Includes 2016-2018 Clery Crime Statistics
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MESSAGE FROM INTERIM CHANCELLOR GERLACH

It is my honor and privilege to welcome you to ECU’s Annual Security and Fire Safety Report, prepared in accordance with the Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Act of 1990. The campus security information in this report (policies, procedures and safety statistics) can be helpful to all campus community members and visitors.

ECU’s motto – Servire – meaning “to serve” is our North Star. If we are thinking about our service to others, we will have clear and confident focus. Public safety requires endless noble acts of service. While the ECU Police Department provides professional safety and security, our campus community shares this responsibility. Our community and safety team must serve collectively to create and maintain a safe living and learning environment.

We are continuously exploring new partnerships, technology, and best practices to ensure the safety and security of our campus community. ECU Police maintains a strong, collaborative relationship with Greenville Police so that we can all better serve our students and community. This past year, ECU entered into a contract with Allied Universal, the leading security services company in North America, to support and enhance our safety and security team. These security professionals add to our team of telecommunicators, support staff, security technology specialists and more than 50 sworn law enforcement officers. Finally, we continue to expand and more effectively utilize our network of security systems to include emergency phones, electronic access control, alarm systems and more than 1400 cameras.

In addition to reading our Annual Security and Fire Safety Report, I strongly encourage you to download the ECU LiveSafe safety app (http://www.ecu.edu/cs-admin/oehs/LiveSafe/) and register for ECU Alerts (https://alertinfo.ecu.edu). The ECU
Alert webpage, www.ecu.edu/alert, is the primary location for emergency news and situational updates. Additionally, please follow all safety tips and procedures and report suspicious activity to ECU Police or local law enforcement. Reporting concerns to law enforcement officials is a critical component of crime prevention. Our ECU Police and Greenville Police are committed to responding quickly and assisting you in staying safe and secure.

You are an important part of our safety team. Together, we can improve safety on campus and throughout Greenville. If you have any questions or suggestions concerning this publication, please contact the ECU Police Department at 252-328-6787.

Emergency Contacts
In the event of an emergency, please call 911.

By downloading the LiveSafe app, you will have access to these emergency contacts and resources at all times in your phone. For more information, visit our LiveSafe webpage (https://www.ecu.edu/cs-admin/oehs/LiveSafe/index.cfm).

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<td>ECU Health Sciences Information (Adverse Weather)</td>
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MESSAGE FROM ECU POLICE CHIEF BARNWELL

On behalf of the members of the ECU Police Department, I want to thank you for your interest in our Annual Security and Fire Safety Report. We encourage you to review the information we have made available to you in this comprehensive report to become familiar with many of the safety and security efforts and programs presented across the University. You will find important information about security policies and procedures on our campus, crime data, and crime prevention information designed to enhance the safety of the campus community. While no community is immune from criminal activity, the ECU Police Department seeks to reduce or eliminate crime through the delivery of professional law enforcement services and programs. Additionally, we will continue to partner with University departments, local law enforcement, community groups, and other resources that have a critical role in fostering campus safety. The ECU Police Department is dedicated to supporting the University’s mission of education and creating a safe learning environment.

Chief’s Annual Update

Part of the ECU Police Department’s mission is to cultivate a safe learning environment through quality campus community outreach/education. To this end, I wanted to use this opportunity to update you, our campus community, on recent developments regarding campus safety on campus (see next page).
Reorganization

ECUPD, with assistance from Margolis Healy, has completed a workload assessment. The result of this workload assessment is a reorganization of the department. This reorganization created two new organizational units: 1) the Patrol Division (consisting of sworn patrol personnel) commanded by Captain Sutton and 2) Support Services (Community Affairs, Investigations, and Communications) being directed by Captain Watkins. The reorganization will allow the ECUPD to be more efficient and effective in serving its mission.

Allied Universal

ECU has renewed its contract with Allied Universal. Allied Universal is a private security firm that provides supplemental patrol so that we can better provide a safe learning environment for everyone. They also provide safety escorts for individuals that need escorts around campus. We will also be securing the parking deck with a robotic device.

ShotSpotter

If we were to encounter a gunfire incident on or near campus, we will be able to locate it quickly with help from the City of Greenville and ShotSpotter. ShotSpotter can detect 90% of gunfire within 60 seconds and 25 meters. The system alerts dispatch or mobile devices so campus or local police can get to a crime scene quickly.

Pirate Pathways and Pedestrian Safety

This partnership between Student Safety Committee, ECU Police and City of Greenville is focused on helping pedestrians safely make their way around campus and the surrounding area. We will start marking our pedestrian corridors with reflective paint to help pedestrians find their way. Pedestrian crossings have been improved at Charles and Ficklen with additional crossings in design.

Accreditation

ECUPD has maintained dual accreditation (through CALEA and IACLEA). Our Year 3 review was in March 2019 and the Year 4 review will be in November 2019.
EQUAL EMPLOYMENT OPPORTUNITY
NOTICE OF NONDISCRIMINATION

1. INTRODUCTION

1.1. East Carolina University (“ECU”) is committed to equality of opportunity and prohibits unlawful discrimination based on the following protected classes: race/ethnicity, color, genetic information, national origin, religion, sex (including pregnancy and pregnancy related conditions), sexual orientation, gender identity, age, disability, political affiliation, and veteran status (“Protected Class”).

1.2. This policy also prohibits retaliation, as defined below, against an individual for using applicable policies responsibly. Retaliation interferes with free expression, inhibits openness that is important to the University, and violates University policy.

1.3. Pay Transparency

1.3.1. Consistent with Executive Order 11246, as amended, ECU will not discharge or in any other manner discriminate against employees or applicants because they have inquired about, discussed, or disclosed their own pay or the pay of another employee or applicant. However, employees who have access to the compensation information of other employees or applicants as a part of their essential job functions cannot disclose the pay of other employees or applicants to individuals who do not otherwise have access to compensation information, unless the disclosure is

(a) in response to a formal complaint or charge, (b) in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted by ECU, or (c) consistent with the ECU’s legal duty to furnish information.
1.4. This policy supersedes all other expressions of nondiscrimination provisions pertaining to all University programs and activities and the Office for Equity and Diversity complaint resolution procedures published in any other documents, handbooks, or manuals except those outlined in University regulations (specifically, the Regulation on Responding to Complaints of Prohibited Discrimination, Harassment and/or Related Retaliation and the Regulation on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence).

1.5. When an individual is found to have violated this policy, sanctions up to and including termination of employment, expulsion, and/or the issuance of a ban from University property will be imposed in an attempt to ensure that such actions are not repeated by the individual within the University community. In determining whether conduct violates these provisions, all relevant facts and circumstances shall be considered. Care will be exercised in order to preserve freedoms of speech and expression, as articulated in current legal standards.

2. COVERAGE

2.1. This policy covers admission, readmission, access to, treatment and employment in university programs and activities, including, but not limited to, academic admissions, financial aid, any services, and employment. This policy applies to students, applicants, employees, visitors, volunteers and other third parties under circumstances within the University’s control.

