISSAL

WSSU may dismiss a Complaint if, at any time during the investigation or Resolution Process, one or more of the following grounds are met:

- WSSU is unable to identify the Respondent after taking reasonable steps to do so
- The respondent is not participating in WSSU's education program or activity
- A Complainant voluntarily withdraws any or all of the allegations in the Complaint, and the Title IX Coordinator declines to initiate a Complaint
- WSSU determines the conduct alleged in the Complaint would not constitute a Policy violation if proven

A Complainant who decides to withdraw a Complaint may later request to reinstate or refile it.

Upon any dismissal, WSSU will promptly send the Complainant written notification of the dismissal and the rationale for doing so. If the dismissal occurs after the Respondent has been made aware of the allegations, WSSU will also notify the Respondent of the dismissal.

This dismissal decision is appealable by any party.

APPEAL OF DISMISSAL

The Complainant may appeal a dismissal of their Complaint. The Respondent may also appeal the dismissal of the Complaint if dismissal occurs after the Respondent has been made aware of the allegations. All dismissal appeal requests must be filed within three (3) business days of the notification of the dismissal.

The Title IX Coordinator will notify the Parties of any appeal of the dismissal. If, however, the Complainant appeals, but the Respondent was not notified of the Complaint, the Title IX Coordinator must then provide the Respondent with a NOIA and will notify the Respondent of the Complainant's appeal with an opportunity to respond.

Throughout the dismissal appeal process, WSSU will:

- Implement dismissal appeal procedures equally for the Parties;
- Assign a trained Dismissal Appeal Officer who did not take part in an investigation of the allegations or dismissal of the Complaint;
- Provide the Parties a reasonable and equal opportunity to make a statement in support of, or challenging, the dismissal; and
- Notify the Parties of the result of the appeal and the rationale for the result.

The grounds for dismissal appeals are limited to:

- 1) Procedural irregularity that would change the outcome;
- 2) New evidence that would change the outcome and that was not reasonably available when the dismissal was decided;
- 3) The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual Complainant or Respondent that would change the outcome.

Upon receipt of a dismissal appeal in writing from one or more Parties, the Title IX Coordinator will share the petition with the other party and provide three (3) business days for other Parties to respond to the request. The appeal should specify at least one of the grounds above and provide any reasons or supporting evidence for why the ground is met. This appeal will be provided in writing to the other Parties, and the Title IX Coordinator, who will be invited to respond in writing. At the conclusion of the response period, the Title IX Coordinator will forward the appeal, as well as any response provided by the other Parties to the Dismissal Appeal Officer for consideration.

If the Request for Appeal does not provide information that meets the grounds in this Policy, the request will be denied by the Dismissal Appeal Officer, and the Parties, their Advisors, and the Title IX Coordinator will be notified in writing of the denial and the rationale.

If any of the asserted grounds in the appeal satisfy the grounds described in this Policy, then the Dismissal Appeal Officer will notify all Parties and their Advisors, and the Title IX Coordinator, of their decision and rationale in writing. The effect will be to reinstate the Complaint.

In most cases, appeals are confined to a review of the written documentation or record of the original determination and pertinent documentation regarding the specific appeal grounds. The Dismissal Appeal Officer has seven (7) business days to review and decide on the appeal, though extensions can be granted at the discretion of the

Title IX Coordinator, and the Parties will be notified of any extension.

Appeal decisions are deferential to the original determination, making changes only if there is a compelling justification to do so.

The Dismissal Appeal Officer may consult with the Title IX Coordinator and/or legal counsel on questions of procedure or rationale for clarification, if needed. The Title IX Coordinator will maintain documentation of all such consultation.

EMERGENCY REMOVAL/INTERIM SUSPENSION

WSSU may emergency remove a student accused of Sex Discrimination or Sex-based Harassment upon receipt of Notice/Knowledge, a Complaint, or at any time during the resolution process. Prior to an emergency removal, WSSU will conduct an individualized risk assessment and may remove the student if that assessment determines that an imminent and serious threat to the health or safety of a Complainant or any students, employees, or other persons arising from the allegations of sex discrimination justifies such action.

When an emergency removal or interim suspension is imposed, wholly or partially, the affected student will be notified of the action, which will include a written rationale, and the option to challenge the emergency removal or interim suspension within two (2) business days of the notification. Upon receipt of a challenge, the Title IX Coordinator will meet with the student (and their Advisor, if desired) as soon as reasonably possible thereafter to allow them to show cause why the removal/action should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal or interim suspension is appropriate, should be modified, or lifted. When this meeting is not requested within two (2) business days, objections to the emergency removal or interim suspension will be deemed waived. A student can later request a meeting to show why they are no longer an imminent and serious threat because conditions related to imminence or seriousness have changed. A Complainant and their Advisor may be permitted to participate in this meeting if the Title IX Coordinator determines it is equitable to do so.

The Respondent may provide information, including expert reports, witness statements, communications, or other documentation for consideration prior to or during the meeting. When applicable, a Complainant may provide information to the Title IX Coordinator for review.

An emergency removal or interim suspension may be affirmed, modified, or lifted as a result of a requested review or as new information becomes available. The Title IX Coordinator will communicate the final decision in writing, typically within three (3) business days of the review meeting.

PLACING AN EMPLOYEE ON LEAVE

When the Respondent is an employee or a student employee accused of misconduct in the course of their employment, they may be placed on administrative leave pending the investigation.

COUNTER-COMPLAINTS

WSSU is obligated to ensure that the resolution process is not abused for retaliatory purposes. Although WSSU permits the filing of Counter-Complaints, the Title IX Coordinator will use an initial evaluation, described above, to assess whether the allegations in the Counter-Complaint are made in good faith. When Counter-Complaints are not made in good faith, they will not be permitted. They will be considered potentially retaliatory and may constitute a violation of the Policy.

Counter-Complaints determined to have been reported in good faith will be processed using the Resolution Process below. At the Title IX Coordinator's discretion, investigation of such claims may take place concurrently, in conjunction with, or after resolution of the underlying initial Complaint.

ADVISORS IN THE RESOLUTION PROCESS

A. WHO CAN SERVE AS AN ADVISOR?

The Parties may each have an Advisor (friend, mentor, family member, attorney, or any other individual a party chooses) present with them for all meetings, interviews, and hearings within the Resolution Process, including intake. The Parties may select whomever they wish to serve as their Advisor as long as the Advisor is eligible and available.

The Title IX Coordinator will offer to assign a trained Advisor to any party if the party chooses. If the Parties choose an Advisor from the pool available from WSSU, WSSU will have trained the Advisor and familiarized them with WSSU's Resolution Process.

WSSU cannot guarantee equal Advisory rights, meaning that if one party selects an Advisor who is an attorney, but the other party does not, or cannot afford an attorney, WSSU is not obligated to provide an attorney to advise that party.

A party may elect to change Advisors during the process and is not obligated to use the same Advisor throughout. Parties are expected to provide the Title IX Coordinator with timely notification if they change Advisors. If a party changes Advisors, consent to share information with the previous Advisor is assumed to be terminated, and a release for the new Advisor must be submitted.

The WSSU may permit Parties to have more than one Advisor, or an Advisor and a support person, upon special request to the Title IX Coordinator. The decision to grant this request is at the Title IX Coordinator's sole discretion and will be granted equitably to all Parties.

If a party requests that all communication be made through their attorney Advisor instead of to the party, WSSU may comply with that request at the discretion of the Title IX Coordinator.

Advisors appointed by the institution cannot be confidential employees, and although they will not be asked to disclose details of their interactions with their advisees to institutional officials or Decision-makers absent an emergency, they are still reminded of their Required Reporters responsibilities.

B. ADVISOR'S ROLE IN THE RESOLUTION PROCESS

Advisors should help the Parties to prepare for each meeting and are expected to advise ethically, with integrity, and in good faith. Advisors may not provide testimony or speak on behalf of their

advisee unless given specific permission to do so.

The Parties are expected to ask and respond to questions on their own behalf throughout the Resolution Process. Although the Advisor generally may not speak on behalf of their advisee, the Advisor may consult with their advisee, either privately as needed, or by conferring or passing notes during any Resolution Process meeting or interview. For longer or more involved discussions, the Parties and their Advisors should ask for breaks to allow for private consultation.

Where applicable under state law or WSSU Policy, Advisors or attorneys are permitted to fully represent their advisees or clients in the Resolution Process, including all meetings, interviews, and hearings. Although WSSU prefers to hear from Parties directly, in these cases, Parties are entitled to have their chosen representatives provide evidence.

C. RECORDS SHARED WITH ADVISORS

Advisors are entitled to the same opportunity as their advisee to access relevant evidence, and/or the same written investigation report that accurately summarizes this evidence.

Advisors are expected to maintain the confidentiality of the records WSSU shares with them. Advisors may not disclose any WSSU work product or evidence WSSU obtained solely through the Resolution Process for any purpose not explicitly authorized by WSSU.

Accordingly, Advisors will be asked to sign Non-Disclosure Agreements (NDAs). The WSSU may decline to share materials with any Advisor who has not executed the NDA. WSSU may restrict the role of any Advisor who does not respect the sensitive nature of the process or who fails to abide by WSSU's confidentiality expectations.

D. ADVISOR EXPECTATIONS

WSSU generally expects an Advisor to adjust their schedule to allow them to attend WSSU meetings/interviews/hearings when planned, but WSSU may change scheduled meetings/interviews to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay.

WSSU may also make reasonable provisions to allow an Advisor who cannot be present in person to attend a meeting/interview by telephone, video conferencing, or other similar technologies.

All Advisors are subject to the same WSSU policies and procedures, whether they are attorneys or not, and whether they are selected by a party or appointed by WSSU. Advisors are expected to advise their advisees without disrupting proceedings.

E. ADVISOR POLICY VIOLATIONS

Any Advisor who oversteps their role as defined by the Policy, who shares information or evidence in a manner inconsistent with the Policy, or who refuses to comply with WSSU's established rules of decorum, will be warned. If the Advisor continues to disrupt or otherwise fails to respect the limits of the Advisor role, the meeting/interview/hearing may be ended, or other appropriate measures implemented, including WSSU requiring the party to use a different Advisor or providing a different WSSU-appointed Advisor. Subsequently, the Title IX Coordinator will determine how to address the Advisor's non-compliance and future role.

F. RESOLUTION OPTION OVERVIEW

This Resolution Process, consisting of Informal Resolution and Hearing Resolution, is WSSU's chosen approach to addressing the above forms of discrimination. The process considers the Parties' preferences but is ultimately determined at the Title IX Coordinator's discretion.

Resolution proceedings are confidential. All individuals present at any time during the Resolution Process are expected to maintain the confidentiality of the proceedings in accordance with WSSU Policy.

INFORMAL RESOLUTION

To initiate Informal Resolution, a Complainant or Respondent may make such a request to the Title IX Coordinator at any time prior to a final determination, or the Title IX Coordinator may offer the option to the Parties, in writing. WSSU will obtain voluntary, written confirmation that all Parties wish to resolve the matter through Informal Resolution before proceeding and will not pressure the Parties to participate in Informal Resolution.

Before initiation of an Informal Resolution process, WSSU will provide the Parties with a NOIA that explains:

- The allegations;
- The requirements of the Informal Resolution process;
- That, prior to agreeing to a resolution, any party has the right to withdraw from the Informal Resolution process and to initiate or resume WSSU's Resolution Process;
- That the Parties' agreement to a resolution at the conclusion of the Informal Resolution process will preclude the Parties from initiating or resuming the resolution process arising from the same allegations;
- The potential terms that may be requested or offered in an Informal Resolution agreement, including notification that an Informal Resolution agreement is binding only on the Parties; and
- What information WSSU will maintain, and whether and how it could disclose such information for use in its Resolution Process.

WSSU offers four categories of Informal Resolution:

1. Supportive Resolution. When the Title IX Coordinator can resolve the matter informally by providing supportive measures (only) designed to remedy the situation.
2. Educational Conversation. When the Title IX Coordinator can resolve the matter informally by having a conversation with the Respondent to discuss the Complainant's concerns and institutional expectations or can accompany the Complainant in their desire to confront the conduct.
3. Accepted Responsibility. When the Respondent is willing to accept responsibility for violating Policy and is willing to agree to actions that will be enforced similarly to sanctions, and the Complainant(s) and WSSU are agreeable to the resolution terms.
4. Alternative Resolution. When the Parties agree to resolve the matter through an alternative resolution mechanism (which could

include, but is not limited to, mediation, shuttle negotiation, restorative practices, facilitated dialogue, etc.), as described below.

The individual facilitating an Informal Resolution must be trained and cannot be the Investigator, Decision-maker, or Appeal Decision-maker.

It is not necessary to pursue Informal Resolution first in order to pursue a Hearing Resolution Process. Any party participating in Informal Resolution can withdraw from the Informal Resolution Process at any time and initiate or resume the Hearing Resolution Process.

The Parties may agree, as a condition of engaging in Informal Resolution, on what statements made or evidence shared during the Informal Resolution process will not be considered in the Hearing Process, should Informal Resolution not be successful, unless agreed to by all Parties.

If an investigation is already underway, the Title IX Coordinator has discretion to determine if an investigation will be paused, if it will be limited, or if it will continue during the Informal Resolution process.

Categories of Informal Resolution

1. Supportive Resolution

The Title IX Coordinator will meet with the Complainant to determine reasonable supportive measures that are designed to restore or preserve the Complainant's access to WSSU's education program and activity. Such measures can be modified as the Complainant's needs evolve over time or circumstances change. If the Respondent has received the NOIA, the Title IX Coordinator may also provide reasonable supportive measures for the Respondent as deemed appropriate. This option is available when the Complainant does not want to engage the other resolution options, and the Title IX Coordinator does not initiate a Complaint.

2. Educational Conversation

The Complainant(s) may request that the Title IX Coordinator address their allegations by meeting (with or without the Complainant) with the Respondent(s) to discuss concerning behavior and institutional policies and expectations. Such a conversation is non-disciplinary and non-punitive. Respondent(s) are not required to attend such meetings, nor are they compelled to provide any information if they attend. The conversation will be documented as the Informal Resolution for the matter, if it takes place. In light of this conversation, or the Respondent's decision not to attend, the Title IX Coordinator may also implement remedial actions to ensure that policies and expectations are clear and to minimize the risk of recurrence of any behaviors that may not align with Policy.

3. Accepted Responsibility

The Respondent may accept responsibility for any or all of the alleged Policy violations at any point during the Resolution Process. If the Respondent indicates an intent to accept responsibility for all alleged Policy violations, the ongoing process will be paused, and the Title IX Coordinator will determine whether Informal Resolution is an option.

If Informal Resolution is available, the Title IX Coordinator will determine whether all Parties and WSSU are able to agree on responsibility, restrictions, sanctions, restorative measures, and/or remedies. If so, the Title IX Coordinator implements the accepted finding that the Respondent is in violation of WSSU Policy, implements agreed-upon restrictions and remedies, and determines the appropriate responses in coordination with other appropriate administrator(s), as necessary.

This resolution is not subject to appeal once all Parties indicate their written agreement to all resolution terms. When the Parties cannot agree on all terms of resolution, the Resolution Process will either continue or resume.

When a resolution is reached, the appropriate sanction(s) or responsive actions are promptly implemented to effectively stop the harassment or discrimination, prevent its recurrence, and remedy the effects of the discriminatory conduct, both on the Complainant and the community.

ALTERNATIVE RESOLUTION

The institution offers a variety of Alternative Resolution mechanisms to best meet the specific needs of the Parties and the nature of the allegations. Alternative Resolution may involve agreement to pursue individual or community remedies, including targeted or broad-based educational programming or training; supported direct conversation or interaction with the Respondent(s); indirect action by the Title IX Coordinator or other appropriate WSSU officials; and other forms of resolution that can be tailored to the needs of the Parties. Some Alternative Resolution mechanisms will result in an agreed-upon outcome, while others are resolved through dialogue. All Parties must consent to the use of an Alternative Resolution approach, and the Parties may, but are not required to, have direct or indirect contact during an Alternative Resolution process.

The Title IX Coordinator may consider the following factors to assess whether Alternative Resolution is appropriate, or which form of Alternative Resolution may be most successful for the Parties:

- The Parties' amenability to Alternative Resolution
- Likelihood of potential resolution, considering any power dynamics between the Parties
- The nature and severity of the alleged misconduct
- The Parties' motivation to participate
- Civility of the Parties
- Results of a violence risk assessment/ongoing risk analysis
- Respondent's disciplinary history
- Whether an emergency removal or other interim action is needed
- Skill of the Alternative Resolution facilitator with this type of Complaint
- Complaint complexity
- Emotional investment/capability of the Parties
- Rationality of the Parties
- Goals of the Parties

- Adequate resources to invest in Alternative Resolution (e.g., time, staff, etc.)

The Title IX Coordinator has the authority to determine whether Alternative Resolution is available or successful, to facilitate a resolution that is acceptable to all Parties, and/or to accept the Parties' proposed resolution, usually through their Advisors, often including terms of confidentiality, release, and non-disparagement.

Parties do not have the authority to stipulate restrictions or obligations for individuals or groups that are not involved in the Alternative Resolution process. The Title IX Coordinator will determine whether additional individual or community remedies are necessary to meet the institution's compliance obligations in addition to the Alternative Resolution.

The Title IX Coordinator maintains records of any resolution that is reached and will provide notification to the Parties of what information is maintained. Failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions (e.g., dissolution of the Agreement and resumption of the Resolution Process, referral to the conduct process for failure to comply, application of the enforcement terms of the Agreement, etc.). The results of Complaints resolved by Alternative Resolution are not appealable.

If an Informal Resolution option is not available or selected, WSSU will initiate or continue an investigation and subsequent Resolution Process to determine whether the Policy has been violated.

NOTICE OF INVESTIGATION AND ALLEGATIONS

Prior to an investigation, the Title IX Coordinator will provide the Parties with a detailed written NOIA written notice to the parties whose identities are known with sufficient time for the parties to prepare a response before any initial interview. Amendments and updates to the NOIA may be made as the investigation progresses and more information becomes available regarding the addition or dismissal of various allegations. For climate/culture investigations that do not have an identifiable Respondent, the NOIA will be sent to the department/office/program head for the area/program being investigated.

The NOIA typically includes:

- The identity of the involved Parties (if known)
- The precise misconduct being alleged (if known)
- The date and location of the alleged incident(s) (if known)
- The specific policies/offenses implicated
- A description of, link to, or copy of the applicable these procedures
- A statement that the Parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence
- The possible sanctions. For all charged offenses that could result in expulsion, the notice must include this possibility and must specify that expulsion precludes matriculation at any UNC constituent institution.
- The name(s) of the Investigator(s), along with a process to identify to the Title IX Coordinator, in advance of the interview process, any conflict of interest that the Investigator(s) may have

- Prior to the determination, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial decisionmaker
- A statement that WSSU presumes the Respondent is not responsible for the reported misconduct unless and until the evidence supports a different determination
- A statement that determinations of responsibility are made at the conclusion of the process and that the Parties will be given an opportunity during the review and comment period to inspect and review all relevant evidence
- A statement that retaliation is prohibited
- Information about the confidentiality of the process, including that the Parties and their Advisors (if applicable) may not share WSSU work product obtained through the Resolution Process
- A statement that the Parties may have an Advisor of their choice who may accompany them through all steps of the Resolution Process
- A statement informing the Parties that WSSU's Policy prohibits knowingly making false statements, including knowingly submitting false information during the Resolution Process
- Detail on how a party may request disability accommodations during the Resolution Process
- A link to WSSU's VAWA Brochure
- An instruction to preserve any evidence that is directly related to the allegations
- Notification will be made in writing and may be delivered by one or more of the following methods: in person, mailed to the local or permanent address(es) of the Parties as indicated in official WSSU records, or emailed to the Parties' WSSU-issued email or designated accounts. Once mailed, emailed, and/or received in person, the notification will be presumptively delivered.

To the extent WSSU has reasonable concerns for the safety of any person as a result of providing this notice, WSSU may reasonably delay providing NOIA in order to address the safety concern appropriately. Reasonable concerns must be based on individualized safety and risk analysis and not on mere speculation or stereotypes.

RESOLUTION TIMELINE

WSSU will make a good faith effort to complete the Resolution Process within sixty to ninety (60-90) business days, including any appeals, which can be extended as necessary for appropriate cause by the Title IX Coordinator. The Parties will receive regular updates on the progress of the Resolution Process, as well as notification and a rationale for any extensions or delays, and an estimate of how much additional time will be needed to complete the process.

Investigations are completed expeditiously, normally within sixty (60) business days, though some investigations may take longer, depending on issues such as the nature, extent, and complexity of the allegations, witness availability, law enforcement involvement, and other factors.

If a party or witness chooses not to participate in the Resolution Process or becomes unresponsive, WSSU reserves the right to

continue it without their participation to ensure a prompt resolution. Non-participatory or unresponsive Parties retain the rights outlined in this Policy and the opportunity to participate in the Resolution Process.

WSSU may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include but are not limited to a request from law enforcement to delay the investigation temporarily, the need for language assistance, the absence of Parties and/or witnesses, and/or health conditions. WSSU will promptly resume its Resolution Process as soon as feasible. During such a delay, WSSU will implement and maintain supportive measures for the Parties as deemed appropriate.

WSSU action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced.

WSSU will make a good faith effort to complete the Resolution Process as promptly as circumstances permit and will communicate regularly with the Parties to update them on the progress and timing of the process.

ENSURING IMPARTIALITY

Any individual materially involved in the administration of the Resolution Process, including the Title IX Coordinator, Investigator(s), and Decision-maker(s), may neither have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent.

The Title IX Coordinator will vet the assigned Investigator(s), Decision-maker(s), and Appeals officers for impartiality by ensuring there are no actual or apparent conflicts of interest or disqualifying biases. At any time during the Resolution Process, the Parties may raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another Pool member will be assigned, and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with WSSU's Title IX Coordinator.

The Resolution Process involves an objective evaluation of all available relevant and not otherwise impermissible evidence, including evidence that supports that the Respondent engaged in a Policy violation and evidence that supports that the Respondent did not engage in a Policy violation. Credibility determinations may not be based solely on an individual's status or participation as a Complainant, Respondent, or witness. All Parties have a full and fair opportunity, through the investigation process, to suggest witnesses and questions, to provide evidence, and to receive a written investigation report that accurately summarizes this evidence.

INVESTIGATOR APPOINTMENT

Once an investigation is initiated, the Title IX Coordinator appoints an Investigator(s) to conduct it. These Investigators may be members of the Resolution Process Pool, or any other properly trained Investigator, whether internal or external to WSSU's community.

WITNESS ROLE AND PARTICIPATION IN THE

INVESTIGATION

Employees (not including Complainant and Respondent) are required to cooperate with and participate in WSSU's investigation and Resolution Process. Student witnesses and witnesses from outside WSSU community cannot be required to participate but are encouraged to cooperate with WSSU investigations and to share what they know about a Complaint.

Interviews may be conducted in person, via online video platforms (e.g., Zoom, Microsoft Teams, FaceTime, WebEx, etc.), or, in limited circumstances, by telephone. WSSU will take appropriate steps to ensure the security/privacy of remote interviews.

Parties and witnesses may also provide written statements in lieu of interviews or choose to respond to written questions, if deemed appropriate by the Investigator(s), though not preferred.

INTERVIEW RECORDING

It is standard practice for Investigators to create record of all interviews pertaining to the Resolution Process (other than Informal Resolution meetings). The Parties may review copies of their own interviews, upon request. No unauthorized audio or video recording of any kind is permitted during investigation meetings. If an Investigator(s) elects to audio and/or video record interviews, all involved individuals should be made aware of audio and/or video recording.

EVIDENTIARY CONSIDERATIONS

The Investigator(s) and the Decision-maker(s) will only consider evidence that is deemed relevant and not otherwise impermissible.

Relevant evidence is that which may aid in determining whether the allegation occurred, or whether the behavior constitutes a violation of Policy.

Impermissible evidence is defined as evidence that relates to the Complainant's sexual interests or prior sexual conduct, unless 1) evidence about the Complainant's prior sexual conduct is offered to prove that someone other than the Respondent committed the alleged conduct, or 2) is evidence about specific incidents of the Complainant's prior sexual conduct with the Respondent that is offered to prove consent.

The fact of prior consensual sexual conduct between the Complainant and Respondent does not by itself demonstrate or imply the Complainant's consent or preclude a determination that sex-based harassment occurred.

Previous disciplinary action of any kind involving the Respondent may not be considered unless there is an allegation of a pattern of misconduct. Such information may also be considered in determining an appropriate sanction upon a determination of responsibility. Barring a pattern allegation, this information is only considered at the sanction stage of the process and is not shared until then.

RESPONDENT ADMITS RESPONSIBILITY

At any point in the proceedings, if a Respondent elects to admit to the charged violations and waive further process, the Decision-maker is authorized to accept that admission, adopt it as their finding/final determination, and administer sanctions. This would also waive all

rights to appeal for the Respondent. If the Respondent rejects the finding/final determination/sanctions, or does not admit to all conduct charged, the Resolution Process continues to its conclusion.

INVESTIGATION

All investigations are adequate, thorough, reliable, impartial, prompt, and fair. They involve interviews with all relevant Parties and witnesses, obtaining relevant evidence, and identifying sources of expert information, as necessary.

WSSU may consolidate Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, when the allegations arise from the same facts or circumstances or implicate a pattern, collusion, and/or other shared or similar actions. Charges against multiple students involved in the same incident may be heard in a single case only if each student defendant consents to such a proceeding.

The Investigator(s) or designee typically take(s) the following steps, if not already completed and not necessarily in this order:

- Commence a thorough, reliable, and impartial investigation by identifying issues and developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for the Parties and witnesses.
- When participation of a party is expected, provide that party with written notification of the date, time, and location of the meeting, as well as the expected participants and purpose.
- Interview the Complainant and the Respondent and conduct follow-up interviews with each, as necessary.
- Interview all available, relevant witnesses and conduct follow-up interviews as necessary.
- Provide each interviewed party and witness an opportunity to review and verify the Investigator's summary notes of the relevant evidence/testimony from their respective interviews and meetings.
- Allow each party the opportunity to suggest witnesses and questions they wish the Investigator(s) to ask of another party and/or witnesses. Document in the investigation report which questions were asked, with a rationale for any changes or omissions.
- Where possible, complete the investigation promptly and without unreasonable deviation from the intended timeline.
- Ask the Parties to provide a list of questions they would like asked of the other party or any witnesses. The Investigator will ask those questions deemed relevant, and for any question deemed not relevant, will provide a rationale for not asking the question.
- Write a draft investigation report that gathers, assesses, and synthesizes the evidence, accurately summarizes the investigation, and party and witness interviews, and provides all relevant evidence.
- Provide the Parties and their respective Advisors an electronic copy of the draft investigation report as well as an opportunity to inspect and review all relevant evidence obtained as part of the investigation for a review and comment period of seven (7) business days so that each party may meaningfully respond to

the evidence. The Parties may elect to waive all or part of the review period.

- The Investigator may share the investigation report with the Title IX Coordinator and/or legal counsel for their review and feedback.

FALSE ALLEGATIONS AND EVIDENCE

Deliberately false and/or malicious accusations under this Policy are a serious offense and will be subject to appropriate disciplinary action. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a determination of a Policy violation.

Additionally, witnesses and Parties who knowingly provide false evidence, tamper with or destroy evidence, or deliberately mislead an official conducting an investigation or resolution process can be subject to discipline under appropriate WSSU policies.

HEARING RESOLUTION PROCESS

The following provisions apply to a live hearing:

- o Hearing Venue Options and Recordings. The live hearing typically occurs via video technology. The Decision-maker and Parties must be able to simultaneously see and hear a party or witness while that person is speaking.
 - o The Title IX Coordinator retains discretion to determine whether the hearing will occur in person or via video technology.
 - o All hearings will be recorded, and Parties may request a copy of the transcript from the Title IX Coordinator following the live hearing.
 - o No unauthorized recordings are permitted.
- A. Hearing Participants. Persons who may be present for a hearing include the Decision-maker(s), hearing facilitator, Title IX Coordinator, Investigator(s), the Parties and their Advisors, anyone providing authorized accommodations, interpretation, and/or assistive services, and anyone else deemed necessary by the Title IX Coordinator. Witnesses are present only during their portion of the testimony.
- B. Advisors. The Parties may have the assistance of an Advisor of their choosing at the hearing or can request that WSSU appoint a trained Advisor for them. Appointed Advisors are not attorneys. If a party wishes to have an attorney as their Advisor, they must locate and pay for that attorney themselves.
- o During the pre-hearing meeting and live hearing, Parties may only be accompanied by their Advisor. No other persons (e.g., additional support persons, advisors, friends, family) may accompany, attend, or listen in on the hearing unless explicitly authorized by the Title IX Coordinator, with each party being provided the same opportunity.
 - o All questions during the hearing will be asked by the Decision-maker. Parties and Advisors may suggest questions to be posed by the Decision-maker during the pre-hearing meetings or by submission of written questions during the hearing. The method of submitting questions to the Decision-maker will be specified by the Title IX Coordinator during the pre-hearing meetings.

C. Impact Statements. Each party may submit an impact and/or mitigation statement to the Title IX Coordinator that the Decision-maker will review during any sanction determination.

- o Upon receipt of an impact and/or mitigation statement, the Title IX Coordinator will review the impact/mitigation statement to determine whether any immediate needs exist.
- o The Title IX Coordinator will only provide the impact statements to the Decision-maker if the Decision-maker determines that the Policy has been violated. When the Title IX Coordinator shares the impact statements with the Title IX Coordinator, they will also be shared with the Parties.

D. Disability Accommodations and Other Assistance. Parties should contact the Title IX Coordinator at least five (5) business days prior to the hearing to arrange any disability accommodation, language assistance, and/or interpretation services that may be needed at the hearing, if possible.

E. Conflicts of Interest or Bias. The Decision-maker must not have a bias for or against complainants or respondents generally or the individual Complainant or Respondent in particular.

- o The Decision-maker must recuse themselves if such bias or conflict of interest exists.
- o If the Decision-maker believes there is a possible conflict of interest or bias, they will consult with the Title IX Coordinator about possible recusal or removal.
- o The Parties may raise challenges that the Decision-maker is biased or has a conflict of interest. The Parties must raise challenges with the Title IX Coordinator within two (2) business days of receiving the hearing notice.
- o The Title IX Coordinator will only remove and replace a Decision-maker in situations of demonstrated bias or conflicts of interest. Perceptions of bias or conflict are not sufficient to cause removal.
- o If a Decision-maker recuses themselves as the result of a conflict of interest or bias, or is removed, the Title IX Coordinator will promptly appoint a new Decision-maker who does not have a conflict of interest or bias and notify the Parties accordingly.

F. Evidence Provided to Decision-makers and Parties.

- o The Decision-maker will be provided electronic copies of the Final Investigation Report and all relevant but not impermissible evidence, including the names of all Parties, witnesses, and Advisors, at least seven (7) business days in advance of the hearing.
- o The Parties will be provided with electronic copies of all the materials provided to the Decision-maker as part of the hearing notice, unless those materials have already been provided.

violated, a description of the applicable hearing procedures, and a statement of the potential sanctions/responsive actions that could result.

- The time, date, and location of the hearing.
- A description of any technology that will be used to facilitate the hearing.
- Relevant information regarding hearing logistics, pre-hearing meetings, the Final Investigation Report, the Parties and witnesses participating in the hearing, the identity of the Decision-maker, details related to questioning, the role of Advisors, impact/mitigation statements, and how to request disability accommodations or other assistance.

WITNESS PARTICIPATION

Student witnesses are encouraged to participate in, and make themselves reasonably available for, the hearing. Employee witnesses are expected to participate in, and make themselves reasonably available for, the hearing. Witnesses may participate in-person or via video technology that allows the Decision-maker and the Parties to see and hear the witness while that person is speaking. Witnesses are not permitted to be accompanied by an advisor without express permission of the Title IX Coordinator. At the discretion of the Decision-maker, a witness may join by phone if no other reasonable alternative is available.

If any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence. For compelling reasons, the Title IX Coordinator may reschedule the hearing.

Hearings for possible violations that occur near or after the end of an academic term (assuming the Respondent is still subject to this Policy) and are unable to be resolved prior to the end of term will typically be held immediately after the end of the term, including during the summer, as needed, to meet WSSU's resolution timeline and ensure a prompt resolution. Employees, including Parties and witnesses, who do not have 12-month contracts are still expected to participate in Resolution Processes that occur during months between contracts.

The Title IX Coordinator will notify all witnesses of their requested participation in the hearing prior to the hearing. Witnesses will be present for the hearing only during their testimony.

PRE-HEARING MEETINGS

The Title IX Coordinator will offer to convene a pre-hearing meeting(s) with the Parties and their Advisors and invite them to submit the questions or topics to the decisions-maker they wish to ask or discuss at the hearing. However, this advance review opportunity does not preclude the Parties from submitting a question at the hearing for the first time.

Pre-hearing meeting(s) will not be recorded. The pre-hearing meetings will typically be conducted as separate meetings with each party/Advisor.

EVIDENTIARY CONSIDERATIONS

The Parties must provide all evidence to the Investigator(s) prior to completing the Final Investigation Report. Evidence offered after that

HEARING NOTICE

The Title IX Coordinator will send the Parties a Notice of Hearing with sufficient time for the Parties to prepare for the hearing, typically at least seven (7) business days prior to the hearing. Once mailed, emailed, and/or received in-person, notice will be presumptively delivered. The hearing notice includes:

- A description of the alleged violation(s), a list of all policies allegedly

time will be evaluated by the Decision-maker for relevance. If deemed relevant and not impermissible, the Parties and Decision-maker must agree to admit it into the record. If the evidence is deemed not relevant or impermissible, the Decision-maker may proceed with the hearing absent the new evidence.