2.2. This policy applies to all discrimination and related retaliation that occurs either on ECU property or off ECU property if (1) the misconduct occurred in the context of an ECU program or activity or (2) if the misconduct creates or contributes to, for a member of the University community, a learning or working environment that is hostile, as defined in 4.2.2.

3. AFFIRMATIVE ACTION OBLIGATIONS

31. Pursuant to its obligation under applicable federal law, the University will take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin and to employ and advance in employment qualified employees and applicants who are protected veterans and individuals with disabilities at all levels of employment.

32. The University will recruit, hire, train and promote persons in all job titles and ensure that all other personnel matters and any other term, condition, or privilege of employment will continue to be administered in accordance with this policy and without regard to University Protected Classes listed in Section 1.1 above. The University will ensure that all employment decisions are based only on valid job requirements.

33. The Chancellor of ECU fully endorses and supports this policy.

34. The monitorial and evaluative aspects of the Equal Employment Opportunity Plan, including analysis and reporting, are the responsibilities of the Office for Equity and Diversity. The Chancellor has appointed the Associate Provost for Equity and Diversity to coordinate all aspects of the ECU Equal Employment Opportunity Plan and Program.

4. DEFINITIONS

41. Discrimination - actions that subject individuals to unfavorable or unequal treatment based on a Protected Class.

42. Harassment - a form of discrimination. Harassment is unwelcome conduct based on a Protected Class, as defined in Section 1.1 above, which creates either quid pro quo harassment or a hostile environment, as defined in Section 4.2.1 and Section 4.2.2, below. It also includes Sexual Harassment and Gender-Based Harassment as those terms
are defined in University Regulations (specifically, the Regulation on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence).

421. Quid Pro Quo Harassment - submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of a person’s employment, academic standing, or participation in any University programs and/or activities or is used as the basis for University decisions affecting the individual.

422. Hostile Environment Harassment - A “hostile environment” exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefitting from the University’s education or employment programs and/or activities. Conduct must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective.

A hostile environment can be created by persistent or pervasive conduct or by a single incident, if sufficiently severe. The perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

4.3 Retaliation - any act of interference, restraint, penalty, discrimination, coercion, reprisal, intimidation, threats, or harassment against an individual for using applicable policies responsibly (including making a charge of discrimination protected by this policy; testifying, assisting, or participating in a hearing, proceeding, review process or investigation of discrimination; opposing an illegal act; requesting a reasonable disability or religious accommodation; or exercising any other right protected by this policy).

5. OBLIGATION TO PROVIDE REASONABLE ACCOMMODATIONS

5.1. Disability Accommodations

5.1.1. In compliance with Section 503 of the Rehabilitation Act of 1973, as amended; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990, as amended; and the Vietnam Era Veterans’ Readjustment Assistance Act of 1974, as amended (VEVRAA), accommodations for individuals with disabilities extend to student programs, employment practices, elimination of physical barriers, and special assistance to students and employees within the university who are individuals with disabilities.

5.1.2. To request disability accommodations, please contact the Department for Disability Support Services, 138 Slay Building Greenville, NC 27858-4353 or phone (252)737-1016 voice/TTY.

5.2. Religious Accommodations

5.2.1. The University accommodates the religious observances and practices of students and employees except where such accommodation causes undue hardship for the University. The extent of the University’s obligation is determined initially by considering statutory requirements; and any obligation of accommodation beyond that shall be determined with consideration of business necessity, financial costs and expenses, and resulting personnel and/or academic problems.

5.2.1.1. Accommodations for Students:

5.2.1.1.1. Students shall be allowed a minimum of two excused absences each academic year for religious observances required by the faith of the student.

5.2.1.1.2. Students shall provide written notice to the faculty member for the affected class of their request for an excused absence for a religious observance in a reasonable time prior to the date of the observance. If a faculty member determines a specific minimum period of prior notice to be reasonable with regard to a class for purposes of complying with this requirement, he or she should communicate that to the students in the class.

5.2.1.1.3. Students shall be given the opportunity to make up tests and other work missed due to such an excused absence for a religious observance.
Accommodations for Employees:

Employees shall request religious accommodations from their supervisor in writing at least, if possible, 30 days in advance of the desired accommodation. The employee and supervisor should cooperate to determine whether a reasonable accommodation can be granted. If requested, the employee should provide documentation to support the request.

5212.1 Supervisors may contact Human Resources Employee Relations or the Office for Equity and Diversity for assistance with employee requests for religious accommodations.

5.3. Complaints Relative to Accommodations

531. Members of the University community who have concerns about the adequacy of accommodations or wishing to file a complaint, may follow the resolution procedures outlined in University regulations (specifically, the Regulation on Responding to Complaints of Prohibited Discrimination, Harassment and/or Related Retaliation). Information about filing a complaint may be obtained from the Office for Equity and Diversity.

6. SEX DISCRIMINATION PROHIBITED

61. ECU is required by Title IX of the Education Amendments of 1972 not to discriminate on the basis of sex in its education programs and activities.

62. Sexual and Gender-Based Harassment, as defined in section 4.2, above, Sexual Violence, including sexual assault and sexual battery, and Sexual Exploitation as those terms are defined in University Regulations (specifically, the Regulation on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence) are all forms of sex discrimination.

63. Questions regarding Title IX may be addressed to Ms. LaKesha Alston Forbes, Title IX Coordinator, in the Office for Equity and Diversity; the Dean of Students Office; the Office of Student Rights and Responsibilities; the ECU Police Department; and/or to the U.S. Department of Education’s Office for Civil Rights.

64. The Title IX Coordinator may be reached in the Office for Equity and Diversity, Old Cafeteria Building Suite G-406, phone (252) 328-6804, or email oed@ecu.edu.

65. Additional information regarding the University’s obligations and procedures for responding to conduct prohibited by Title IX may be found in University regulations (specifically, the Regulation on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence).

7. OBLIGATION TO REVIEW OR INVESTIGATE PROHIBITED CONDUCT

71. If the Office for Equity and Diversity becomes aware of any information or concerns related to prohibited discrimination, harassment, and/or related retaliation, the Office for Equity and Diversity will address with an informal review or formal investigation of those concerns.

8. OFFICE FOR EQUITY AND DIVERSITY COMPLAINT RESOLUTION PROCEDURES FOR FORMAL COMPLAINTS OF UNIVERSITY PROHIBITED HARASSMENT OR DISCRIMINATION AND/OR RELATED RETALIATION

81. An individual should follow the complaint/resolution procedures outlined in University regulations (specifically, the Regulation on Responding to Complaints of Prohibited Discrimination, Harassment and/or Related Retaliation) if he or she is alleging discrimination, harassment and/or related retaliation, as defined in this policy, based on any of the following protected classes: race/ethnicity, color, genetic information, national origin, religion, sex (including pregnancy and pregnancy related conditions and sexual harassment and sexual violence), gender identity, sexual orientation, age, disability, political affiliation, or veteran status. Additional investigation principles will be applied for complaints of sexual harassment and sexual violence and are outlined in University regulations (specifically, the Regulation on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence).
82. The Office for Equity and Diversity will consult with and answer questions from individuals about specific procedural matters upon request.