The new relevant evidence will be admitted to the record if:

- All Parties and the Decision-maker assent to the new evidence being included in the hearing without remanding the Complaint back to the investigator, and
- The evidence is not duplicative of evidence already in the record, and
- It is not impermissible, and
- The new evidence was either not reasonably available prior to the conclusion of the Final Investigation Report, or the failure to provide it in a timely manner was not the result of bad faith by the Parties, witnesses, or others.

If the above criteria are not met, but the evidence is deemed materially relevant and not duplicative, the Decision-maker may, at their discretion, engage in any of the following actions:

- Delay the hearing.
- Provide the Parties with at least five (5) business days to review the relevant evidence.
- Remand the Complaint back to the Investigator for further investigation or analysis.
- Allow the Parties to review and comment on the new evidence.

If the evidence is deemed not relevant or impermissible, the Decision-maker may proceed with the hearing without allowing the new evidence.

COLLATERAL MISCONDUCT

The Decision-maker has the authority to hear and make determinations on all allegations of discrimination, harassment, retaliation, and Other Prohibited Behavior under the Policy and may also hear and make determinations on any additional alleged collateral misconduct that occurred in concert with the discrimination, harassment, retaliation, or Other Prohibited Behavior, even though those collateral allegations may not specifically fall within the Policy.

JOINT HEARINGS

In Complaints involving more than one Respondent and/or involving more than one Complainant accusing the same person of substantially similar conduct, the default procedure will be to hear the allegations separately.

However, the Title IX Coordinator may permit the investigation and/or hearings pertinent to each Respondent or Complaint to be conducted jointly if there is a compelling reason to do so and the parties agree. In joint hearings, separate determinations of responsibility will be made for each Respondent and/or for each Complaint with respect to each alleged Policy violation.

HEARING PROCESS

A. Introductions and Hearing Procedure Explanation

The Decision-maker will explain the hearing procedures and introduce the participants. The Decision-maker will answer any procedural questions prior to and as they arise throughout the hearing.

B. Testimony and Questioning

The Parties and witnesses may provide relevant information in turn, beginning with the Complainant's opening statement, then the Respondent's, and then questioning in the order determined by the Decision-maker. The Decision-maker will facilitate the questioning of the Parties and witnesses.

All questions must be directed toward and asked through the Decision-maker and are subject to a relevance determination before they are asked. The Decision-maker will determine the method by which the Parties will submit their questions to the Decision-maker for their review and, if approved, to be posed. Questions that the Parties wish to have posed can be questions for that party themselves, another party, or witnesses.

The Decision-maker will explain any decision to exclude a question as not relevant, or to reframe it for relevance.

The Decision-maker will limit or disallow questions they deem not appropriate on the basis that they are irrelevant, unduly repetitious (and thus irrelevant), seek or pertain to impermissible evidence, or are abusive. The Decision-maker has final say on all questions and determinations of relevance and appropriateness. The Decision-maker may consult with legal counsel on any questions of admissibility.

The Decision-maker then poses the questions deemed relevant, not impermissible, and appropriate to the party and/or witness.

If the Parties raise an issue of bias or conflict of interest of an Investigator or Decision-maker at the hearing, the Decision-maker may elect to address those issues, consult with legal counsel, refer them to the Title IX Coordinator, and/or preserve them for appeal. If bias is not an issue at the hearing, the Decision-maker should not permit irrelevant questions that probe for Investigator bias.

The Decision-maker will allow witnesses who have relevant and not impermissible information to appear at a portion of the hearing to respond to specific questions from the Decision-maker and the Parties, and the witnesses will then be excused.

REFUSAL TO SUBMIT TO QUESTIONING AND INFERENCES

Any party or student witness may choose not to offer evidence and/or answer questions at the hearing, either because they do not attend the hearing, or because they attend but refuse to participate in some or all questioning. Employee witnesses are required to participate in the hearing if they are reasonably available. The Decision-maker can only rely on the available relevant and not impermissible evidence in making the ultimate determination of responsibility. The Decision-maker may not draw any inference solely from a party's or witness's absence from the hearing or refusal to answer any or all questions.

An Advisor may not be called as a witness at a hearing to testify to what their advisee has told them during their role as an Advisor.

HEARING RECORDINGS

The WSSU records hearings (but not deliberations) for purposes of review in the event of an appeal. No unauthorized audio or video recording of any kind is permitted during the hearing.

The Decision-maker, the Parties, their Advisors, Appeal Decision-makers, and other appropriate WSSU officials will be permitted to review the recording or review a transcript of the recording upon request to the Title IX Coordinator. No unauthorized disclosure, including sharing, copying, or distribution of the recording or transcript, is permitted.

DELIBERATION AND DETERMINATION

After closing statements from the Parties, the Decision-maker will deliberate in closed session to determine whether the Respondent is responsible for the alleged Policy violation(s) based on the standard of proof. If a panel is used, a simple majority vote is required to determine the finding. Deliberations are not recorded.

When there is a finding of responsibility for one or more of the allegations, the Decision-maker may then consider any previously submitted impact and/or mitigation statement(s) provided by the Parties in determining appropriate sanction(s). The Title IX Coordinator will ensure that any submitted statements are exchanged between the Parties if they are viewed by the Decision-maker. Impact/mitigation statements do not influence the finding, they only potentially influence the sanctions.

The Decision-maker will then prepare and provide the Title IX Coordinator with a written outcome letter detailing all findings and final determinations, the rationale(s) explaining the decision(s), the relevant and not impermissible evidence used in support of the determination(s), the evidence not relied upon in the determination(s), any credibility assessments, and any sanction(s) and rationales explaining the sanction(s).

This statement is usually five to fifteen (5-15) pages in length and is typically submitted to the Title IX Coordinator within ten (10) business days from the conclusion of the hearing, unless the Title IX Coordinator grants an extension. The Title IX Coordinator will notify the Parties of any extension.

SANCTIONS

Factors considered by the Decision-maker when determining sanctions and responsive actions may include, but are not limited to:

- The nature, severity of, and circumstances surrounding the violation(s)
- The Respondent's disciplinary history
- The need for sanctions/responsive actions to bring an end to the discrimination, harassment, and/or retaliation
- The need for sanctions/responsive actions to prevent the future recurrence of discrimination, harassment, and/or retaliation
- The need to remedy the effects of the discrimination, harassment, and/or retaliation on the Complainant and the community
- The impact on the Parties
- Any other information deemed relevant by the Decision-maker(s)

The sanctions will be implemented as soon as it is feasible once a determination is final, either upon the outcome of any appeal or the expiration of the window to appeal, without an appeal being requested.

The sanctions described in this Policy are not exclusive of, and may be in addition to, other actions taken, or sanctions imposed, by external authorities.

A. STUDENT SANCTIONS

The following are the common sanctions that may be imposed upon students singly or in combination:

- o Reprimand: A formal statement that the conduct was unacceptable and a warning that further violation of any WSSU Policy, procedure, or directive will result in more severe sanctions/responsive actions.
- o Required Counseling: A mandate to meet with and engage in either WSSU-sponsored or external counseling to better comprehend the misconduct and its effects.
- o Restrictions: A student may be restricted in their activities, including, but not limited to, being restricted from locations, programs, participation in certain activities or extracurriculars, study abroad, or from holding leadership in student organizations.
- o Probation: An official sanction for violation of institutional Policy, providing for more severe disciplinary sanctions in the event that the student is found in violation of any institutional Policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.
- o Suspension: Separation from the institution, or one or more of its facilities, for a definite period of time, typically not to exceed two years, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension, on successfully applying for readmission, or upon a general condition that the student is eligible to return if the institution determines it is appropriate to re-enroll/readmit the student. The student is typically required to vacate institutional property within 24 hours of notification of the action, though this deadline may be extended at the discretion of the Title IX Coordinator or other appropriate official. During an institution-wide suspension, the student is banned from institutional property, functions, events, and activities unless they receive prior written approval from an appropriate institutional official. This sanction may be enforced with a trespass action, as necessary.
- o Expulsion: Permanent separation from the institution. The student is banned from institutional property, and the student's presence at any institution-sponsored activity or event is prohibited. This action may be enforced with a trespass action, as necessary. When imposed, the sanction of expulsion uniformly shall mean: permanent dismissal, unless at a later date the chancellor who imposed or approved the sanction

(or his or her successor) concludes on the basis of the former student's petition and any supportive documentation that the individual should be given a new opportunity to pursue higher education. A student who has been expelled from one constituent institution may not be admitted to another constituent institution of the University, unless and until the sanction of expulsion has been rescinded by the institution that imposed the sanction.

- o Withholding Diploma: WSSU may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities as a sanction if the student is found responsible for violating Policy.
- o Revocation of Degree: While very rarely employed, WSSU reserves the right to revoke a degree previously awarded from WSSU for fraud, misrepresentation, and/or other violation of WSSU policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- o Other Actions: In addition to, or in place of, the above sanctions, WSSU may assign any other sanctions as deemed appropriate.

B. STUDENT GROUP AND ORGANIZATION SANCTIONS

The following are the common sanctions that may be imposed upon student organizations singly or in combination:

- o Warning: A formal statement that the conduct was unacceptable and a warning that further violation of any WSSU Policy, procedure, or directive will result in more severe sanctions/responsive actions.
- o Probation: An official sanction for violation of institutional Policy, providing for more severe disciplinary sanctions in the event that the group or organization is found in violation of any institutional Policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social and event privileges, denial of WSSU funds, ineligibility for honors and awards, restrictions on new member recruitment, no-contact orders, and/or other measures deemed appropriate.
- o Suspension: Termination of student group or organization recognition and/or institutional support for a definite period of time not to exceed two years and/or until specific criteria are met. During the suspension period, a student group or organization may not conduct any formal or informal business or participate in WSSU-related activities, whether they occur on- or off-campus. Re-recognition is possible but not guaranteed and will only be considered after the end of the suspension period and based on meeting all re-recognition criteria and obtaining clearance from WSSU.
- o Expulsion: Permanent termination of student group organization recognition and revocation of the privilege to congregate and conduct business on campus as an organization for any reason.
- o Loss of Privileges: Restricted from accessing specific WSSU privileges for a specified period of time.
- o Other Actions: In addition to or in place of the above sanctions, WSSU may assign any other sanctions as deemed appropriate.

C. Employee Sanctions/Responsive/Corrective Actions

Responsive actions for an employee who has engaged in harassment, discrimination, and/or retaliation include:

- o Verbal or Written Warning
- o Performance Improvement Plan/Management Process
- o Enhanced Supervision, Observation, or Review
- o Required Counseling
- o Required Training or Education
- o Probation
- o Denial of Pay Increase/Pay Grade
- o Loss of Oversight or Supervisory Responsibility
- o Demotion
- o Transfer
- o Shift or schedule adjustments
- o Reassignment
- o Delay of (or referral for delay of) Tenure Track Progress
- o Assignment to New Supervisor
- o Restriction of Stipends, Research, and/or Professional Development Resources
- o Suspension/Administrative Leave with Pay
- o Suspension/Administrative Leave without Pay
- o Termination
- o Other Actions: In addition to or in place of the above sanctions/responsive actions, WSSU may assign any other responsive actions as deemed appropriate.

NOTICE OF OUTCOME

Within ten (10) business days of the conclusion of the Resolution Process, the Title IX Coordinator provides the Parties with a written outcome notification. The outcome notification will specify the finding for each alleged Policy violation, any applicable sanctions that WSSU is permitted to share pursuant to state or federal law, and a detailed rationale, written by the Decision-maker, supporting the findings to the extent WSSU is permitted to share under federal or state law.

The notification will also detail the Parties' equal rights to appeal, the grounds for appeal, the steps to take to request an appeal, and when the determination is considered final if neither party appeals.

The Title IX Coordinator will provide the Parties with the outcome notification simultaneously, or without significant time delay between notifications. The written outcome notification may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the Parties as indicated in official WSSU records, or emailed to the Parties' WSSU-issued or designated email account. Once mailed, emailed, and/or received in person, the outcome notification is presumptively delivered.

WITHDRAWAL OR RESIGNATION BEFORE COMPLAINT RESOLUTION

Should a student Respondent decide not to participate in the Resolution Process, the process proceeds absent their participation to a reasonable resolution. If a student Respondent withdraws

from WSSU, the Resolution Process may continue, or Title IX Coordinator may exercise their discretion to dismiss the Complaint. If the Complaint is dismissed, WSSU will still provide reasonable supportive or remedial measures as deemed necessary to address safety and/or remedy any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

Regardless of whether the Complaint is dismissed or pursued to completion of the Resolution Process, WSSU will continue to address and remedy any systemic issues or concerns that may have contributed to the alleged violation(s), and any ongoing effects of the alleged discrimination, harassment, and/or retaliation.

When a student withdraws or leaves while the process is pending, the student typically may not return to WSSU in any capacity until the Complaint is resolved and any sanctions imposed are satisfied. If the student indicates they will not return, the Title IX Coordinator has discretion to dismiss the Complaint. The Registrar and Office of Admissions will be notified, accordingly.

If the student Respondent takes a leave for a specified period of time (e.g., one semester or term), the Resolution Process may continue remotely. If found in violation, that student is not permitted to return to WSSU unless and until all sanctions, if any, have been satisfied.

EMPLOYEES

Should an employee Respondent decide not to participate in the Resolution Process, the process proceeds absent their participation to a reasonable resolution. If an employee Respondent withdraws from WSSU with unresolved allegations pending, the Resolution Process may continue, or Title IX Coordinator may exercise their discretion to dismiss the Complaint. If the Complaint is dismissed, WSSU may still provide reasonable supportive or remedial measures as deemed necessary to address safety and/or remedy any ongoing effects of the alleged discrimination, harassment, and/or retaliation.

When an employee resigns and the Complaint is dismissed, the employee may not return to WSSU in any capacity. Human resources, the registrar, and admissions will be notified, accordingly, and a note will be placed in the employee's file that they resigned with allegations pending and are not eligible for academic admission or rehire with WSSU. The records retained by the Title IX Coordinator will reflect that status.

APPEAL OF THE DETERMINATION

The Title IX Coordinator will designate a three-member Appeal Panel, or a single Appeal Decision-maker chosen from the Pool, or other trained internal or external individuals, to hear the appeal. No Appeal Decision-maker(s) will have been previously involved in the Resolution Process for the Complaint, including in any supportive measure or dismissal appeal that may have been heard earlier in the process. If a panel is used, a voting Chair of the Appeal Panel will be designated by the Title IX Coordinator.

A. APPEAL GROUNDS

Appeals are limited to the following grounds:

1. A procedural irregularity that would change the outcome
2. New evidence that would change the outcome and that was not reasonably available at the time the determination regarding

responsibility or dismissal was made

3. The Title IX Coordinator, Investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that would change the outcome

B. REQUEST FOR APPEAL

Any party may submit a written request for appeal ("Request for Appeal") to the Title IX Coordinator within five (5) business days of the delivery of the Notice of Outcome.

The Request for Appeal will be forwarded to the Appeal Panel or Decision-maker for consideration to determine if the request meets the grounds for appeal (a Review for Standing). This is not a review of the merits of the appeal, but solely a determination as to whether the request could reasonably be construed to meet the grounds and is timely filed.

If the Request for Appeal does not provide information that meets the grounds in this Policy, the request will be denied by the Appeal Panel Chair or Decision-maker, and the Parties and their Advisors will be simultaneously notified in writing of the denial and the rationale.

If any of the grounds in the Request for Appeal meet the grounds in this Policy, then the Appeal Panel Chair or Decision-maker will notify all Parties and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigator(s) and/or the original Decision-maker.

All other Parties and their Advisors, the Title IX Coordinator, and, when appropriate, the Investigator(s) and/or the Decision-maker will be provided a copy of the Request for Appeal with the approved grounds and then be given five (5) business days to submit a response to the portion of the appeal that was approved and involves them. The Appeal Panel Chair or Decision-maker will forward all responses, if any, to all Parties for review and comment.

The non-appealing party (if any) may also choose to appeal at this time. If so, that Request for Appeal will be reviewed by the Appeal Panel Chair or Decision-maker to determine if it meets the grounds in this Policy and will either be approved or denied. If approved, it will be forwarded to the party who initially requested an appeal, the Title IX Coordinator, and the Investigator(s) and/or original Decision-maker, as necessary, who will submit their responses, if any, within five (5) business days. Any such responses will be circulated for review and comment by all Parties. If denied, the Parties will be notified accordingly, in writing.

No party may submit any new Requests for Appeal after this time period. The Appeal Panel Chair or Decision-maker will collect any additional information needed and all documentation regarding the approved appeal grounds, and the subsequent responses will be shared with the Appeal Panel or Decision-maker, who will promptly render a decision.

C. APPEAL DETERMINATION PROCESS

In most cases, appeals are confined to a review of the written documentation or record of the original determination and

pertinent documentation regarding the specific appeal grounds. The Appeals Panel or Decision-maker will deliberate as soon as is practicable and discuss the merits of the appeal.

Appeal decisions are to be deferential to the original determination, making changes to the finding only when there is clear error and to the sanction(s)/responsive action(s) only if there is a compelling justification to do so. All decisions are made by majority vote and apply the preponderance of the evidence.

An appeal is not an opportunity for the Appeal Panel or Decision-makers to substitute their judgment for that of the original Decision-maker merely because they disagree with the finding and/or sanction(s).

The Appeal Panel or Decision-maker may consult with the Title IX Coordinator and/or legal counsel on questions of procedure or rationale, for clarification, if needed.

D. APPEAL OUTCOME

An appeal may be granted or denied. Appeals that are granted should normally be remanded (or partially remanded) to the original Investigator(s) and/or Decision-maker with corrective instructions for reconsideration. In rare circumstances where an error cannot be cured by the original Investigator(s) and/or Decision-maker or the Title IX Coordinator (as in cases of bias), the Appeal Panel or Decision-maker may order a new investigation and/or a new determination with new Pool members serving in the Investigator and Decision-maker roles.

A Notice of Appeal Outcome letter will be sent to all Parties simultaneously, or without significant time delay between notifications. The Appeal Outcome will specify the finding on each ground for appeal, any specific instructions for remand or reconsideration, any sanction(s) that may result which WSSU is permitted to share according to federal or state law, and the rationale supporting the essential findings to the extent WSSU is permitted to share under federal or state law.

Written notification may be delivered by one or more of the following methods: in person, mailed to the local or permanent address of the Parties as indicated in official institutional records, or emailed to the Parties' WSSU-issued email or otherwise approved account. Once mailed, emailed, and/or received in person, the Appeal Outcome will be presumptively delivered.

Once an appeal is decided, the outcome is final and constitutes the Final Determination; further appeals are not permitted unless otherwise indicated in Appendix C, even if a decision or sanction is changed on remand (except in the case of a new determination). When appeals result in no change to the finding or sanction, that decision is final. When an appeal results in a new finding or sanction, that finding or sanction can be appealed one final time on the grounds listed above and in accordance with these procedures.

If a remand results in a new determination that is different from the appealed determination, that new determination can be appealed, once, on any of the five available appeal grounds.

SANCTION STATUS DURING THE APPEAL

Any sanctions imposed as a result of the determination are stayed

(i.e., not implemented) during the appeal process, and supportive measures may be maintained or reinstated until the appeal determination is made.

If any of the sanctions are to be implemented immediately post-determination, but pre-appeal, then the emergency removal procedures (detailed above) for a "show cause" meeting on the justification for doing so must be permitted within two (2) business days of implementation.

LONG-TERM REMEDIES/OTHER ACTIONS

Following the conclusion of the Resolution Process, and in addition to any sanctions implemented or Informal Resolution terms, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the Parties and/or WSSU community that are intended to stop the discrimination, harassment, and/or retaliation, remedy the effects, and prevent recurrence.

These remedies/actions may include, but are not limited to:

- Referral to counseling and health services
- Referral to the Employee Assistance Program
- Course and registration adjustments, such as retroactive withdrawals
- Education to the individual and/or the community
- Permanent alteration of housing assignments
- Permanent alteration of work arrangements for employees
- Provision of campus safety escorts
- Climate surveys
- Policy modification and/or training
- Provision of transportation assistance
- Implementation of long-term contact limitations between the Parties
- Implementation of adjustments to academic deadlines, course schedules, etc.

At the discretion of the Title IX Coordinator, certain long-term supportive measures may also be provided to the Parties even if no Policy violation is found.

When no Policy violation is found, the Title IX Coordinator will address any remedies WSSU owes the Respondent to ensure no effective denial of educational access.

WSSU will maintain the confidentiality of any long-term remedies/actions/measures, provided confidentiality does not impair WSSU's ability to provide these services.

FAILURE TO COMPLY WITH SANCTIONS, RESPONSIVE ACTIONS, AND/OR INFORMAL RESOLUTION TERMS

All Respondents are expected to comply with the assigned sanctions, responsive actions, corrective actions, and/or Informal Resolution terms within the timeframe specified by the final Decision-maker(s), including the Appeal Panel or Decision-maker or the Informal Resolution agreement.

Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, account hold and/or termination from WSSU.

Supervisors are expected to enforce the completion of sanctions/responsive actions for their employees.

A suspension imposed for non-compliance with sanctions will only be lifted when compliance is achieved to the Title IX Coordinator's satisfaction.

RECORDKEEPING

For a period of at least seven (7) years following the conclusion of the Resolution Process, WSSU will maintain records of:

- Each discrimination, harassment, and retaliation resolution process, including any Final Determination regarding responsibility or appeal, and any audio or audiovisual recording or transcript required under federal regulation
- Any disciplinary sanctions imposed on the Respondent
- Any supportive measures provided to the Parties and any remedies provided to the Complainant or the community designed to restore or preserve equal access to WSSU's education program or activity
- Any appeal and the result therefrom
- Any Informal Resolution and the result therefrom
- All materials used to provide training to the Title IX Coordinator, Title IX Coordinator and designees, Investigators, Decision-makers, Appeal Decision-makers, Informal Resolution Facilitator, and any person who is responsible for implementing WSSU's Resolution Process, or who has the authority to modify or terminate supportive measures. WSSU will make these training materials available for review upon request.
- All materials used to train all employees consistent with the requirements in the Title IX Regulations.

WSSU will also maintain any and all records in accordance with state and federal laws.

ACCOMMODATIONS AND SUPPORT DURING THE RESOLUTION PROCESS

A. DISABILITY ACCOMMODATIONS

WSSU is committed to providing reasonable accommodations and support to qualified students, employees, or others with disabilities to ensure equal access to WSSU's Resolution Process.

Anyone needing such accommodations or support should contact the Title IX Coordinator, who will work with disability support colleagues as appropriate to review the request and, in consultation with the person requesting the accommodation, determine which accommodations are appropriate and necessary for full process participation.

B. OTHER SUPPORT

WSSU will also address reasonable requests for support for the Parties and witnesses, including:

- Language services/Interpreters
- Access and training regarding use of technology throughout the Resolution Process
- Other support as deemed reasonable and necessary to facilitate participation in the Resolution Process

CONFIDENTIALITY/PRIVACY

WSSU makes every effort to preserve the Parties' privacy. The WSSU will not share the identity of any individual who has made a Complaint of harassment, discrimination, or retaliation; any Complainant; any individual who has been reported to be the perpetrator of discrimination, harassment, or retaliation; any Respondent; or any witness, except as permitted by, or to fulfill the purposes, of applicable laws and regulations, Family Educational Rights and Privacy Act (FERPA) and its implementing regulations, or as required by law; including any investigation, or resolution proceeding arising under these policies and procedures.

UNAUTHORIZED DISCLOSURE OF INFORMATION

Parties and Advisors are prohibited from unauthorized disclosure of information obtained by WSSU through the Resolution Process, to the extent that information is the work product of WSSU (meaning it has been produced, compiled, or written by WSSU for purposes of its investigation and resolution of a Complaint). It is also a violation of WSSU Policy to publicly disclose work product or a party's personally identifiable information without authorization or consent. Violation of this Policy is subject to significant sanctions.

AMNESTY

The WSSU community encourages the reporting of misconduct and crimes by Complainants and witnesses. Sometimes, Complainants or witnesses are hesitant to give Notice to WSSU officials or participate in resolution processes because they fear that they themselves may be in violation of certain policies, such as underage drinking or use of illicit drugs at the time of the incident. Respondents may hesitate to be forthcoming during the process for the same reasons.

It is in the best interests of WSSU community that Complainants choose to give Notice of misconduct to WSSU officials, that witnesses come forward to share what they know, and that all Parties be forthcoming during the process.

To encourage reporting and participation in the process, WSSU maintains a Policy of offering Parties and witnesses amnesty from minor policy violations, such as underage alcohol consumption or the use of illicit drugs, related to the incident. Granting amnesty is a discretionary decision made by WSSU, and amnesty does not apply to more serious allegations, such as physical abuse of another or illicit drug distribution.

Employees: Sometimes, employees are hesitant to report discrimination, harassment, or retaliation they have experienced for fear of getting in trouble themselves. The WSSU may, at its discretion, offer employee Complainants amnesty from such policy violations (typically more minor policy violations) related to the incident. amnesty may also be granted to Respondents and witnesses on a case-by-case basis.

INDEPENDENCE AND CONFLICTS OF INTEREST

The Title IX Coordinator oversees all resolutions under this Policy and these procedures. The members of the Resolution Pool are vetted and trained to ensure they are not biased for or against any party in a specific Complaint, or for or against Complainants and/or Respondents, generally.

To raise any concern involving bias, conflict of interest, misconduct, or discrimination by the Title IX Coordinator, contact the WSSU Chancellor. Concerns of bias, misconduct, discrimination, or a potential conflict of interest by any other Resolution Pool member should be raised with the Title IX Coordinator.

Due to availability, absences, conflict of interest, etc., employees may delegate their duties to another trained person upon approval by the Title IX Coordinator. All employees involved in the formal complaint process are trained as required by applicable law.

REVISION OF THESE PROCEDURES

These procedures succeed any previous procedures addressing discrimination, harassment, and retaliation for incidents occurring on or after August 1, 2024. The Title IX Coordinator will regularly review and update these procedures. WSSU reserves the right to make changes to this document as necessary, and once those changes are posted online, they are in effect.

If governing laws or regulations change, or court decisions alter, the requirements in a way that impacts this document, this document will be construed to comply with the most recent governing laws or regulations or court holdings.

This document does not create legally enforceable protections beyond the protections of the background state and federal laws that frame such policies and codes, generally.

These procedures are effective 8/1/2024.

Students' Code of Conduct

I. Authority Over Student Conduct

The university community respects certain principles that govern socially and academically acceptable standards of good conduct and behavior. All community members, including students, are expected to conduct themselves in accordance with the regulations of the university and to comply with municipal, state, and federal laws. Violations of campus or University policies, rules, or regulations, or federal, state, or local law may result in a violation of the student code of conduct and imposition of student discipline. The Students' Code of Conduct, herein referred to as the Code, provides the framework for identifying the standards of behavior and minimum due process requirements for addressing or adjudicating violations. Disciplinary measures and/or penalties shall be in accordance with procedural and substantive due process safeguards applicable to disciplinary actions as required by Section 502D (3) of The Code of The UNC Board of Governors, Policy 700.4.1, and applicable campus policies, as they may be

amended from time to time. Where there is a conflict between The Code of The UNC Board of Governors and this Students' Code of Conduct, then The Code of The UNC Board of Governors will control.

II. Jurisdiction Over Student Conduct

The Students' Code of Conduct and the processes for its administration and enforcement exist for the protection and advancement of the University community's particular institutional interests. The Students' Code of Conduct applies to individual students, University affiliated student organizations, and is used to enforce University policies and regulations. The authority to enforce policies, regulations, and sanctioning decisions rests with the Chancellor and has been delegated to the Vice Chancellor for Student Affairs. A violation of federal, state, and local law may also be a violation of university regulations.

III. Offenses Under the Code of Conduct

The following offenses listed are only examples of various offenses, which fall under the Students' Code of Conduct. Neither WSSU, nor is this list intended to be exhaustive. Students are expected to exercise judgment and discretion in their actions, and are not to:

1. Furnish false or misleading information on university records or forms by commission or omission; knowingly misrepresent the facts pertaining to university procedures; furnish false information to any member of the University community; or misuse documents and keys.
2. Steal, deface or destroy property of the University; possess stolen property; or infringe on the rights or property of members of the University community.
3. Misuse access privileges to university premises including, but not limited to violate positions of trust or authority; misuse university or organizational names and images; steal or misuse university computing equipment, facilities, passwords, accounts, or information.
4. Possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm on campus, or to a curricular or extracurricular activity sponsored by the university.
5. Possess or use weapons, included but not limited to: BB guns, air rifle, air pistol, taser, bowie knife, dirk, dagger, slingshot, switchblade knives, blackjack, metallic knuckles, swords, bow and arrows, razors or razorblades (except solely for personal shaving), fireworks or other explosive materials in any University-owned buildings, grounds, housing units, or student activities.
6. Start fires, explode fireworks, improperly use chemicals, and/or tamper with fire-fighting equipment (including, but not limited to, hoses, sprinklers, and fire extinguishers).
7. Gamble on University-owned property including, but not limited to, buildings, streets, and parking lots.
8. Communicating threats either verbally or written to any members of the University community.

9. Engage or subject another individual, whether intentional or unintentional, in activity likely to cause physical injury, mental distress, personal indignities of a highly offensive nature; engage in fighting.
10. Engage in physical abuse, sexual harassment, harassment, non-consensual sexual acts, coerced or forced physical contact via means of intimidation, physical restraint, or violence (For more information, please refer to the Policy on Sexual Harassment and Sexual Violence, as it may be amended from time to time).
11. Title IX-Based Violations
 - a. Winston-Salem State University is committed to providing an inclusive, welcoming, and safe environment for all members of the University community and an institutional environment free from unwelcome and unwarranted prohibited conduct. The Title IX Office's policies prohibit specific forms of Sexual Harassment and Sex-based Discrimination, including Sexual Assault, Dating Violence, Domestic Violence, Sexual Harassment, and Stalking, as defined in the Policies.
 - b. Such reports of prohibited behavior may be made at any time, regardless of the length of time between the alleged offense and the decision to report. The University encourages reporting so that we can provide individuals with support and resources. Reporting carries no obligation for the complainant to initiate a formal complaint or investigation. The University Title observes complainants' requests to forgo a formal investigation unless there is a compelling threat to health or safety. Complainants also are encouraged to report incidents of criminal activity to the police.
 - c. Individuals can submit reports using the reporting form on the WSSU Title IX webpage or by contacting the University's Title IX Coordinator.
12. Sexual Misconduct. Sexual Misconduct includes Sexual Harassment and Sexual Violence, as defined in WSSU Policy 900.2 "Addressing Prohibited Sexual Harassment under Title IX." Sexual Harassment and Prohibited Conduct is conduct on the basis of sex that satisfies one or more of the following:
 - a. An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct, or
 - b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the institution's education program or activity; or
 - c. "Sexual assault" as defined in 34 CFR 106, "dating violence" as defined in 34 CFR 106, "domestic violence" as defined in 34 CFR 106, or "stalking" as defined in 34 CFR 106.
13. Engage or subject another individual, whether intentional or unintentional, in activity likely to cause physical injury, mental distress, or personal indignities of a highly offensive nature, which is in connection with recruitment, initiation, or continued membership in a society, fraternity, or sorority, club, athletic team, or other similar group. Hazing for the purpose of this policy is not limited to the statutory definition. (For more information, please refer to the Hazing Policy, as it may be amended from time to time).
14. Engage in any activity that deliberately threatens, harasses, intimidates another individual, or places an individual in reasonable fear of harm to the individual or damage to the individual's property; or has the effect of substantially disrupting the orderly operation of the individual's daily life via the use of electronic information and communication devices, to include but not be limited to: e-mail messages, instant messaging, text messaging, cellular telephone communications, internet blogs, social media sites, internet chat rooms, internet postings, and defamatory websites (For more information, please refer to Cyberbullying Policy, as it may be amended from time to time).
15. Exhibit conduct of a lewd, indecent, obscene, conduct that disturbs the peace, or disorderly manner as defined by state statutes on the campus or at any University-sponsored event or public event while identified as a member of the University community.
16. Enter or use University facilities without authorization, trespass, and/or misuse of restricted areas; or violate rules governing University residence facilities, including but not limited to the key policy and co-ed visitation policy (For more information, please refer to Housing and Residence Life Policy, the Guide to On-Campus Living in Housing and Residence Life, and/or the Housing and Residence Life Living Agreement).
17. Possess, consume, and/or use alcoholic beverages on university owned property or at a student activity on campus.
18. Possess alcohol paraphernalia included but not limited to empty alcoholic bottles, alcoholic carton, beer bong, funnels, kegs.
19. Consume alcohol while under the statutory legal age, as it may be amended from time to time.
20. Provide alcohol to a minor or any person not of the statutory legal age to consume alcoholic beverages.
21. Be publicly intoxicated.
22. Possess and/or use of controlled and/or illegal substance. If you are a student who has been prescribed any narcotic by a licensed health care professional, you may possess or use such drugs in the manner as directed by the health care professional and must possess, and provide upon request, written documentation for verification purposes. If the narcotic cannot be lawfully possessed in the State of North Carolina, then you may not possess it on campus.
23. Share prescription medication with another individual. Such violations will be deemed and cited as "sale or distribution of

the illegal substance.”