9. EAST CAROLINA UNIVERSITY
STATEMENT OF NONDISCRIMINATION

9.1. The following statement should be used in the University’s academic catalogues, contracts, and applications for admission and employment:

9.1.1. East Carolina University prohibits unlawful discrimination based on the following protected classes: race/ethnicity, color, genetic information, national origin, religion, sex (including pregnancy and pregnancy related conditions), sexual orientation, gender identity, age, disability, political affiliation, and veteran status.

92. Any flyers, brochures, posters, or advertisements concerning a University activity or event that is open to the public must include the following statement:

921. Individuals requesting accommodation under the Americans with Disabilities Act (ADA) should contact the Department for Disability Support Services at least 48 hours prior to the event at (252) 737-1016 (voice/TTY).

ANNUAL SECURITY REPORT

Preparation of the annual security report and disclosure of crime statistics

The Annual Security Report is prepared by members of the ECU Police Department with input on policy revisions and crime data from the Office for Equity and Diversity, Campus Living, Dean of Students, Office of Student Rights and Responsibilities, and other Campus Security Authorities. A formal request for crime data is sent to the Greenville Police Department, Vidant Hospital Police and other law enforcement agencies with jurisdiction over East Carolina University non-campus properties. Crime data provided by these agencies is included in the Annual Security and Fire Safety Report.

This report provides statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by East Carolina University, and on public property on or immediately adjacent to main and Health Sciences campuses. This report also includes reference to certain ECU policies concerning campus security, such as policies regarding sexual assault, alcohol and other drugs.

ECU distributes an e-mail notice of the availability of this Annual Security and Fire Safety Report by October 1 of each year to every member of the University community. The notice contains a link to the Annual Security Report and information on how to obtain a printed copy. Anyone, including prospective students and employees, may obtain a copy of this report by contacting the ECU Police at 252-328-6787 or by visiting http://www.ecu.edu/admin/police/. A link to the current Annual Security and Fire Safety Report is also available on the ECU Police Department website, Human Resources Job Application website, and the public section of the ECU PiratePort.
REPORTING CRIMES AND OTHER EMERGENCIES

The University has a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to the appropriate ECU officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire ECU community that you immediately report all incidents so that University Police can investigate the situation and determine if follow-up actions are required, including issuing a Timely Warning or Emergency Notification.

VOLUNTARY, CONFIDENTIAL REPORTING

If crimes are not reported, little can be done to help other members of the community from becoming victims. We encourage University community members to report crimes promptly to University Police and to participate in and support prevention efforts. The University community will be much safer when all community members participate in safety and security initiatives.

If you are the victim of a crime or want to report a crime of which you are aware of, but do not want to pursue action within the University or criminal justice system, we ask that you consider filing a voluntary, confidential report. Depending upon the circumstances of the crime you are reporting, you may be able file a report while maintaining your confidentiality. The purpose of a confidential report is to comply with your wish to keep your personally identifying information confidential, while also taking steps to ensure your safety and the safety of others. The confidential reports allow the University to compile accurate records on the number and types of incidents occurring on campus. Data from reports filed in this manner are included in the Annual Security and Fire Safety Report. In limited circumstances, the department may not be able to assure confidentiality and will inform you in those cases. Anonymous crime reporting (PDF or online survey) can be found on-line at http://www.ecu.edu/cs-admin/police/Police-Department-AnnualSecurityReport.cfm.

PROFESSIONAL & PASTORAL COUNSELORS

A report may be made confidentially to any counselor employed by the Center for Counseling and Student Development on his or her official capacity and/or a person working in the role of a professional counselor. Counselors may, when they believe it appropriate, inform the victim of procedures to report the assault to the appropriate police department and/or the Office of Student Rights and Responsibilities. The counselor may accompany the victim in making the report. If the student does not wish to make such a report, the student will be told of the right to make a confidential report for statistical inclusion in the annual security report.

Crimes reported to pastoral counselors are considered confidential. A Pastoral counselor is defined by the US Department of Education as, “A person who is associated with a religious order or denomination is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor.”

REPORTING TO UNIVERSITY POLICE

We encourage all members of the University community to accurately and promptly report all crimes and other emergencies. For emergencies, you may contact the ECU Police by dialing 911 which connects the caller to the ECU Police Communications Center when dialed from a university telephone. Calls from other phones, including cellular devices, will be directed to the Pitt County 911 Communications who will transfer your call to ECU Communications. ECU Police are available 24 hours a day year-round. For non-emergencies, members of the campus community should dial (252) 328-6787 for main campus and (252) 744-2246 for Health Sciences Campus for assistance. The ECU Police Department is located in the Blount House at 609 E. 10th Street. Although there are many resources available, ECU Police should be notified of any crime, whether or not an
investigation continues, to assure the University can address any and all security concerns and inform the community if there is a significant threat to the University community.

EMERGENCY PHONES

East Carolina University has in excess of 150 emergency telephones spread across the two campuses. The main campus has approximately 100 of these telephones installed and the Health Sciences campus has approximately 54. These phones are located strategically throughout campus grounds, at the entrances of the residence halls, and in some of the administrative and academic buildings. By pressing the red button on the phone, the user is in contact with the ECU Police Department Communications Center. The location of the emergency phone is displayed to the telecommunicator to ensure prompt and accurate response by University Police.

LIVESAFE MOBILE APPLICATION

In April 2016, the university deployed the ECU LiveSafe mobile safety application. This smartphone app is free to students, faculty and staff and provides a direct connection to the ECU Police Department and other campus safety resources. Once downloaded, users can share information, tips and safety concerns with the ECU Police and other campus safety units via text messaging or live chat. Pictures, video and audio attachments can be sent and users may remain anonymous or provide their location and other information. A safety map identifies the location of recent crimes and safety locations, such as hospitals, police stations, victim services, etc. The app provides a link to SafeRide and a SafeWalk feature which allows friends and family to virtually follow the user’s travel through GPS-tagged monitoring. Finally, the safety application provides a link to valuable safety information, including emergency procedures.
REPORTING TO OTHER CAMPUS SECURITY AUTHORITIES

While the University prefers that community members promptly report all crimes and other emergencies directly to the ECU Police at 911 or 252-328-6150, we also recognize that some may prefer to report to other individuals or University offices. The Clery Act recognizes certain University officials and offices as “Campus Security Authorities (CSA).” The Act defines these individuals as an “official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.”