24. Possession of drug paraphernalia and/or drug residue, including but not limited to stems, seeds, powder, crystals, and scales. If you are a student who has been prescribed any narcotic by a licensed health care professional, you may possess or use such drugs in the manner as directed by the health care professional and must possess, and provide upon request, written documentation for verification purposes.
25. Share drug or prescription medicine paraphernalia with another individual. Such violations will be deemed and cited as “sale or distribution of the illegal substance/drug paraphernalia.”
26. Possession with the intent to manufacture, sell and/or deliver any controlled substance or use narcotic drugs, whether controlled or prescribed, on or in university-owned property.
27. Intend to purchase any controlled and/or illegal substance on, around, or in university-controlled property.
28. Disrupt university operations; obstruct freedom of movement by community members or visitors; abuse, interfere with or fail to comply in university processes including student conduct hearings/ administrative hearings; fail to comply with directions of university officials.
29. Aid or abet the violation of The Student’s Code of Conduct or assist another person in the commission of a crime or act that violates this policy.
30. Violate local, state, and/or federal law, as they may be amended from time to time.
31. No student shall threaten, coerce, harass or intimidate another person or identifiable group of persons, in a manner that is unlawful or in violation of a constitutionally valid University policy, while on university premises or at university-sponsored activities based in whole or in part upon any of the protected statuses included in Section 103 of The Code of The UNC Board of Governors.
32. No student shall engage in unlawful harassment leading to a hostile environment. Unlawful harassment includes conduct that creates a hostile environment by meeting the following criteria:
 - a. Directed toward a particular person or persons;
 - b. Based in whole or in part upon any of the protected statuses included in Section 103 of
 - c. The Code of The UNC Board of Governors
 - d. Unwelcome;
 - e. Severe or pervasive;
 - f. Objectively offensive; and
 - g. So unreasonably interferes with the target person’s employment, academic pursuits, or participation in university-sponsored activities as to effectively deny equal access to the University’s resources and opportunities.
33. In determining whether student conduct violates these provisions, all relevant facts and circumstances shall be considered. Care must be exercised in order to preserve freedoms of speech and expression, as articulated in current legal standards. Advice should be sought from campus attorneys, as appropriate.

IV. Student Conduct Proceedings

- A. Student Conduct proceedings may be instituted against a student charged with violation of a law that is also a violation of the Students’ Code of Conduct, without regard to criminal arrest, criminal charges, prosecution, or civil litigation. Proceedings under the Students’ Code of Conduct are generally carried out without awaiting the conclusion of civil or criminal proceedings off campus as such proceedings have no bearing on student conduct proceedings.
- B. When a student is charged with an off-campus violation of federal, state or local laws, or the laws of another country, conduct action may be taken and sanctions may be imposed, up to and including expulsion, if the off-campus violation is misconduct that demonstrates disregard for the university community or poses a potential threat to that community.

V. Notification and Hearing of Conduct Allegations

- A. Allegations of Students’ Code of Conduct violations will be presented to the Students’ Code of Conduct, via Maxient Student Conduct System, from WSSU Campus Police or an Incident Report by residence life staff, students, faculty, and/or staff. To report an incident, use the following link to the [Maxient Student Conduct Incident Report](#). You can also find the link listed on the Office of Community Standards and Civility Homepage, which is located on WSSU’s website. Incidents that violate the Code of Conduct shall be submitted as soon as possible after it takes place and factual information should be provided to support the charge.
- B. A student may be accused of a violation only with a formal charge/complaint from Director of Community Standards and Civility or Housing Director, or their respective designees, who will send notice of complaint to the student by electronic notification. A student’s university assigned email shall be the method of official communication (For more information, please refer to Official Method of Communication Policy).
- C. **Minor Violations:** a minor violation is one for which the possible sanctions are less than suspension and/or expulsion.
 1. Due Process Requirements for Minor Violations. Students charged with minor violations of the Student Code of Conduct will be sent notice of the complaint. This notice will:
 - a. Contain the substance of the allegations.
 - b. Advise the student of his/her right to a staff advisor/ advocate or licensed attorney. An advisor/advocate

from the University is available to assist in all aspects of the student's case. It is the student's responsibility to contact the advisor/advocate upon receipt of the notice of referral of a complaint. If a student hires or engages a licensed attorney at his/her own expense, then the student must then notify the Office of Community Standards and Civility and provide the attorney's name and contact information. The student and attorney are required to complete several forms, which will be attached to their conduct notification letter and must then be returned to the Office of Community Standards and Civility prior to the date of the scheduled Pre-hearing Conference or Administrative Hearing. Students must execute a FERPA waiver to allow the attorney access to the student's conduct information and allow the attorney to share a student's right to speak during the hearing process. The advisor/advocate/attorney will not be allowed to participate in the hearing if the required forms are not executed prior to the Pre-hearing Conference. All participating advisors/advocates/licensed attorneys will also have to conduct themselves in the same manner to which students are held. If an advisor/advocate/ or attorney becomes unruly or conducts himself or herself in a manner that is disruptive to the proceedings, he or she may be asked to leave.

- c. Advise the student to contact the Director of Community Standards and Civility or a designee regarding the allegations that the student has violated the Students' Code of Conduct.
 - d. Advise the student that failure to contact the Director of Community Standards and Civility or a designee constitutes a violation of the Student's Code of Conduct.
 - e. Advise the student whether the victim has requested alternative dispute resolution of the allegations and the process for alternative dispute resolution.
2. Prior to formally charging the student, the Director of Community Standards & Civility or a designee will:
- a. Consult with the Vice Chancellor of Student Affairs or University Counsel when an action is pending in state court, federal court, or court in a foreign country against a student or has been adjudicated in court to determine whether the student has concurrently violated the Students' Code of Conduct. If it is determined that the university has been impacted, then the student will be subject to a notification of violation in accordance with the Students' Code of Conduct.
 - b. Receive and review allegations. Determine whether (1) the allegation, if proven, would constitute an offense under the Students' Code of Conduct and (2) based upon the stated allegation, is there reasonable belief that such a violation may have

occurred. This screening may involve reading of the case allegations, description of the alleged conduct, or discussion with the individual(s) making the allegation, as appropriate to the situation.

- c. If a complaint is to be pursued, then it is then referred to a hearing official or body. The student must be notified in writing of the alleged violation(s), the referral, and the hearing date. The hearing should not be scheduled for at least five (5) calendar days after the student is sent the notice unless the student agrees to an earlier hearing date in writing. A committee member or the hearing official who has a conflict with bias about or interest in the case should recuse himself. If the committee member or the hearing official refuses to recuse himself, a designated university official shall make the recusal decision.
 - d. For minor violations, the student may waive the hearing and accept a sanction proposed by a designated university official. The waiver and acceptance must be in writing and signed by the student.
 - e. Determine if the alleged victim desires alternative dispute resolution of the charges.
 - f. Review other University policies affecting students and, if applicable, maintain a copy in the case file and provide a copy to any appeal body that later hears the case.
3. At the PHC, the Director of Community Standards & Civility or a university official assigned to this matter shall provide the student with:
- a. Opportunity to review allegations
 - b. Opportunity to review student conduct code procedures.
 - c. Notice of formal charges resulting from allegations.
 - d. Notice of restrictions to be imposed, if any, to protect the alleged victim.
 - e. Notice of means of resolving formal charges through written acceptance or denial of responsibility.
 - f. Notice of alternative dispute resolution of the charges if the accuser consents.
 - g. Opportunity for advisor/advocate/licensed attorney to ask questions for clarification to give the accused student ample time to formally prepare for the hearing.
- A. A student who accepts responsibility shall be advised that:
1. He/she has the right to provide additional information regarding the allegations but is not required to do so.

2. The Director of Student Conduct or university official assigned to this matter shall make the determination of sanctions.
 3. The student waives his/her right to have the matter heard by a student conduct hearing body.
 4. Any minor sanctions imposed may be appealed to the Assistant Dean of Students. If the allegations are a violation to the Sexual Harassment and Sexual Violence policy, then the appeal will follow the process defined by that policy.
 5. The student's acceptance of responsibility must be in writing on a form provided by the Director of Community Standards and Civility, which must contain the provisions of 1-4 above and must be signed and dated by the student, Director of Community Standards and Civility, or official assigned to this matter.
- B. A student who denies responsibility or prefers to have the charges heard by the WSSU Student Conduct Council shall be advised that:
1. He/she has the right to provide additional information regarding the allegations but is not required to do so during the PHC.
 2. The hearing should not be scheduled for at least five (5) calendar days after the student is sent the notice unless the student agrees to an earlier hearing date in writing. The notice will include the date, time, and location of the Student Council Hearing.
 3. A student's university assigned email shall be the method of official communication for notice of proceedings.
 4. The student has a right to an advisor/advocate/licensed attorney. Licensed attorneys shall be hired at the student's expense.
 5. Student's denial of responsibility shall be in writing and/or electronic notification of the resolution or adjudication of the charges from the Director of Community Standards and Civility or university official assigned to this matter. The notification will be sent to the students' university assigned email address provided by the student and in accordance with the Official Method of Communication Policy. A student who has accepted responsibility the charges will be advised of the sanctions imposed and the student's right of appeal unless an administrative hearing is necessary to determine sanctions. If a hearing is required to impose sanctions, then student will be given notice of the date, time, and location of the hearing. The hearing should not be scheduled for at least five (5) calendar days after the student is sent the notice unless the student agrees to an earlier hearing date in writing. If a hearing is held, it may occur as a meeting between the hearing committee/official and the student. It will be a closed meeting.
- D. **Serious Violations:** A serious violation is one for which the possible sanctions are suspension and/or expulsion.
1. Due Process Requirement: Students charged with serious violations of the Student Code of Conduct will be sent a notice of the complaint. This notice must be issued within a reasonable time and will:
 - a. Contain the substance of the allegations offense(s) charged, the possible sanctions, and a brief recitation of the factual allegations supporting the charge. For all charged offenses which could result in expulsion, the notice must include this possibility and must specify that expulsion precludes matriculation at any UNC constituent institution.
 - b. Advise the student that he he/she shall be entitled to an advisor/advocate/licensed attorney. An advisor/advocate from the University is available to assist in all aspects of the student's case. It is the student's responsibility to contact the advisor/advocate upon receipt of the notice of referral of a complaint. If a student hires or engages a licensed attorney at his/her own expense, then the student must then notify the Office of Student Conduct and provide the attorney's name and contact information. The student and attorney are required to complete several forms, which will be attached to their conduct notification letter and must then be returned to the Office of Community Standards and Civility prior to the date of the scheduled Prehearing Conference for Student Conduct Council hearing. Students must execute a FERPA waiver to allow the attorney access to the student's conduct information and allow the attorney to share a student's right to speak during the hearing process. The advisor/advocate/attorney will not be allowed to participate in the hearing if the required forms are not executed prior to the Pre-Hearing Conference. All participating advisors/advocates/licensed attorneys will also have to conduct themselves in the same manner to which students are held. If an advisor/advocate/ or attorney becomes unruly or conducts himself or herself in a manner that is disruptive to the proceedings, he or she may be asked to leave.
 - c. Advise the student to contact the Director of

Community Standards and Civility or a designee regarding the allegations that the student has violated the Code of Conduct.

- d. Advise the student that failure to contact the Director of Student Conduct or a designee constitutes a violation of Code of Conduct.
 - e. Advise the student whether the victim has requested alternative dispute resolution of the allegations and the process for alternative dispute resolution.
2. At the PHC, the Director of Community Standards and Civility or a university official assigned to this matter shall provide the student with:
 - a. Opportunity to review allegations and written evidence that will be used at the hearing and obtain a list of witnesses.
 - b. Opportunity to review student conduct code procedures.
 - c. Notice of formal charges resulting from allegations.
 - d. Notice of restrictions to be imposed, if any, to protect the alleged victim.
 - e. Opportunity for advisor/advocate/licensed attorney to ask questions for clarification to give the accused student ample time to formally prepare for the hearing.
 3. A student's university assigned email shall be the method of official communication for notice of proceedings.
 4. Following the PHC, the student will be sent written and/or electronic notifications of the hearing, unless the notice of hearing has already been issued. If a hearing date is not set forth in the formal notice of the charge, written notice of the hearing date must be sent to the student not less than five (5) calendar days before the proceeding is scheduled for hearing. The notice will include the date, time, and location of the Student Conduct council hearing. It will be a closed meeting. The notification will be sent to the contact address provided by the student and in accordance with the Official Method of Communication Policy.
 5. Substantive Requirements: In each case there must be sufficient evidence supporting the decision and the sanction.

VI. Alternate Dispute Resolution

Upon mutual request by the accused student and the accuser, and with the consent of the Director of Community Standards and Civility or university official assigned to this matter, alternative dispute resolution, which includes, but is not limited to negotiated settlements or mediation, may be considered in lieu of formal charges for minor violations or for offenses where the sanction is no greater than a Disciplinary Warning. In those instances, the Director of Community Standards and Civility or university

official assigned to this matter is authorized to select the method of alternative dispute resolution.

VII. Composition And Jurisdiction Of Student Conduct Bodies

A. WSSU Student Conduct Council

The WSSU Student Conduct Council shall hear all cases where a student denies responsibility for an alleged violation of the Code of Conduct or request that the case be heard by the WSSU Student Conduct Council. The WSSU Student Conduct council shall be composed of the SGA Attorney General who shall serve as chairperson from year to year for so long as he/she serves as SGA Attorney General; One (1) student, who meet the specific grade point average for that academic year and have completed at least one semester at the collegiate level; and two (2) members of the faculty and/or staff, who meet all requirements prescribed by the university.

VIII. Hearing Procedure

An accused and enrolled student who fails to respond to a charge letter, does not attend the PreHearing Conference of at any time fails to respond to notification regarding the hearing process or refuses to abide by the hearing procedures, will forfeit the option of a student conduct council hearing. For minor violations, the Director of Community Standards and Civility, or a designee, without further notice, will proceed with the hearing whether or not the accused student is present. For serious violations, the Student Conduct Council will proceed without further notice to the student. If the student is found responsible, each hearing body will determine the appropriate sanction based on information available at that time. The student will be notified by e-mail within ten (10) calendar days of the outcome of this review and of the student's right to appeal, if any.

Students who are not enrolled at the time of the conduct proceeding or who choose not to proceed will not be allowed to register at WSSU until resolution of the complaint of violation of the Code of Conduct. The Director of Community Standards and Civility shall notify the Office of Registrar of the pending conduct complaints. If a student attempts to transfer with an unresolved conduct matter, WSSU may notify the other institution and disclose any records associated with the complaint.

A. Hearing Officers and Bodies

Student Conduct that contradicts basic interests and policies of the university community will be addressed under hearing procedures designed to facilitate fair and impartial resolution. Hearings, whether held before a hearing officer or gull hearing panel, are unlike courts. Student Conduct Hearings engage in a full discussion of charges and circumstances and are not subject to the formal rules or proceedings of court. The Office of Community Standards and Civility shall designate the University Official to present testimonial and documentary evidence on behalf of the university at all hearings.

1. Student Affairs Administrative Hearings

The Director of Community Standards & Civility shall preside over all Administrative Hearings, except in matters related to residential living, in which case a designee of the Director of Community Standards & Civility shall preside. The Administrative Hearing shall not be scheduled for at least five (5) calendar days after the student/organization is sent the Notice of Allegation(s) unless the student/organization agrees to an earlier hearing date in writing. Attorney and Non-Attorney advocates may participate in the proceedings as provided above.

A hearing official who has a conflict with, bias about or interest in the case should recuse himself or herself. If the committee member or the hearing official refuses to recuse himself or herself, the Assistant Dean of Students or designee shall make the recusal decision. Respondents may present testimonial and documentary evidence, provided that such evidence is relevant to the charge or other evidence presented and does not otherwise infringe the rights of other students/organizations. Likewise, university personnel may present testimonial and documentary evidence.

At the conclusion of the presentation of evidence, the presiding official shall determine based on a preponderance of the evidence whether the alleged code violation occurred. This determination must be made within 10 calendar days after the date of the Administrative Hearing. The decision must be transmitted to the student in writing within 10 calendar days of the date the decision is made, and it must contain a brief summary of the evidence upon which the decision is based.

Link for more info: <https://www.wssu.edu/student-life/community-standards-civility/files/documents/code-of-community-standards-civility.pdf>

CONFLICTS OF INTEREST

A committee member or hearing official who has a conflict with bias about or an interest in a case must recuse himself. If the committee member refuses to recuse himself, a designated university official will make the recusal decision. The student must also be given the opportunity to challenge a committee member or hearing official on these grounds. The decision on the challenge must be made by the committee or official within five (5) calendar days. If necessary, a substituted committee member or hearing official will be appointed. If the committee member or the hearing official refuses to recuse him/herself, the Vice Chancellor for Student Affairs shall make the recusal decision.

B. Scheduling of Hearings

2. Student Conduct Council

Hearings before the WSSU Student Conduct Councils will be scheduled in accordance with the applicable due process requirements for notice. A hearing may be postponed once for a good cause, including but not limited to illness, unavailability of witnesses or evidence, upon request of either the accused or the accusing party. This postponement will not exceed then (10) calendar days unless there exist an extraordinary circumstance. The Chair of the hearing body shall determine whether good cause exists to postpone a case.

Licensed attorneys are statutorily authorized to participate in student conduct hearings. The attorney must comply with and remain compliant with the university's rules and regulations that govern the process. For more information, please refer to UNC Policy Manual 700.4[R], as it may be amended from time to time.

C. Attendance

Hearings shall be closed except for the accused, an advisor/advocate/licensed attorney for the accused, the accuser, the University Official presenting the case, the WSSU Student Conduct Council and witnesses or persons who have been asked to testify by either the accused or accuser. Such witnesses or persons asked to testify should be present only for the portion of the hearing that involves their testimony and questions arising from the testimony. The SGA Attorney General will preside over the hearing. The Office of Legal Affairs is available for consultation regarding procedural matters. The Vice Chancellor for Student Affairs or designee shall be available for consultation if required by the hearing panel.

D. Evidence

Evidence will be allowed if, in the judgment of the hearing panel chairperson, it bears on the facts of the case. No written statements by witnesses or others having knowledge of the allegations may be allowed in the absence of the witness unless the witness has conversed with or been interviewed by the Director of Community Standards and Civility prior to the hearing.

E. Swearing of Witnesses

In all cases, witnesses will be sworn before the WSSU Student Conduct Council Hearing begins or before a witness testifies.

F. Witnesses

The testimony of witnesses will be heard if the Chair of the hearing panel determines that the testimony is relevant to the matter being heard and the witness has first-hand knowledge of the facts of the case. Character witnesses may be allowed to testify at the end of the hearing prior to

rendering a determination of the alleged violations of the Students' Code of Conduct.

At least five (5) days prior to the scheduled hearing, the accused and the accuser shall provide in writing to the Director of Community Standards and Civility or a designee the names of the witnesses they expect to call and the expected testimony of the witnesses. The Director of Community Standards and Civility or a designee shall provide the information to the Chair of the hearing body, the accused, and the accuser for review prior to the scheduled hearing.

If either party calls a witness who has not previously been identified, then the other party may challenge the witness and/or the witness's testimony at the hearing. These challenges will be reviewed by the chair and either affirmed or denied. The hearing maybe continued to a later time or day to allow either the accused or the accuser the opportunity to prepare rebuttal.

In some cases, the Chair of the Student Conduct Council may, upon the request of either party, issue an internal subpoena whenever it is determined that the presence of a witness is required to determine the facts of a case and the witness refuses to appear voluntarily at a hearing. Subpoenas must be personally delivered or sent by certified mail, return receipt requested, to the addresses most recently made available to the university by those parties. WSSU students are expected to comply with subpoenas issued pursuant to this process and students who fail to comply are subject to charges and sanctions for violating the Students' Code of Conduct.

G. Multiple Students

Charges against multiple students involved in the same incident may be heard in a single case only if each student defendant consents in writing to such a proceeding.

H. Confidentiality of Proceedings

Student Conduct Council is a public body and subject to the open meeting laws of the

State of North Carolina. However, in accordance with Family Educational Rights and Privacy Act (FERPA) of 1974, conduct hearings and reviews will be closed in order to protect information made confidential under this act. All testimony and information received in a closed hearing and deliberations are considered confidential and shall not to be divulged outside the hearing. Any person violating the confidentiality of the proceeding shall be subject to charges and sanctions for violating the Students' Code of Conduct. Members of the hearing body are also subject to removal.

I. Conduct Proceedings

1. In all cases involving serious violations (suspensions/expulsions), a transcript or other verbatim record of the hearing (but not of the deliberations) will be prepared. WSSU will be responsible for the costs of this record.

2. The Chair of the hearing panel will introduce those present and will explain the hearing procedures to the parties.
3. The Chair will state the charge and state that the hearing will be recorded.
4. A designated University Official must present sufficient witnesses and/or documentary evidence to establish and in support the alleged violation.
5. The accused and/or the advisor for the accused will be provided access to copies of all documentary evidence submitted by the accuser and will have the right to question the accuser and accuser's witnesses. The hearing body may ask questions directly to the accuser and the accuser's witnesses.
6. The accused and/or the advisor/advocate/licensed attorney for the accused may respond to the charge and may present evidence in the form of documents and witnesses. The accused may testify or may elect to remain silent. No inference may be drawn from the failure of the accused to offer testimony.
7. If the accused presents evidence, the accuser and/or the designated university Official will be provided access to copies of all documents submitted and may question the witnesses, including the accused if the accused has elected to testify. The hearing body may ask questions directly to the accused, if the accused elects to testify, and the accused's witnesses.
8. The accuser and/or the designated University Official may submit evidence, including testimony, to rebut evidence presented by the accused. The accused and the hearing body may ask questions directly to any rebuttal witnesses.
9. The accuser and/or the designated University Official will be provided with the opportunity to make a final statement.
10. The Chair of the hearing panel will conclude the evidentiary portion of the hearing and set a time for deliberations to begin. Upon the conclusion of the hearing, the Chair will advise all hearing participants of the obligation of confidentiality and to refrain from discussing confidential information outside of the convened meetings. Breach of this directive by any university student will constitute a separate violation of the Students' Code of Conduct.
11. Deliberations will normally continue until a decision as to whether the accused student committed the offense charged has been reached. At the conclusion of the evidence, the committee/official will determine whether the charging official has shown by a preponderance of the evidence that the student committed the offense charged. This determination must be based solely on the evidence presented at the hearing. The committee or official will also determine the appropriate sanction.

Recesses or continuation of the deliberations to a later time or a later day will be granted at the discretion of the Office of Community Standards and Civility. Deliberations by the hearing panel shall not be recorded or heard before the court reporter.

12. If the hearing body finds by a preponderance of the evidence that the accused committed the offense, testimony may be heard from interested parties, including character witnesses, prior to the imposition of sanctions. The court reporter shall be present and record verbatim testimony from all parties and witnesses presenting information. The Chair will conclude this portion of the hearing and hearing body will then deliberate applicable sanctions.

13. The hearing panel will determine appropriate sanctions within the ranges specified in the definitions herein.

J. Standard of Proof

Decisions by the hearing panel shall be based on a preponderance of the evidence, which is more likely than not that the alleged violations have occurred and that the accused student was responsible for the violation

K. Decision

1. Student Conduct Council

Conduct hearing panels shall decide whether the student committed the offense charged by simple majority vote of the panelists present. The Student Conduct Council is not authorized to hear matters involving violations of Title IX.

L. Sanction Assignment

After determining that the accused student committed the offense charged, those hearing the allegations will assign a sanction. In assigning an appropriate sanction, the prior conduct history of the accused, as found in the records of the Office of Community Standards and Civility, if any exist, shall be considered. The testimony of character witnesses may be considered. Consideration may also be given to aggravating or mitigating circumstances including, but not limited to:

- Intent to act in the manner described
- Intent to violate the policy or regulation described
- Prior violations or related behavior
- Other personal circumstances that might have affected the student at the time of the infraction

The decision of the hearing panel will be in writing and include a brief statement of the evidence that supports the finding of violation of each provision of the Students' Code of Conduct and a brief statement of the evidence that supports the sanctions it determines should be imposed. The decision of the hearing panel will be in the form of a

recommendation to the Vice Chancellor of Student Affairs in all suspension and expulsion cases. The Vice Chancellor of Student Affairs or his/her delegate must make the conduct determination in all suspension and expulsion cases.

The Chancellor must make the final agency decision in all suspension and expulsion cases. If an appeal follows a review or hearing, all sanctions resulting from the review or hearing are held in abeyance pending the outcome of the appeal unless the student poses a serious threat to the campus or campus community.

M. Notice of Decision

The final hearing decision must be transmitted to the student in writing within ten (10) calendar days of the date of the decision is made, and it must contain a brief summary of the evidence upon which the decision is based. Appeal rights must be specified in the decision letter as provided herein. Appeal rights include the name and address of the body or person to whom an appeal shall be directed and the time period in which the appeal shall be made.

IX. Sanctions

The primary purpose of sanctions in the Students' Code of Conduct is to protect the university community from behavior that is disruptive, threatening or dangerous to others, lewd, indecent and obscene, or which impairs the primary function of the university to educate students. Sanctions under the Students' Code of Conduct may be tailored to suit the circumstances of each offense. Though maximum penalties may be selected, depending on the circumstances, and based upon the Policy Violations List and Sanctions Levels attached to the Students' Code of Conduct.

In cases where alcohol and/or drugs usage are known or where the accused student exhibits extreme violent or abusive behavior, sanctions imposed may be suspended pending drug and alcohol abuse assessment and counseling. Drug or alcohol assessment or counseling may be provided via campus based or community-based resources as determined by the Director of Community Standards and Civility and/or University Counseling.

Sanctions of expulsion and suspension affect the student's academic enrollment at the university. In order that students under expulsion, suspension or limited participation in daily campus life do not contravene the terms of the sanctions, the Vice Chancellor for Student Affairs shall, in writing, notify the Vice Chancellor for Academic Affairs, Financial Aid office, Registrar, Director(s) of Housing and Residence Life, Police and Public Safety, and such other offices as are necessary to ensure that the sanction is enforced. The Vice Chancellor for Student Affairs may also impose a "No Trespassing" sanction on a student, verbally and in writing, informing the student of specific guidelines to adhere to related to visiting the campus. Other offices may be notified based upon a determined "need to know" as defined in applicable law and policy. Upon termination of such sanctions, the offices will again be notified. Information about suspension or expulsion is maintained permanently in the student's student conduct record.

If an appeal is filed, it is to the discretion of the Vice Chancellor of Student Affairs to allow the sanction to be temporarily inactive until the appeal is resolved. In circumstances where the Vice Chancellor for Student Affairs and the Chancellor determine that the continued presence of a student on campus is a danger or a threat to university property, or the student is a danger to him/herself or others, an interim suspension may be imposed immediately and shall remain in effect pending the outcome of a hearing and any appeal.

Sanctions that may be imposed are:

1. **Interim Suspension** – Temporary separation of a student from the campus when the Vice Chancellor for Student Affairs believes such separation is necessary or from a classroom when requested by a faculty member under the University's Classroom Disruption Policy:
 - a. To ensure the safety and well-being of members of the university community or preservation of university property.
 - b. To ensure the student's own physical or emotional safety and well-being.
 - c. If the students pose a definite threat to, disruption of, or interference with the normal operations of the university or its members, or one or more classes as determined by the Classroom Disruption Policy.
 - d. When a student possesses a gun on campus in violation of N.C.G.S. Sec. 14269.2(b)

Any student subject to interim suspension shall have an expedited right of appeal as provided in the appeal section of the Students' Code of Conduct.

1. **Expulsion** – Permanent separation from the university that can only be removed by written petition to the Chancellor and accompanied by supporting documentation for reinstatement. No petition for reinstatement made earlier than two (2) years from the date of the expulsion shall be considered. Expulsion is warranted in cases of falsified admission applications, possession of a firearm or any weapon of mass destruction and the illegal manufacture, sale, delivery, or possession with the intent to manufacture, sell or deliver any controlled and/or illegal substance, or in cases where the severity of the violation to the Code of Conduct is deemed offensive to the community standards and the safety of the campus community.
2. **Suspension** – Separation from the university for a definite period of time, which coincides with the official ending of an academic semester or summer session. Suspension is required for possession or use of any weapon. A second weapons offense shall result in expulsion. A first offense for simple possession of a controlled and/or illegal substance may result in suspension. Suspension is also required in cases where the severity of the violation to the Students' Code of Conduct is offensive to the community standards and

safety of the campus community.

3. **Deferred Suspension** – is used for offenses found serious enough to warrant suspension, but where the specific circumstances of the case mitigate the offense or for repeated offenses of a less serious nature. Deferred Suspension is a designated period of time during which a student is given the opportunity to demonstrate the ability to abide by the community's expectations of behavior articulated in the Students' Code of Conduct. During a Deferred Suspension, the student will be officially suspended from the university, but the suspension will be deferred, meaning that the student may continue to attend classes at the time, however, the suspension will be automatically enforced for failure to complete any assigned sanctions by the deadline and/or for any subsequent violations while on the open sanction, unless the Director of Community Standards and Civility, Dean of Students, and/or Vice Chancellor for Student Affairs determines otherwise in exceptional circumstances. Students on Deferred Suspension may be limited in their abilities to represent the university on any athletic team other than intramurals, hold an office in any registered student organization, represent the university in any extracurricular activity or official function, or participate in any study abroad program. Deferred Suspension may also include the denial of specific university privileges, including but limited to, attendance at athletic functions and residence hall visitation for a designated period of time. The duration of any Deferred Suspension period and the specific restrictions imposed will be determined by the resolution body on a case-by-case basis.
4. **Disciplinary Probation** – The loss, for a specified period of time, of designated social privileges, which include, but are not limited to:
 - a. Varsity sports
 - b. Intramural sports
 - c. Band(s) and choir(s)
 - d. Cheerleading squad
 - e. Fraternities and Sororities
 - f. Participation in student organizations
 - g. Serving in a leadership capacity in any student organization
 - h. The right to represent the university in any specific activity
 - i. Residency in university housing
1. **Housing Probation** – An official notice provided in writing informing student(s) of the need to modify behavior to the Guide for Living on Campus and the terms set forth in the Housing Contract. Further violation of any policies can and will result in the revocation of

student(s) housing privileges and the cancelation of student(s) housing contract. At which time student(s) will be removed from housing and responsible for securing housing off campus.

2. **Disciplinary Warning** – An official reprimand provided in writing that advises of a student’s need to conform the student’s behavior to the Students’ Code of Conduct and further advises that any subsequent violation of the same nature by the student within a two (2) year period will automatically result in disciplinary probation.
3. **Deferred Housing Revocation** – Deferred Housing Revocation means that the student’s housing contract will be officially revoked, but the revocation will be deferred, meaning that the student may continue to live in the selected residential hall, however, the revocation from the residential hall will be automatically enforced for failure to complete any assigned sanctions by the deadline and/or for any subsequent violations while on the open sanction, unless the Director of Community Standards and Civility, Dean of Students, and/or Vice Chancellor for Student Affairs determines otherwise in exceptional circumstances. Further violation of the policies can and will result in the permanent revocation of the student(s) housing privileges and the permanent cancellation of student(s) housing contract indefinitely. At which time student(s) will be removed from housing immediately, responsibly for all remaining charges/fines, and responsible for securing housing off-campus. The duration of any Deferred Housing Revocation period and the specific restrictions imposed will be determined by the resolution body on a case-by-case basis.
4. **Administrative Mediation** – This method of resolving a dispute utilizes a third party to consult with those involved and recommends a solution which is binding on the parties. The parties involved will be held to the agreement. Should parties violate the agreement, they will be charged with Item 27: Failure to comply with the university process, in the Students’ Code of Conduct, plus any additional violations.
 - a. **Restitution** – Reimbursement of any cost incurred as direct or indirect consequences of the student(s) violation of the Students’ Code of Conduct.
 - b. **Community Service** – Volunteer service to an on campus or off campus department, division, faculty, or staff member for a specific number of hours within a specified period of time. Community service could be sanctioned through the Office of Career Services or the Office of Interpersonal Violence Prevention.
 - c. **Educational** – Includes referrals to the University Counseling Center, reflective essays, or participation in educational programming that addresses the violation. The referral to the University Counseling Center can be for an assessment and/or counseling for substance abuse, alcohol or illegal substance

usage, they will be sanctioned with having to complete an educational session via different electronic programs (ex. AlcoholEDU program, e-Toke Marijuana Screening, e-Chug Alcohol Screening).

X. Filing an Appeal

A. Authority for Appeal

The state of North Carolina and the Board of Governors of the University of North Carolina System vest the authority for governance of student conduct in the Chancellor. All decisions rendered under Students’ Code of Conduct are subject to review and alteration by the Chancellor of the University of the Chancellor’s designee. This policy provides appeal to the Board of Trustees from a decision by the Chancellor in case of a suspension or expulsion. In accordance with The UNC Code of The Board of Governors Section 502D(3), “In the discharge of the Chancellor’s duty with respect to matters of student discipline, it shall be the duty of the Chancellor to secure for every student the right of due process and fair hearing, the presumption of innocence until found guilty, the right to know the evidence and to face witnesses testifying against the student, and the right to such advice and assistance in the individual’s defense as may be allowable under the regulations of the institution as approved by the Chancellor.”

Any individual in need of a reasonable accommodation on the basis of a disability to obtain an extension to the appeal timeframe due to that disability should submit a request to the Director of Services for Students with Disabilities at dds@wssu.edu or (336) 750-8658.

The request must be submitted with at least 72-hour notice to allow time to secure resources appropriately and have all parties notified of the needed extension before appeal deadline. In those instances where the denial of any of these rights is alleged, it shall be the duty of the President to review the proceedings.

B. Appeal Procedure Interim Suspension

Any student subject to interim suspension will be sent a Notice of Interim Suspension, in writing through a means by which delivery can be verified. The notice shall contain information on the charge(s) and scope of the suspension.

- The notice shall state the charge, the intent to suspend effective immediately, and the opportunity to respond in writing or by personal interview within twenty-four (24) hours of delivery of the notice to the student. Notice shall be made by hand delivery or certified mail.
- An accused student wishing to contest an interim suspension must provide a written response or request a personal interview within twenty-four (24) hours of receipt of notice of intended suspension or actual suspension from a classroom.
- After such appeal has been reviewed and/or the twenty-

four (24) hour period has passed, the Assistant Dean of Students will notify the student within twenty-four (24) hours of action on the suspension through the university provided email address of the student

During the interim suspension, the student shall be denied access to residence halls and the campus (including classes), and all other activities or privileges for which the student might otherwise be eligible. In the case of a classroom disruption charge, the student shall be denied access to the class that is the subject of the charge. Following the expedited hearing, the student may appeal a final decision on the merits of the case as set out below.