Persons designated by the University as CSAs include: Professional Staff in the Dean of Students Office; Campus Living Professional Staff; Campus Living Resident Advisors; Directors and Associate Directors of Athletics, Athletic Coaches and Assistant Coaches; Advisors to University Recognized Clubs and Organizations, Director, Associate Directors, and Assistant Directors of the Office of Student Rights and Responsibilities, Title IX/OED officials. CSAs receive training regarding their responsibilities in their role as a Campus Security Authority.

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<tr>
<td>ECU Police Department</td>
<td>609 East Tenth Street</td>
<td>(252) 328-4353</td>
<td><a href="http://www.ecu.edu/police/">http://www.ecu.edu/police/</a></td>
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<tr>
<td>Dean of Students</td>
<td>125 Umstead Hall</td>
<td>(252) 328-9297</td>
<td><a href="http://www.ecu.edu/cs-studentaffairs/dos/">http://www.ecu.edu/cs-studentaffairs/dos/</a></td>
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<tr>
<td>Office of Student Rights and Safety</td>
<td>364 Wright AuditoriumAnnex</td>
<td>(252) 328-6824</td>
<td><a href="http://www.ecu.edu/osrr/">http://www.ecu.edu/osrr/</a></td>
</tr>
<tr>
<td>Campus Living</td>
<td>Suite 100 Jones Residence Hall</td>
<td>(252) 328-4663</td>
<td><a href="http://www.ecu.edu/campusliving/">http://www.ecu.edu/campusliving/</a></td>
</tr>
<tr>
<td>Office for Equity and Diversity</td>
<td>Suite G-406 Old CafeteriaBuilding</td>
<td>(252) 328-6804</td>
<td><a href="http://www.ecu.edu/oed/">http://www.ecu.edu/oed/</a></td>
</tr>
</tbody>
</table>

ABOUT UNIVERSITY POLICE

ROLE, AUTHORITY, AND TRAINING

ECU Police protects and serves the ECU community 24 hours a day, 365 days a year. The Department is responsible for a number of campus safety and security programs including Community Safety and Security Education, physical security, including behavioral threat assessment and special event management.

The Department is comprised of:
- 59 Sworn Police Officers
- 1 Part-Time Reserve Police Officers
- 9 Telecommunicators
- 8 Administrative Staff

East Carolina University Police Department officers derive their authority from their appointment by the University and their compliance with the North Carolina Criminal Justice Education and Training Standards Commission requirement for law enforcement officers as established by the Department of Criminal Justice Services, pursuant to Chapter 17C of the North Carolina State Code. East Carolina University police officers are sworn police officers, empowered and mandated to enforce all federal, state, and local laws. All criminal incidents on East Carolina University Campuses are investigated by the ECU Police Department.

All sworn police officers complete a Basic Law Enforcement Training course and re-certify annually as required by the North Carolina Criminal Justice Education and Training Standards Division for all state and municipal officers in North Carolina. Officers undergo 24 - 48 hours of in-service training per year. Annual topics include: firearms training and qualification; legal update; juvenile minority sensitivity training; human trafficking awareness; NC firearms laws: citizens and guns; blood-borne pathogens; ethics; bias-based profiling; leadership modeling behaviors; hazardous materials; and mental illness awareness. In addition, all police officers received training on Title IX and Sexual Assault.
SAFETY, OUR NUMBER ONE PRIORITY

The University takes great pride in the community at East Carolina University and offers students, faculty, and staff many advantages. This community is a great place to live, learn, work, and study; however, this does not mean that the campus community is immune from problems that arise in other communities. With that in mind, East Carolina University has taken progressive measures to create and maintain a reasonably safe environment on campus.

Though the University is progressive with its policies, programs, and education, it is up to each one of us to live with a sense of awareness and use reasonable judgment when living, working, or visiting on campus.

We encourage all ECU community members to promptly and accurately report all crimes that occur on all University property to the ECU Police at (252) 328-6150 or immediately by dialing 911, or to the appropriate police agency, even when the victim of a crime elects to or is unable to make such a report.

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

The University Police maintains a cooperative relationship with the Federal Bureau of Investigation, State Bureau of Investigation, North Carolina State Highway Patrol, Greenville Police Department, Pitt County Sheriff’s Department, Vidant Hospital Police, and other surrounding police agencies. This includes interoperative radio capabilities, joint training programs, special events coordination, and investigation of serious incidents.

The ECU Police Department has entered a mutual aid agreement with the City of Greenville for concurrent jurisdiction within a specific area surrounding the main campus property. This agreement allows ECU officers to investigate crimes and take enforcement action within that concurrent jurisdiction.

In addition, the ECU Police Department has Mutual Aid Agreements with local law enforcement agencies that authorize police officers and supervisors of the participating agencies to request mutual aid for incidents based upon a reasonable belief that such aid will enhance public and/or officer safety and efficiency. The agencies participating in the Agreements include Pitt County Sheriff’s Department, Greenville Police Department, Ayden Police Department, Bethel Police Department, Farmville Police Department, Grifton Police Department, Newport Police Department, Vidant Company Police Department, Simpson Police Department, Winterville Police Department, and University Police Departments from the University of North Carolina constituent institutions.

CRIMES INVOLVING STUDENT ORGANIZATIONS AT OFF CAMPUS LOCATIONS

ECU relies on its close working relationships with local law enforcement agencies to receive information about incidents involving ECU students and recognized student organizations, on and off campus. In coordination with local law enforcement agencies, especially the Greenville Police Department, ECU Police will actively investigate certain crimes occurring on or near campus. If the ECU Police Department learns of criminal activity involving students or student organizations, it will coordinate with the appropriate external law enforcement agency to forward information about the situation to the Division of Student Affairs, as appropriate.

ECU requires all student organizations to abide by federal, state, and local laws, and ECU regulations. ECU may become involved in reviewing the off-campus conduct of student organizations when such conduct is determined to affect a substantial ECU interest.
TIMELY WARNINGS & EMERGENCY NOTIFICATIONS - ECU ALERT

In an effort to provide timely warning to the campus community in the event that a Clery Act crime occurs within ECU’s Clery geography that, in the judgment of the Chief of ECU Police or designee, constitutes a serious or continuing threat, a campus wide “timely warning” will be issued. The warning will be issued through the University alert notification system to students, faculty, and staff via e-mail and/or text message subscribers. Timely warnings will be made without delay and are issued for crimes including, but not limited to, murder and non-negligent manslaughter, manslaughter by negligence, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, and arson.

The determination whether a serious or continuing threat exists, and therefore whether a safety message should be sent to the campus community, shall be made pursuant to the U.S. Department of Education’s factors as outlined in the Clery Handbook. These factors include the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts or the identity of the victim.

The University may also consider additional relevant factors, including but not limited to the following:

- If the crime reported to the ECUPD is a Clery crime
- If the crime was reported to have occurred on ECU’s Clery Geography
- The duration of time between the alleged occurrence and the reporting of the incident,
- The relationship between the victim and the alleged perpetrator,
- Whether the crime represents a pattern (has occurred two or more times within a specific area or period of time),
- Whether there is a substantial risk to the physical safety or property of others,
- The number and location of students and employees present on campus,

Although each case will be evaluated on an individual basis, the University may choose not to issue safety messages when one or more of the following factors are present.

- A report is filed more than seven (7) days after the date of the alleged incident;
- A report is filed anonymously, by a third party, not made in good faith, or there is insufficient information to determine the accuracy of the report;
- Pertinent information has not been acquired;
- The suspect has been apprehended or a determination has been made that the suspect has been removed from campus to such a geographic extent that there is no serious or ongoing threat;
- Any other factors that the Chief of Police or designee deems appropriate for the circumstances.

In all situations that are determined to be a serious and/or continuing threat to the community and individuals, the ECU Police Department or ECU News Services may post an alert through the ECU Alert Notification System. The alert may be broadcast over plasma screens, text messages to subscribers, ECU Alert website (https://alertinfo.ecu.edu/), or various other outlets. Anyone with information warranting a timely warning should report the circumstances to the ECU Police Department, by phone @ (252) 328-6150, by activating a blue-light emergency telephone, or in person at the ECU Police Department on main campus at 609 E. 10th Street, Greenville, NC.

The purpose of an alert is to notify the campus community of a serious incident and to provide information that may enable community members to protect themselves from similar incidents. The University will issue alerts whenever the following criteria are met: 1) a crime is committed; 2) the perpetrator has not been apprehended; and 3) there is a substantial risk to the physical safety of other members of the campus community because of this crime. ECU withholds names and other identifying information of victims from timely warnings.
EMERGENCY RESPONSE AND EVACUATION PROCEDURES

EMERGENCY MANAGEMENT AT ECU

The Continuity and Emergency Planner is responsible for the Emergency Operations Plan (EOP). This plan is designed to be an all-hazards disaster response and emergency management plan that includes planning, mitigation, response, and recovery actions.

Our priorities are:
- Life safety, infrastructure integrity, and environmental protection during an emergency
- Coordination with university departments to write, maintain, test, and exercise the EOP
- Cooperation, integration, and mutual aid with local, state, and federal planning, response, and public safety agencies and their EOPs.

University departments are responsible for developing evacuation plans, lockdown plans, and continuity of operations plans for their staff and areas of responsibility. University personnel, including ECU Police, and surrounding first responder agencies participate in emergency training on an annual basis. The training may include a full-scale exercise, table-top exercise or training on policy and procedures and are designed to assess and evaluate the emergency plans and capabilities of the University. Drills and exercises may be announced or unannounced.


DRILLS, EXERCISES AND TRAINING

To ensure ECU’s Emergency Operations Plan remains current and actionable, the University will conduct an emergency management exercise, at least once a year. These exercises may include tabletop drills, emergency operations center exercises, functional exercises or full-scale emergency response exercises. The University conducts after-action reviews of all emergency management exercises.

In conjunction with at least one emergency management exercise each year, ECU will notify the community of the exercise and remind the community of the information included in the University’s publicly available information regarding emergency procedures. The scenarios for these exercises change from year-to-year, and include several University departments and off-campus emergency response agencies.
PROCEDURES USED TO NOTIFY THE CAMPUS COMMUNITY

In the event of a situation that poses an immediate threat to members of the campus community, the University has various methods in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an emergency to all or a segment of campus community. These methods of communication include the e-mail system, text message, ECU Alert webpage messages and the campus siren. The University will post important updates during critical incidents on the ECU homepage. The University may establish a telephone call center, if warranted.

ECU ALERT: EMERGENCY NOTIFICATION SYSTEM

ECU is committed to ensuring the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members.

ECU utilizes the ECU Alert notification system to send mass notifications via email, text message, emergency messages on LCD screens throughout campus, departmental VoIP phones, loud speaker system, social media platforms, and/or the ECU webpage. ECU Alert is an emergency notification service available to students, staff, and anyone in the University community who wants to subscribe.

Campus community members are encouraged to check the ECU homepage and ECU Alert page for updates regarding serious events that affect campus. At least annually, ECU performs a University-wide test of the system.

ENROLLING IN THE UNIVERSITY’S EMERGENCY NOTIFICATION SYSTEM

All campus community members should register their mobile phone number. To register for mobile phone emergency notifications students, faculty and staff should go to https://alertinfo.ecu.edu/receive-ecu-alerts-for-ecu-students-staff-and-faculty/ to register their phones. Parents or campus neighbors can go to https://alertinfo.ecu.edu/receive-ecu-alerts-for-parents-family-members-and-our-community/ to register. Students, faculty and staff will be required to enter your ECU User ID and Password into the login page. By registering your mobile phone number, you will receive an “ECU ALERT” text message when you need to be notified of a campus emergency or serious incident.

CONFIRMING THE EXISTENCE OF A SIGNIFICANT EMERGENCY OR DANGEROUS SITUATION AND INITIATING THE EMERGENCY NOTIFICATION SYSTEM

The ECU Police Department is primarily responsible for confirming that there is a significant emergency or dangerous situation on campus that could cause an immediate threat to the health and safety of the members of the campus community. There are other departments on campus that could be in a position to confirm certain types of emergencies, such as a pandemic flu outbreak. Upon confirmation of an emergency situation, the Senior
Ranking Police Officer on duty (or his/her designee) will activate the initial alert on the Alert Notification System. The initial alert will be released campus-wide, without delay; and taking into account the safety of the community. The content of the notification will include the type, location, date and time of the emergency situation, unless issuing a notification will, in the professional judgment of first responders, compromise efforts to assist a victim, or to contain, respond to, or otherwise mitigate the emergency.

DETERMINING THE APPROPRIATE SEGMENT OR SEGMENTS OF THE CAMPUS COMMUNITY TO RECEIVE AN EMERGENCY NOTIFICATION

Once the initial alert has been sent, The Office of Environmental Health and Safety, News Services, ECU Police Department, and/or Associate Vice Chancellor for Environmental Health and Campus Safety will collaborate to determine the content of messages and will use some or all of the delivery options through the ECU Alert Notification System to communicate the threat to the ECU Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. This will include alerting the campus community of immediate threats that have occurred and necessitate evacuation, shelter-in-place, lockdown, or other action by students, employees, or campus visitors. This group will also determine the content of the notification and which segment(s) of the campus community receive a notification.

DETERMINING THE CONTENTS OF THE EMERGENCY NOTIFICATION

The University has developed a wide range of template messages addressing several different emergency situations. The individual authorizing the alert will select the template message most appropriate to the ongoing situation and modify it to address the specifics of the present incident. In those cases where there are no pre-determined template messages in the system, the individual authorizing the alert will develop the most succinct message to convey the appropriate information to the community. The goal is to ensure individuals are aware of the situation and that they know the steps to take to protect themselves and their community.