C. Appeal from Student Conduct Council Hearing Body

A student found responsible for an offense under the Students' Code of Conduct may appeal the recommendation of a student conduct body and/or the imposition of sanctions recommended by the student conduct body by submitting a written request for a review within then (10) calendar days of the finding. The student conduct council hearing bodies include:

- The Director of Community Standards and Civility or a designee
- The WSSU Student Conduct Council
- The Vice Chancellor for Student Affairs

D. Grounds for Appeal

1. The decision of a student conduct council body may be appealed upon the following grounds:
 - Procedural error sufficient to have altered the outcome of the hearing
 - Discrimination based on the student's membership in a protected class (race, creed, color, sex, identifies with the LGBTQ community, national origin, physical disability, or age over 40) as defined by Executive Order 11246
 - New or newly discovered evidence previously unavailable
 - Excessive or inappropriate sanctions
 - Decision or judgment not supported or justified by the evidence
 - Denial of due process and fair hearing, the presumption of innocence until found guilty, the right to know the evidence and to face witnesses testifying against the student, and the right to advice and assistance in the individual's defense has allowed under the regulations of the institution as approved by the Chancellor

The student must write the notice of appeal which must state at least one or the above grounds or it shall be dismissed without further action. The notice of appeal shall state the facts that support the request and the outcome desired.

The student will be sent, along with his/her decision letter, an appeal form that must be completed, and submitted to the Office of Community Standards and Civility in a sealed envelope within the designated timeframe.

2. An appeal to the Board of Trustees (in the case of a suspension or expulsion) or an appeal to the Board of Governors (in the case of an expulsion) is allowable only on the following grounds:
 - A violation of due process, or
 - A material deviation from Substantive and Procedural Standards adopted by the Board of Governors or
 - Notice of appeal to the Board of Trustees or the Board of Governors must be given within ten (10) calendar days of receipt of the decision leading to the appeal.

E. Lines of Appeal

a. Appeals from Minor Violations

Any disciplinary decision, other than where the Respondent has waived his or her right to appeal, may be appealed. Appeals from matters related to housing and residential living will be heard by the Assistant Director of Housing & Residence Life. Appeals from the Director of Community Standards & Civility will be reviewed by the Assistant Dean of Students or designee.

b. Appeals for the Sanction of Suspension

Except where the Respondent has waived his or her right to appeal, appeals for a sanction of suspension may be made to the 1) Assistant Dean of Students, then to the 2) Associate Vice Chancellor/Dean of Students and end with the Associate Provost/Vice Chancellor for Student Affairs.

c. Appeals for the Sanction of Expulsion

Except where the Respondent has waived his or her right to appeal, appeals for a sanction of expulsion may be made to the 1) Assistant Dean of Students, then to the 2) Associate Vice Chancellor/Dean of Students, then the 3) the Associate Provost/Vice Chancellor for Student Affairs, and end with the Chancellor.

Link: <https://www.wssu.edu/student-life/community-standards-civility/files/documents/code-of-community-standards-civility.pdf>

F. Authority of Appeal Body

The body hearing an appeal may:

- Render a decision on the record, upholding the previous decision, referring the matter back to the lower body for further proceedings, or decision the outcome of the case.
- Hear the case de novo.
- Go outside the existing record and secure additional evidence.

G. Response Time

Student appeals must be received within ten (10) calendar days from the date that the written decision or sanctions is provided, or attempted to be delivered, to the student through any delivery method where a receipt can be verified. Failure to submit the appeal within this time limit will render the original decision final and conclusive. An extension of time may be requested in writing within the ten-day limit, but it is within the discretion of the person deciding the appeal to grant or deny such request.

XI. Maintenance Of Verbatim Record

A Transcript or other verbatim record shall be made of each hearing before a panel and shall be preserved so long as the possibility of appeal remains open. Following this period, the verbatim record and any written record remains the property of the university and may be reviewed by the accused, by appointment, for the purposes of appeal or by the appeal body reviewing the decision and imposition of sanctions. A request for review of the verbatim record shall be made to the Director of Community Standards and Civility who shall be responsible for the maintenance of the verbatim record and all other hearing records.

XII. Student Conduct Proceeding Records

All records concerning the Students' Code of Conduct violation hearings under this procedure shall be held in the Office of Community Standards and Civility. Medical, psychological, or other assessment related records and materials shall remain in the files of the agency professional responsible for assessment or counseling procedures and shall not be considered a part of the student's educational record. All student records shall be protected according to the provisions of the FERPA of 1974.

XIII. Request to Review Educational Records

Students who wish to contest information contained in the student conduct proceeding records, including a request for removal of information from the record, must address such requests in writing to the Vice Chancellor of Student Affairs, who shall review the request and notify the student of any actions related to the contention or request.

Xiv. Special Cases

Charges against multiple students involved in the same incident may be heard in a single case only if each student defendant consents to such a proceeding.

Pursuant to the Campus Security Act and Title IX, in cases of alleged sexual assault, the complainant and the respondent are entitled to have the same opportunities to have others present during a disciplinary proceeding.

Pursuant to the FERPA of 1974, victims of crimes of violence must be notified of the results of the disciplinary proceeding of the alleged assailant. Results mean the name of the student assailant, the violation charged or committed, the essential findings supporting the conclusion that the violation was

committed, the sanction, if any, imposed, the duration of the sanction, and the date the sanction was imposed.

When a student with a disability is charged with an offense, the university shall assure that all requirements of Section 504 of the Rehabilitation Act and the American with Disabilities Act are met.

PLEASE NOTE: The Policy and Procedures Addressing Prohibited Sexual Harassment Under Title IX (effective August 22, 2022) and Policy and Procedures Addressing Prohibited Sexual Misconduct, Harassment, and Discrimination (effective February 27, 2023) supersedes any previous policies addressing the prohibited conduct with the policies.

SEX OFFENDER REGISTRATION

Campus Sex Crimes Prevention Act 35 CFR 68.46(b)(12)

In accordance with the "Campus Sex crimes Prevention Act" (CSCPA) of 2000, which amends the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act and the Jeanne Clery Act, the Winston-Salem State University Campus Police Department provides links to the Forsyth County Sheriff's Department Sex Offender website and the North Carolina Sex Offender and Public Protection Registry.

This act requires institutions of higher education to issue a statement advising the campus community where to obtain law enforcement information provided by the State concerning registered sex offenders. The Campus Sex Crimes Prevention Act also requires sex offenders to register and to provide notice to each institution if they are employed, have a vocation or are a student at a place of higher education. North Carolina law requires sex offenders that have been convicted of certain offenses to register with their county sheriff. Information about offenders is then entered into the Registry database by the sheriff's office and transmitted to the NC SBI.

NOTE: The NC SBI collects information submitted by the sheriffs in all 100 counties in the state and makes it available to the public via the Sex Offender and Public Protection Registry website.

The Forsyth County Sheriff's Department is responsible for maintaining the database in Winston-Salem.

Sex offenders must go to the Sheriff's Department every 3 to 6 months depending on the degree in which they were charged to verify their address. The Sheriff's Department by statute can also perform random address checks of sex offender within the county to ensure compliance with the laws. Sex offenders must notify the Sheriff's Department when they start the school semester, end the school semester, are contracted to work on campus or at one of the institutions satellite locations, work fulltime, part time, or volunteer for Winston-Salem State University. Sex Offenders planning to work fulltime, part time, or do contract work at an educational facility are required by law to notify the Forsyth County Sheriff's Department within 3 days of their arrival to Forsyth County. Failure to do so is a Class F Felony, G.S.14208.11

Citizens wishing to see a list of sex offenders up to a 5-mile radius of campus can go to the [Forsyth County Sex Offenders webpage](#) to receive notifications when a sex offender moves into the area. The number to the Forsyth County Sheriff's Department sex offender

registry unit is (336) 917-7003.

The website for other state registries is listed below:

[FBI Sex Offender Registry website](#)

[National Sex Offender Registry](#)

[NC Sex Offender and Public Protection Registry](#)



Annual Fire Safety Report

Winston-Salem State University takes Fire Safety very seriously and continues to enhance its programs to the university community through education, engineering, and enforcement. The Higher Education Opportunity Act enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an Annual Fire Safety Report that contains information about campus fire safety practices and standards of the institution. The following report details all information required by this act for Winston-Salem State University.

DEFINITIONS

TERM	DEFINITION
On-Campus Student Housing	Any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus.
Fire	Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.
Fire Safety System	Any mechanism or system related to the detection of fire, the warning is resulting from a fire or the control of a fire. This may include: <ul style="list-style-type: none"> • Sprinkler systems or other fire extinguishing systems • Fire detection devices • Standalone smoke alarms • Devices that alert one to the presence of a fire • Smoke controlled and reduction mechanisms • Fire doors, walls, or other components that reduce the spread of a fire

FIRE INCIDENT REPORTING

Students, faculty, and staff are instructed to call 911 to report a fire emergency.

Non-emergency reports (i.e., evidence that something has burned) should be made to Police and Public Safety at (336) 750-2911.

ON-CAMPUS RESIDENCE HALLS FIRE SAFETY SYSTEMS

Winston-Salem State University has been a leader in ensuring the safety of students, faculty, staff, and visitors who live and work in university operated residences. Automatic sprinkler systems and fire alarm systems are recognized engineered building features that help to provide for a living environment that supports and enhances the life safety of building occupants. All University operated residence halls and apartments are equipped with automatic sprinkler systems, smoke detectors, and building fire alarm systems to provide early detection and warning of a possible fire emergency. WSSU maintains and tests all fire alarms and automatic fire suppression systems in accordance with the appropriate National Fire Protection Association Standard to ensure system readiness and proper operation in the event of a fire emergency.

FIRE/LIFE SAFETY PROVISIONS

RESIDENCE HALL	FIRE ALARM MONITORING	RESIDENTIAL SPRINKLER EQUIPPED	SMOKE DETECTORS	EVACUATION PLANS	NUMBER OF FIRE DRILLS IN 2023
Atkins Hall 1625 Cromartie Street	Communication Center	Yes	Yes	Yes	2
Brown Hall 810 Victory Circle	Communication Center	Yes	Yes	Yes	2
Foundation Heights Hall 890 Victory Circle	Security Innovations	Yes	Yes	Yes	2
Gleason-Hairston Terrace (GHT) 734 S. Martin Luther King Jr.	Security Innovations	Yes	Yes	Yes	2
H. Douglas Covington Hall 1635 Cromartie St	Security Innovations	Yes	Yes	Yes	2
Martin-Schexnider Hall (MSX) 775 Welcome Lane	Security Innovations	Yes	Yes	Yes	2
Moore Hall 815 Welcome Lane	Communications Center	Yes	Yes	Yes	2
Rams Commons 1 Hall 550 S. Martin Luther King Jr. Drive	Security Innovations	Yes	Yes	Yes	2
Rams Commons 2 Hall 610 S. Martin Luther King Jr. Drive	Security Innovations	Yes	Yes	Yes	2
Rams Commons 3 Hall 365 Rams Commons Dr	Security Innovations	Yes	Yes	Yes	2
Rams Commons 4 Hall 345 Rams Commons Dr	Security Innovations	Yes	Yes	Yes	2
Wilson Hall 650 Wilson Hall Dr 27110	Communications Center	Yes	Yes	Yes	2

RULES AND POLICIES GOVERNING RESIDENCE HALLS

(From Department of Housing and Residence Life Guide to Living on Campus)

PORTABLE ELECTRICAL APPLIANCES ELECTRICAL APPLIANCES/EQUIPMENT

The residential facilities have limits on the capabilities of their electrical systems. Overloading these systems presents fire and safety hazards. Furthermore, electrical heating elements are dangerous when used in residence hall rooms or apartment units. The following guidelines govern the use of electrical appliances, outlets, and power strips in residence hall rooms or apartment units:

- Any electrical appliance with an exposed heating element is prohibited.
- Power strips may be used under the following conditions:
 - Only one power strip is permitted to connect an appliance with an electrical outlet (strips may not be used in a series). Only grounded power strips may be used with appliances.
 - Power strips with built-in breakers are required when the number of outlets needed is greater than the outlets in the student's rooms.
 - Privately owned air conditioners are not permitted.
 - Resident-owned refrigerators are allowed in the residence hall if they do not exceed 4.0 cubic feet.
 - Other appliances such as radios, lamps, computers, TVs, electric razors, hairdryers, hair curlers, fans, and clocks are permitted. Students must recognize that the use of several of these items at the same time from the same outlet may cause a breaker to fail.
 - All electrical equipment and cords must be kept in safe operating condition.
 - Irons may be used only with ironing boards. Never should a student use an iron on the floor of a room, top of a bed, ad desk, or a dresser top.
 - Electrical cords cannot be run under carpets.

COOKING/FOOD PREPARATION

Electrical or gas cooking appliances such as grills, popcorn poppers, hot plates, toasters, toaster ovens, electric frying pans, deep fryers, drip coffee makers that have a hot plate element are not permitted in rooms. The University will confiscate any hazardous appliances, and violators will be assessed a fine. Fire safety and sanitation requirements prohibit cooking in any area within residence halls except kitchenettes and kitchens, which are specifically designed for such use. Never leave a kitchen unattended while cooking. Standalone microwaves or other cooking devices are not allowed in apartment unit bedrooms. In addition, outdoor or indoor grills are not allowed within the facility. A microwave is available in the designated kitchen areas or rooms in each building. If a student wants to have a microwave in their personal room, the only option for them is to rent or purchase a Micro Fridge unit from [Standards for](#)

[Living](#). All other microwaves are not permitted and will be confiscated. Also, see "Refrigerator Policy" below.

REFRIGERATOR POLICY

Students living in Atkins, Brown, Martin-Schexnider, Moore, and Wilson Hall are not provided refrigerators in their student rooms. If roommates want to have a refrigerator in their room, they have two options:

- Option #1: Students in the above halls bringing their own refrigerators (4.0 cubic feet or less) will be required to pay a usage fee of \$30 for the academic year. This \$30 fee will be applied once students register their refrigerators. Upon registration, students will be issued a sticker for the current academic year that must be placed on the refrigerator. We encourage you to purchase Energy Star refrigerators.
- Option #2: Students may rent a Micro Fridge from our partners at Standards for Living. While microwaves are available in common areas for use, students are not allowed to have standalone microwaves in their rooms. In 2011, Housing and Residence Life initiated the rental program through Standards for Living that allowed energy star microwave refrigerator combo for students (Micro Fridge, TM). This is also the only way students in Atkins, Brown, Martin-Schexnider, and Wilson can possess a microwave in their room if they so choose. If students rent a Micro Fridge from standards for Living, they will not be assessed the refrigerator usage fee as these units are highly efficient.

*Covington Hall will provide one fridge for each room. Additional fridges will not be allowed.

Note: Failure to register an appliance of this sort will result in a penalty of \$100.

Students staying in Foundations Heights, Rams Commons, and Gleason-Hairston Terrace Hall will have kitchenettes and kitchens with large refrigerators installed by housing, large enough to serve the needs of all students in the suite. Refrigerators take a lot of energy to run, and energy costs have been increasing.

Students who choose to bring their own personal refrigerator will be required to register their refrigerator for a \$50 academic year fee. Students who rent a Micro Fridge from [Standards for Living](#) will not be required to pay a registration fee as these meet the energy standards established by the University.

SMOKING

Smoking of any kind is prohibited in all residence halls and within 100 feet of any campus building. In June of 2014, the University Board of Trustee policy also banned e-cigarettes. Students are not allowed to have hookahs or other smoking apparatus in residence halls.

OPEN FLAMES

Open Flames Candles, wax sculptures, incense, fireworks (all types, including sparklers) are considered to be open flame items and, therefore, a fire hazard. These items are prohibited on the grounds and residential facilities. Possession of items violating this policy will result in immediate confiscation and a fine.

FIRE AND LIFE SAFETY POLICY

University Group Policy #800.10

EXECUTIVE SUMMARY

Winston-Salem State University (WSSU) voluntarily engages in a compliance program with the Occupational Safety and Health Act of North Carolina. This program is designed to provide a safe and healthy working, teaching, and learning environment, as well as an atmosphere of safety and health awareness. This policy identifies responsibilities for compliance, implementation, prevention through planning and activities related to assuring all campus buildings maintain a high degree of life safety for building occupants. The Environmental Health & Safety (EHS) Director shall develop and implement procedures pertinent to assuring a high degree of life safety in the prevention of fire-related incidents.

POLICY STATEMENT

WSSU holds the safety of its community in the highest regard with respect to its function as an employer and an institution of higher learning. This policy includes elements consistent with established laws, regulations, and activities consistent with best practices in relation to fire prevention and safety of life.

GUIDELINES

Any questions relating to fire and life safety matters should be brought to the attention of the EHS Director or his/her designee.

University buildings are equipped with fire detection and/or fire suppression systems. Residence halls shall be equipped with both fire identification and fire suppression systems in accordance with the NC Fire Code and the NFPA Life Safety Code applicable to the time in which the building was completed.

Incendiary devices that are likely to cause fires are prohibited in university buildings. Devices that have a history of or have been proven to spontaneously combust are prohibited in all University buildings. In certain cases, electric-powered devices (e.g., space heaters) may be permitted, provided such devices are evaluated and approved by the EHS Director or his/her designee. Open flames of any type are prohibited in any University building.