EVACUATION PROCEDURES

In compliance with the North Carolina statewide fire code, the Office of Environmental Health & Safety conducts, evaluates, and documents fire drills for each On-Campus Student Housing facility once a semester, including summer semesters for those residence halls in use. The purpose of the drills is to provide staff practice in the event there is a real fire or other evacuation emergency. Each university department or unit must develop an evacuation plan that outlines the actions occupants must take during emergencies. Evacuation plans should be reviewed with employees regularly and practice drills are recommended to ensure that employees are prepared for real emergencies. Students, employees and campus visitors should learn exit routes from all
buildings and evacuate immediately when a fire alarm sounds.

- Know at least two evacuation routes. Look for illuminated exit signs.
- When the fire alarm sounds, you must evacuate. Do not use elevators.
- Encourage others to evacuate with you. Do not wait for those who refuse to leave.
- Go to the designated evacuation assembly area for the building or move at least 100 paces away from the building, but do not cross highways unless required to do so in a safe manner.

EVACUATION OF INDIVIDUALS WITH DISABILITIES

When assisting an individual with a disability, always ask if they will allow you to help and how you can best help them in an emergency. During an emergency, individuals with mobility impairments should seek rescue assistance in the nearest stairwell.

If immediate evacuation is necessary, be aware of the following considerations:

- If someone is seeking shelter in a stairwell, notify emergency personnel of their location.
- Wheelchairs have moveable parts; some are not designed to withstand stress or lifting.
- Lifting may be dangerous to you or them.
- In a life-threatening emergency, it may be necessary to remove an individual from the wheelchair. Lifting a person with minimal ability to move may be dangerous.
- Wheelchairs should not be used to descend stairwells, if at all possible.
- Non-ambulatory persons may have respiratory complications. Remove them from smoke or fumes immediately and determine their needs and preferences.

Individuals with a Visual Impairment:

- In case of emergency, offer to act as a sighted guide by offering your elbow to escort them to a safe place. As you walk, describe any obstacles.

Individuals with a Hearing Impairment:

- In case of emergency, write a note describing the emergency. (“Fire. Go out the rear door now!”)
- Turn the light switch on and off to gain attention, and then indicate through gestures what is happening and what to do.

SHELTER-IN-PLACE PROCEDURES

An order to shelter-in-place may originate through ECU Alert or from emergency personnel or other university authorities. Shelter-in-place is necessary when conditions outdoors is unsafe such as during a chemical release or severe weather. Shelter-in-place means to make a shelter of the building that you are in, and with a few adjustments the location can be made safer and more comfortable until it is safe to go outside. There are two different types of scenarios during which we would issue a shelter in place command: Tornado warning or severe weather and environmental hazard.

TORNADO WARNING OR SEVERE WEATHER

A tornado warning is issued for specific areas when a tornado has actually been sited or has been indicated on Doppler radar. University authorities will send an ECU Alert when a tornado warning is issued for our campuses.

- Seek shelter immediately.
- Alert others to watch for severe weather. If you have personnel working outside or in modular units, advise them to take shelter now.
- Should a tornado threaten our campus, seek shelter in the lowest level of your building.
- Go to an inner hallway, a smaller inner room, or a closet. Keep away from all windows and exterior doors.
- Remain sheltered until the weather improves or you receive an ECU Alert stating “All Clear.”
- If outside, seek shelter in a sturdy building and follow the instructions above.
Continue to monitor your email, radio, television and ECU ALERT messages at www.ecu.edu/alert.

ENVIRONMENTAL HAZARD (TRAIN DERAILMENT OR OTHER CHEMICAL RELEASE OUTDOORS)

Chemical, biological, or radiological contaminants may be released accidentally or intentionally into the outdoor environment. The important thing is for you to follow instructions of University authorities and know what to do if they advise you to shelter-in-place. “Shelter in place” means to make a shelter out of the indoor place you are currently located or to seek a safe indoor place if you are outside. Follow these guidelines to Shelter-in-Place.

- If outside, seek shelter in the nearest secure building.
- Stop classes or work, or close business operations.
- Allow people outside to enter.
- If there are others in the building, provide for their safety by asking them to stay—not leave.
- Close and lock all windows, exterior doors, and any other openings to the outside. Shut down ventilation fans and air conditioners if possible.
- If you are told there is danger of explosion, close the window shades, blinds, or curtains.
- Select interior room(s) above the ground floor, with the fewest windows or vents. Avoid overcrowding by selecting several rooms if necessary.
- Bring everyone into the room(s). Shut and, if possible, lock the door(s).
- Keep listening to the radio, television or check the ECU Alert homepage until you are told all is safe or you are told to evacuate. University and local officials may call for evacuation in specific areas at greatest risk in your community.
ACTIVE THREATS

RUN. HIDE. FIGHT.

If you are to ever find yourself in the middle of an active shooter event, your survival may depend on whether or not you have a plan. The plan doesn't have to be complicated. There are three things you could do that make a difference: Run. Hide. Fight.
SECURITY OF AND ACCESS TO UNIVERSITY FACILITIES

During non-business hours, access to all University facilities requires key or 1 Card use, if issued. Under exceptional circumstances, the ECU Police Department may allow access. In cases of access during non-business hours, the faculty or staff member must produce identification whereby it can be confirmed they are authorized. Deans or Department Heads can request, in writing to the ECU Police Department, to allow access to students for academic purposes. Access to laboratories and research areas are limited to those who are authorized access. Emergencies may necessitate changes or alterations to building schedules.

ADMINISTRATIVE BUILDINGS

University administrative buildings are open from 8:00 am until 5:00 pm, Monday through Friday.

ACADEMIC BUILDINGS

Academic buildings are generally open from 7:00 am until 10:00 pm. Academic buildings are scheduled to be open on weekends only as needed. Access to individual classrooms is limited to those enrolled in the courses meeting there.

UNIVERSITY LIBRARIES

Operating hours for the University libraries vary throughout the academic year. Joyner Library hours of operations are as follows:

- Sunday: Begin 24 hours at 1000 am
- Monday - Thursday: Open 24 hours
- Friday: End 24 hours at 9:00 pm
- Saturday: 10:00 am – 9:00 pm.

After 11:00 pm, only patrons with ECU 1 Card identification will be allowed entry into Joyner Library.

The regular hours for Laupus Library are from 7:30 am until 12:00 am Monday through Thursday, 7:30 am until 5:00 pm on Fridays, 9:00 am until 5:00 pm on Saturdays, and noon until midnight on Sundays.

As there are exceptions to the libraries' hours of operation, please check their websites or call them for more information.

MEDICAL AND DENTAL CLINICS

Medical and dental clinics are typically open from 8:00 am until 5:00 pm; however, there are medical clinics that may be open at times outside of the normal business hours.

ATHLETIC & CULTURAL EVENTS

Many cultural and athletic events held in University facilities are open to the public.