ROLES AND RESPONSIBILITIES

The EHS Director or his/her designee shall develop and implement procedures pertinent to assuring an environment that is free from conditions likely to lead to fires and both the identification and elimination of university conditions that can or are likely to adversely impact life safety in any University occupied building. Such procedures shall be in accordance with the most current edition of the National Fire Protection Association's (NFPA) Life Safety Code.

APPLICABILITY

This policy is applicable to the campus of Winston-Salem State University.

COMPLIANCE

WSSU shall comply with all applicable federal and state safety regulations, including but not limited to Occupational Safety and Health Act, North Carolina State Building Code, the National Fire

Protection Association, and the North Carolina Fire Code, as these may be amended from time to time.

Tampering with, disengaging, impeding, or otherwise disabling any fire detection device is strictly prohibited in any University building.

Violators will be subject to discipline by the body responsible for student discipline or disciplinary action deemed appropriate within the guidelines administered by any authority regulating discipline pertinent to employees of the State of North Carolina. Violators may also be subject to penalties or criminal prosecution.

Tampering with, disengaging, impeding, or otherwise disabling any fire detection device is strictly prohibited in any university building.

Violators will be subject to discipline by the body responsible for student discipline or disciplinary action deemed appropriate within the guidelines administered any authority regulating discipline pertinent to employees of the State of North Carolina. Violators may also be subject to penalties or criminal prosecution.

POLICY REGARDING FIRE SAFETY EDUCATION AND TRAINING PROGRAMS

Educational programs are presented throughout the year to staff and students, so they are aware of university rules and safe practices. These programs include identification and prevention of fire hazards, actual building evacuation procedures and drills, specific occupant response to fire emergencies, and hands-on use of fire extinguishers.

On an annual basis (prior to the start of the Fall semester), EHS provides training to Housing & Residence Life staff on fire and life safety procedures. Staff is instructed on procedures in the event of a fire, how to assist during fire drills, and fire extinguisher usage. Fire drills are performed in each residence hall, no less than once per fall and spring semester. Periodically, supplemental training is provided on fire and life safety from the Winston- Salem Fire Department. Special emphasis is given to fire detection devices, maintaining access to means of egress, and cooking safety. A focal point for EHS is to stay abreast of advances in the field of fire safety (with a special focus on fire safety in the residence life sector) as well as trends pertaining to occupant safety. When available, as a way to observe National Fire Safety month, the Winston- Salem Fire Department will hold a Q & A session with Housing & Residence Life staff or provide hands-on sessions relative to an emerging topic associated with residential fire safety. Additionally, Resident Assistants and other Housing & Residence Life staff provide fire safety training to residence hall students during the first-floor meeting of the academic year, which occurs shortly after move-in.

Winston-Salem State University Police and Public Safety Officers are also trained in procedures for initial response to fire incidents occurring at university facilities. Officers provide assistance in building evacuation and extinguishment/confinement of small fires.

General safety and fire safety information is available to students, faculty, and staff on the [EHS Webpage](#).

FIRE EVACUATION PROCEDURES

General Campus Emergency Procedures: Fire/Explosion

Definition: A fire or explosion involving the structural components of various campus buildings.

Introduction: Fires and explosions, whether accidental or intentional, are a common threat on university campuses. Should you be in an area of campus where a fire or explosion has occurred, the following procedures should be followed to protect yourself and others.

PROCEDURES:

IF YOUR SMOKE DETECTOR GOES OFF, IF YOU SEE A FIRE, SMELL SMOKE, OR WITNESS AN EXPLOSION:

- Remain calm and get out. Do **not** use an elevator!
- If you see smoke under the door, find another way out.
- Feel the door with the back of your hand before you open it. If it is hot, find another way out.
- Drop to the floor to avoid smoke and fumes. Crawl to safety.
- If your clothes catch fire, STOP where you are, DROP to the ground, and ROLL over and over to smother the flames.
- Call 9-1-1 or campus police (336) 750-2911
- Notify firefighters on the scene if you suspect someone may be trapped inside the building.

IF YOU ARE TRAPPED DURING A FIRE:

- Wet and place cloth material around and under the door to prevent smoke from entering.
- Close as many doors as possible between you and the fire.
- Be prepared to signal someone outside, but do not break glass until absolutely necessary as smoke may be drawn into the room.

IF CAUGHT IN SMOKE:

- Drop to the floor and crawl toward an exit.
- Stay as low as possible.
- Take shallow breaths through your nose and use a shirt or towel as a filter.

HOUSING & RESIDENCE LIFE FIRE SAFETY EVACUATION RESIDENCE HALL PROTOCOL

Housing and Residence Life's Fire Safety Evacuation Protocol will divide buildings into zones, so no matter how many staff are available to help can organize the evacuation effectively and efficiently.

Zone 1: Area by the main front desk with high traffic in the area

Zone 2: (Safety Area) Outside of the building for a safe area at least 100 feet away from the building

Zone 3: Stairwell on 1st floor

Zone 4: Basement stairwell if applicable

Zone 5: Additional crowd control from additional exits

Need to check rooms with any students with disabilities requiring assistance getting out of the building with elevators disengaged by fire alarms.

After the all-clear, the residence will use the stairs to return to their rooms to allow anyone needing the elevators to have priority access to them and not to overload the elevators, causing a malfunction.

RESIDENCE HALL EVACUATION SITES

Atkins Hall	Area past stop sign on the side of Martin-Schexnider Hall
Brown Hall	Convene in the grass area at the top of Whitaker Gym
Foundation Heights Hall	Gaines Gymnasium
Gleason-Hairston Terrace Hall	Wellness Center back of the building
H. Douglas Covington Hall	Parking Lot N and the Courtyard
Martin-Schexnider Hall	Clock tower in the middle of campus
Moore Hall	Clock tower in the middle of campus
Rams Commons Hall	Rams Hall 1: Grass area behind Rams 1 near Vargrave Street Rams Hall 2: Courtyard area towards Rams 4 and handicap parking lot if needed Rams Hall 3: Courtyard area heading closer to Rams 1 and Wilson parking lot Rams Hall 4: Courtyard near Rams 2 or handicap parking lot
Wilson Hall	Parking lot in front of Wilson Hall behind the gate towards RAMS Commons

FIRE DRILLS

Fire drills are conducted in all on-campus residence halls once per semester during the school year to allow occupants to become familiar with and practice their evacuation skills. The drills are conducted by the Environmental Health & Safety (EHS) department with assistance from the following Housing & Residence Life staff: Area Coordinators, Graduate Hall Directors, and Resident Advisors, and Campus Police.

PLANS FOR FUTURE IMPROVEMENTS IN FIRE SAFETY AT WSSU

Fire safety improvements are continuous and include infrastructure improvements, upgraded equipment installations, and continued fire safety training initiatives.

Annual Disclosure of Fire Statistics

CLERY ACT CRIME STATISTICS

As a result of due diligence, WSSU identified necessary corrections to its crime statistics disclosures. Revisions to the Annual Fire Safety and Security Report are indicative of the University's continued efforts to assure the most accurate information is available in adherence to the law and spirit of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or the Clery Act. The revised statistics include changes to statistics highlighted in yellow.

2023 CRIME STATISTICS

CRIME	ON CAMPUS	ON CAMPUS STUDENT HOUSING	NONCAMPUS	PUBLIC PROPERTY	UNFOUNDED
Primary Crimes					
Murder/Non-Negligent Manslaughter	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0
Robbery	0	0	0	1	0
Aggravated Assault	6	1	0	0	0
Burglary	8	5	2	0	0
Motor Vehicle Theft	4	0	0	0	1
Arson	0	0	0	0	0
Sex Offenses					
Rape	3	2	3	0	0
Fondling	3	2	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
VAWA Offenses					
Dating Violence	38	33	0	2	0
Domestic Violence	2	0	0	0	0
Stalking	5	1	0	0	0
Arrests					
Liquor Law Violations	3	0	0	0	0
Drug Abuse Violations	7	5	0	1	0
Illegal Weapons Possession	4	2	0	0	0
Disciplinary Referrals					
Liquor Law Violations	34	32	1	0	0
Drug Abuse Violations	97	86	3	0	0
Illegal Weapons Possession	11	9	0	0	0
Hate Crimes					
Murder/Non-Negligent Manslaughter	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	0	0	0	0	0
Burglary	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Larceny/Theft	0	0	0	0	0
Simple Assault	0	0	0	0	0
Intimidation	0	0	0	0	0
Destruction/Damage/Vandalism	0	0	0	0	0

2022 CRIME STATISTICS

CRIME	ON CAMPUS	ON CAMPUS STUDENT HOUSING	NONCAMPUS	PUBLIC PROPERTY	UNFOUNDED
Primary Crimes					
Murder/Non-Negligent Manslaughter	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0
Robbery	2	0	0	0	0
Aggravated Assault	6	3	1	0	0
Burglary	6	5	3	0	0
Motor Vehicle Theft	0	0	0	0	1
Arson	0	0	0	0	0
Sex Offenses					
Rape	4	3	0	0	0
Fondling	9	7	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
VAWA Offenses					
Dating Violence	18	10	3	0	0
Domestic Violence	0	0	0	0	0
Stalking	5	2	0	0	0
Arrests					
Liquor Law Violations	2	2	0	0	0
Drug Abuse Violations	10	10	0	0	0
Illegal Weapons Possession	3	2	0	0	0
Disciplinary Referrals					
Liquor Law Violations	11	11	0	0	0
Drug Abuse Violations	60	48	2	0	0
Illegal Weapons Possession	4	1	0	0	0
Hate Crimes					
Murder/Non-Negligent Manslaughter	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	0	0	0	0	0
Burglary	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Larceny/Theft	0	0	0	0	0
Simple Assault	0	0	0	0	0
Intimidation	1 - Race	0	0	0	0
Destruction/Damage/Vandalism	0	0	0	0	0

As a result of due diligence, WSSU identified necessary corrections to its crime statistics disclosures. Revisions to the Annual Fire Safety and Security Report are indicative of the University's continued efforts to assure the most accurate information is available in adherence to the law and spirit of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or the Clery Act. The revised statistics include changes to statistics highlighted in yellow.

2021 CRIME STATISTICS

CRIME	ON CAMPUS	ON CAMPUS STUDENT HOUSING	NONCAMPUS	PUBLIC PROPERTY	UNFOUNDED
Primary Crimes					
Murder/Non-Negligent Manslaughter	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	0	0	0	4	1
Burglary	6	3	2	0	2
Motor Vehicle Theft	0	0	2	0	0
Arson	0	0	0	0	0
Sex Offenses					
Rape	3	3	1	0	0
Fondling	2	1	0	0	1
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
VAWA Offenses					
Dating Violence	15	11	1	0	0
Domestic Violence	1	1	0	0	0
Stalking	2	1	0	0	0
Arrests					
Liquor Law Violations	1	1	0	1	0
Drug Abuse Violations	4	2	0	2	0
Illegal Weapons Possession	6	3	0	3	0
Disciplinary Referrals					
Liquor Law Violations	10	7	0	0	0
Drug Abuse Violations	59	43	1	0	0
Illegal Weapons Possession	4	1	0	0	0
Hate Crimes					
Murder/Non-Negligent Manslaughter	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0
Robbery	0	0	0	0	0
Aggravated Assault	0	0	0	0	0
Burglary	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Rape	0	0	0	0	0
Fondling	0	0	0	0	0
Incest	0	0	0	0	0
Statutory Rape	0	0	0	0	0
Larceny/Theft	0	0	0	0	0
Simple Assault	0	0	0	0	0
Intimidation	1 - Sexual Orientation	0	0	0	0
Destruction/Damage/Vandalism	0	0	0	0	0

As a result of due diligence, WSSU identified necessary corrections to its crime statistics disclosures. Revisions to the Annual Fire Safety and Security Report are indicative of the University's continued efforts to assure the most accurate information is available in adherence to the law and spirit of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or the Clery Act. The revised statistics include changes to statistics highlighted in yellow.

2023 ON-CAMPUS STUDENT HOUSING FACILITY FIRE SAFETY STATISTICS

RESIDENTIAL FACILITY NAME/ADDRESS	TOTAL FIRES IN EACH BUILDING	FIRE NUMBER	CAUSE OF FIRE	NUMBER OF INJURIES THAT REQUIRED TREATMENT AT A MEDICAL FACILITY	NUMBER OF DEATHS RELATED TO FIRE	VALUE OF PROPERTY DAMAGE CAUSED BY FIRE
Atkins Hall 625 Cromartie St.	0	N/A	N/A	N/A	N/A	N/A
Brown Hall 810 Victory Cir.	0	N/A	N/A	N/A	N/A	N/A
Covington Hall 1635 Cromartie St.	0	N/A	N/A	N/A	N/A	N/A
Foundation Heights 890 Victory Cir.	0	N/A	N/A	N/A	N/A	N/A
Gleason-Hairston Terrace 734 S. Martin Dr.	0	N/A	N/A	N/A	N/A	N/A
Martin-Schexnider 775 Welcome Ln.	0	N/A	N/A	N/A	N/A	N/A
Moore Hall 815 Welcome Ln.	0	N/A	N/A	N/A	N/A	N/A
Rams Commons #1 550 S. Martin Luther King Jr.	0	N/A	N/A	N/A	N/A	N/A
Rams Commons #2 610S. Martin Luther King Jr.	0	N/A	N/A	N/A	N/A	N/A
Rams Commons #3 365 Rams Commons Dr.	0	N/A	N/A	N/A	N/A	N/A
Rams Commons #4 345 Rams Commons Dr.	0	N/A	N/A	N/A	N/A	N/A
Wilson Hall 650 Wilson Hall Dr.	0	N/A	N/A	N/A	N/A	N/A

2022 ON-CAMPUS STUDENT HOUSING FACILITY FIRE SAFETY STATISTICS

RESIDENTIAL FACILITY NAME/ADDRESS	TOTAL FIRES IN EACH BUILDING	FIRE NUMBER	CAUSE OF FIRE	NUMBER OF INJURIES THAT REQUIRED TREATMENT AT A MEDICAL FACILITY	NUMBER OF DEATHS RELATED TO FIRE	VALUE OF PROPERTY DAMAGE CAUSED BY FIRE
Atkins Hall 625 Cromartie St.	0	N/A	N/A	N/A	N/A	N/A
Brown Hall 810 Victory Cir.	0	N/A	N/A	N/A	N/A	N/A
Covington Hall 1635 Cromartie St.	0	N/A	N/A	N/A	N/A	N/A
Foundation Heights 890 Victory Cir.	0	N/A	N/A	N/A	N/A	N/A
Gleason-Hairston Terrace 734 S. Martin Dr.	0	N/A	N/A	N/A	N/A	N/A
Martin-Schexnider 775 Welcome Ln.	0	N/A	N/A	N/A	N/A	N/A
Moore Hall 815 Welcome Ln.	0	N/A	N/A	N/A	N/A	N/A
Rams Commons #1 550 S. Martin Luther King Jr.	0	N/A	N/A	N/A	N/A	N/A
Rams Commons #2 610S. Martin Luther King Jr.	0	N/A	N/A	N/A	N/A	N/A
Rams Commons #3 365 Rams Commons Dr.	0	N/A	N/A	N/A	N/A	N/A
Rams Commons #4 345 Rams Commons Dr.	0	N/A	N/A	N/A	N/A	N/A
Wilson Hall 650 Wilson Hall Dr.	0	N/A	N/A	N/A	N/A	N/A

2021 ON-CAMPUS STUDENT HOUSING FACILITY FIRE SAFETY STATISTICS

RESIDENTIAL FACILITY NAME/ADDRESS	TOTAL FIRES IN EACH BUILDING	FIRE NUMBER	CAUSE OF FIRE	NUMBER OF INJURIES THAT REQUIRED TREATMENT AT A MEDICAL FACILITY	NUMBER OF DEATHS RELATED TO FIRE	VALUE OF PROPERTY DAMAGE CAUSED BY FIRE
Atkins Hall 625 Cromartie St.	0	N/A	N/A	N/A	N/A	N/A
Brown Hall 810 Victory Cir.	0	N/A	N/A	N/A	N/A	N/A
Covington Hall 1635 Cromartie St.	0	N/A	N/A	N/A	N/A	N/A
Foundation Heights 890 Victory Cir.	0	N/A	N/A	N/A	N/A	N/A
Gleason-Hairston Terrace 734 S. Martin Dr.	0	N/A	N/A	N/A	N/A	N/A
Martin-Schexnider 775 Welcome Ln.	0	N/A	N/A	N/A	N/A	N/A
Moore Hall 815 Welcome Ln.	0	N/A	N/A	N/A	N/A	N/A
Rams Commons #1 550 S. Martin Luther King Jr.	0	N/A	N/A	N/A	N/A	N/A
Rams Commons #2 610S. Martin Luther King Jr.	0	N/A	N/A	N/A	N/A	N/A
Rams Commons #3 365 Rams Commons Dr.	0	N/A	N/A	N/A	N/A	N/A
Rams Commons #4 345 Rams Commons Dr.	0	N/A	N/A	N/A	N/A	N/A
Wilson Hall 650 Wilson Hall Dr.	0	N/A	N/A	N/A	N/A	N/A



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