SPECIAL CONSIDERATIONS FOR RESIDENCE HALL ACCESS

Residence Halls are secured 24 hours a day and all have security surveillance cameras that can be monitored in the ECU Police Department or within the offices of Campus Living. Upon check-in, residents are issued a key fob for entry to the exterior doors and a room key. When a resident terminates the Campus Living Contract and moves off campus, his or her keys/key fob must be returned to the Neighborhood Service Office within 24 hours. All residence hall rooms are equipped with sturdy, tamper-proof locks and peepholes. When necessary, security screens are installed over windows. Guests are the responsibility of the resident who admitted them to the residence hall.

SECURITY CONSIDERATIONS IN THE MAINTENANCE OF CAMPUS FACILITIES

ECU is committed to campus safety and security. 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.

Maintaining campus buildings and grounds falls under the responsibility of ECU Facilities Services. It conducts inspections of academic and administrative buildings and the grounds on campus. Campus Living staff conduct inspections of Residence Halls. Police Department staff report any problems with maintenance issues, as well. Maintenance issues are handled by appropriate personnel assigned to Facilities Services and/or Campus Living.

ECU REGULATION ON SEXUAL AND GENDER-BASED HARASSMENT AND OTHER FORMS OF INTERPERSONAL VIOLENCE

1. Introduction.

ECU, a constituent institution of the University of North Carolina System, strives to be a national model for student success, public service and regional transformation and is built upon tolerance, civility, and mutual respect. Consistent with these values, the University is committed to providing a safe and non-discriminatory learning, living, and working environment for all members of the University community. The University prohibits unlawful discrimination on the basis of sex or gender in all education and employment programs and activities. To that end, this Regulation prohibits specific forms of behavior that violate Title IX of the Education Amendments of 1972 (“Title IX”); Title VII of the Civil Rights Act of 1964 (“Title VII”). Such behavior also requires the University to fulfill certain obligations under the Violence Against Women Reauthorization Act of 2013 (“VAWA”) and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”).

1.1 Prohibited Conduct. The University prohibits Sexual Assault, Offensive Touching, Sexual Exploitation, Dating and Domestic Violence, Stalking, Sexual or Gender-Based Harassment, Complicity in the commission of any act prohibited by this Regulation, and Retaliation against any person for reporting an allegation of prohibited conduct under this Regulation or participation in any investigation or proceeding under this Regulation (collectively, “Prohibited Conduct”). These forms of Prohibited Conduct may be unlawful, undermine the character and purpose of the University, and will not be tolerated.

1.2 Purpose. The University adopts this Regulation with a commitment to: (1) eliminating, preventing, and addressing the effects of Prohibited Conduct; (2) fostering the University’s community of trust, in which Prohibited Conduct is not tolerated; (3) cultivating a climate where all individuals are well-informed and supported in reporting Prohibited Conduct; (4) providing a fair and impartial process for all parties; and (5) identifying the standards by which violations of this Regulation will be evaluated and disciplinary action may be imposed. Employees or Students who violate this Regulation may face disciplinary action up to and including termination or expulsion. The University will take prompt and equitable action to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. The University conducts ongoing prevention, awareness, and training programs for Employees and Students to facilitate the goals of this Regulation. Every member of the University community should foster an environment free of Prohibited Conduct. All members of the University community are encouraged to take reasonable and prudent actions to prevent or stop an act of Prohibited Conduct. The University will support and assist community members who take such actions.
1.3 Application. This Regulation applies to all reports of Prohibited Conduct occurring on or after the effective date of this Regulation. Where the date of the Prohibited Conduct precedes the effective date of this Regulation, the definitions of misconduct in existence at the time of the alleged incident(s) will be used. The procedures under this Regulation, however, will be used to investigate and resolve all reports made on or after the effective date of this Regulation, regardless of when the incident(s) occurred.

2. To Whom This Regulation Applies

This Regulation applies to Students who are registered or enrolled for credit- or non-credit-bearing coursework ("Students"); University employees, consisting of all faculty, and staff, ("Employees"); and contractors, vendors, visitors, volunteers, guests or other third parties ("Third Parties") such as Student applicants.

2.1. Location of Prohibited Conduct. This Regulation pertains to acts of Prohibited Conduct committed by or against Students, Employees, and Third Parties when:

2.1.1. the conduct occurs on property owned or controlled by the University ("University property");

2.1.2. the conduct occurs in the context of a University employment or education program or activity, including, but not limited to, University-sponsored study abroad, research, on-line, or internship programs; or

2.1.3. the conduct occurs outside the context of a University employment or education program or activity, but has continuing adverse effects on or creates a hostile environment for Students, Employees or Third Parties while on University property or in any University employment or education program or activity.

2.2. Conflicting Provisions: This regulation supersedes any conflicting provisions contained in previous regulations, including but not limited to the “Interim Regulation on Responding to Complaints of Sexual Harassment, Sexual Misconduct and/or Discrimination on the Basis of Sex”, the “Sexual Harassment, Discrimination and Conflicts of Interest Policies and Procedures of East Carolina University”, and the “Regulation Addressing Sexual Assault, Domestic and Dating Violence and Stalking as required by the Violence Against Women Act Amendments to the Clery Act – Interim”. Where Prohibited Conduct violates this Regulation and also violates another Regulation, the University’s response will be governed by the procedures referenced in this Regulation. Questions about which Regulation applies in a specific instance should be directed to the University’s Title IX Coordinator at (252) 328-6804. Note that the University’s Office for Equity and Diversity administers a separate regulation that addresses other forms of discrimination and harassment: “Resolving Allegations of Discrimination.”
3. **Applicable Procedures.**

The specific procedures for reporting, investigating, and resolving Prohibited Conduct are based upon the nature of the Respondent’s relationship to the University (Student, Employee, or Third Party). Each set of procedures referenced below is guided by the same principles of fairness and respect for Complainants and Respondents. "Complainant" means the Student, Employee or Third Party who presents as a victim of any Prohibited Conduct under this Regulation, regardless of whether that person makes a report or seeks action under this Regulation. "Respondent" means the Student, Employee or Third Party who has been accused of violating this Regulation.

3.1 **Disciplinary Action.** A Student or Employee determined by the University to have committed an act of Prohibited Conduct is subject to disciplinary action, up to and including expulsion and separation from the University. Third Parties who commit Prohibited Conduct may have their relationships with the University terminated and/or their privileges of being on University premises withdrawn.

3.2 **Procedures.** The procedures referenced below provide for prompt and equitable response to reports of Prohibited Conduct. The procedures designate specific timeframes for major stages of the process and provide for thorough and impartial investigations that afford all parties notice and an opportunity to present witnesses and evidence, to view the information that will be used in determining whether a Regulation violation has occurred, and an opportunity to pose questions to be answered by parties and other witnesses. The University applies the Preponderance of the Evidence standard when determining whether this Regulation has been violated. Meeting the preponderance of evidence standard constitutes a conclusion it is more likely than not that the alleged conduct occurred. This standard will be used to evaluate the evidence for purposes of making findings and drawing conclusions for an investigation conducted under this Regulation.

3.2.1 Where the Respondent is a Student. The procedures for responding to reports of Prohibited Conduct committed by Students are detailed in Appendix A: Investigating and Resolving Reports of Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence Committed by Students.

3.2.2 Where the Respondent is an Employee. The procedures for responding to reports of Prohibited Conduct committed by Employees, including faculty, are detailed in Appendix B: Investigating and Resolving Reports of Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence Committed by Employees.

3.2.3 Where the Respondent is Both a Student and an Employee.

3.2.3.1 Appendix A, the Student-Respondent procedures, will apply if the Respondent is a full-time Student but not a full-time Employee;

3.2.3.2 Appendix B, the Employee-Respondent procedures, will apply if the Respondent is a full-time Employee but not a full-time Student; or

3.2.3.3 If there is a question as to the predominant role of the Respondent, the University’s Title IX Coordinator will determine which of the procedures applies based on the facts and circumstances (such as which role predominates in the context of the Prohibited Conduct). Further, where a Respondent is both a Student and an Employee, the Respondent may be subject to any of the sanctions applicable to Students or Employees.

3.2.4 Where the Respondent is a Third Party. The University’s ability to take corrective action against a Third Party will be determined by the nature of the relationship of the Third Party to the University. The Title IX
Coordinator will determine the appropriate manner of resolution consistent with the University's commitment to a prompt and equitable process consistent with federal law, and this Regulation. Reports of Prohibited Conduct by student organizations will be handled according to the procedures outlined in Appendix A and when relevant, the Student Code of Conduct.

4 Title IX Coordinator.

Under Title IX:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

4.1 Role of the Title IX Coordinator. The Title IX Coordinator is charged with monitoring the University’s compliance with Title IX; ensuring appropriate education and training; coordinating the University’s investigation, response, and resolution of all reports under this Regulation; and ensuring appropriate actions to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. The Title IX Coordinator has the authority to modify the timelines in any existing University process in order to ensure a prompt and equitable resolution to a complaint, in compliance with applicable law or regulations. The Title IX Coordinator is available to meet with any Student, Employee, or Third Party to discuss this Regulation or the accompanying procedures. The University has also designated Deputy Title IX Coordinators who may assist the Title IX Coordinator in the discharge of these responsibilities. The Title IX Coordinator and Deputy Title IX Coordinators receive appropriate training to discharge their responsibilities.

4.2 Clery Coordination. The East Carolina University Police Department (ECUPD) maintains the campus crime log and is responsible for collecting and analyzing the statistics that are reported in the Annual Security and Fire Safety Report. The ECU Police Department will record and report on the Annual Security and Fire Safety Report statistics related to reports of sex offenses, domestic violence, dating violence, and stalking. The definitions of these offenses for the purpose of reporting statistics are defined by the Uniform Crime Reporting National Incident-Based Reporting System, the Federal Bureau of Investigation definitions, and the Violence Against Women Act. The Title IX Coordinator coordinates with the ECU Police Department through multiple ways, including supplying relevant data for the publication of the Annual Security Report.

4.3 Contact for Concerns. Concerns about the University’s application of Title IX, VAWA, and the Clery Act, may be addressed to the Title IX Coordinator; the United States Department of Education, Clery Act Compliance Division (at clery@ed.gov); the United States Department of Education, Office for Civil Rights (at OCR@ed.gov or (800) 421-3481); and/or the Equal Employment Opportunity Commission (at info@eeoc.gov or (800) 669-4000).

4.3.1 The Title IX Coordinator can be contacted by telephone, email, or in person during regular office hours:

5 Resources and Reporting Options.

The University offers a wide range of resources for all Students and Employees to provide support and guidance in response to any incident of Prohibited Conduct. For comprehensive information on accessing University and community resources, including emergency and ongoing assistance; health, mental health, and victim-advocacy services; options for reporting Prohibited Conduct to the University and/or law enforcement agencies; information on the role of the Title IX Coordinator and Deputy Title IX Coordinators; and comprehensive definitions of prohibited conduct, please consult the Title IX - Clery Act Coordinator. Old Cafeteria Building, Suite G-406. alstonl@ecu.edu. (252) 328-6804 (office). [http://www.ecu.edu/cs-acad/titleIX/](http://www.ecu.edu/cs-acad/titleIX/).
enforcement; and available support with academics, housing, and employment:

5.1 Students should refer to the Student Resource Guides (Additional Reference A-1 and Additional Reference A-2);

5.2 Employees should refer to the Employee Resource Guides (Additional Reference B-1 and Additional Reference B-2); and

5.3 Third Parties should contact the Title IX Coordinator to discuss available University and/or community resources and reasonably available assistance.


The University offers a wide range of resources for Students and Employees, whether as Complainants or Respondents, to provide support and guidance throughout the initiation, investigation, and resolution of a report of Prohibited Conduct. The University will offer reasonable and appropriate accommodations and protective measures if requested and reasonably available, regardless of whether or not the event is reported to ECU Police or other law enforcement agencies and regardless of whether a complaining party desires to participate in University disciplinary proceedings or seek criminal charges. The goal of such measures is to facilitate the Complainant’s continued access to University employment or education programs and activities. These measures may be both remedial (designed to address a Complainant's safety and well-being and continued access to educational opportunities) or protective (involving action involving a Respondent). Accommodations and protective measures, which may be temporary or permanent, may include but are not limited to: no-contact directives, campus living modifications, transportation and parking modifications, academic modifications and support, work schedule modifications, investigatory placement, administrative suspension, and suspension from employment (with or without pay).

6.1 The University will maintain the privacy of any accommodations and protective measures provided under this Regulation to the extent practicable and will promptly address any violation of such measures. The Dean of Students Office and/or the Vice Chancellor with supervisory responsibilities has the discretion to impose and/or modify any accommodation or protective measure based on all available information and in consultation with the Title IX Coordinator. The Title IX Coordinator is available to meet with a Complainant or Respondent to address any concerns about the provision of interim measures.

6.2 The University will provide reasonable accommodations or protective measures to Third Parties as appropriate and available, taking into account the role of the Third Party and the nature of any contractual relationship with the University.

7 Privacy and Confidentiality.

The University is committed to protecting the privacy of all individuals involved in the investigation and resolution of a report under this Regulation to the extent allowed by law. The University also is committed to providing assistance to help Students, Employees and Third Parties make informed choices. With respect to any report under this Regulation, the University will make reasonable efforts to protect the privacy of participants, in accordance with applicable state and federal law, while balancing the need to gather information to assess the report and to take steps to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects. Privacy and confidentiality have distinct meanings under this Regulation.

7.1 Privacy. Privacy means that personally identifiable information related to a report of Prohibited Conduct will be shared with a limited circle of University Employees who “need to know” in order to assist in the assessment, investigation, and resolution of the report. All Employees who are involved in the University’s response to reports
of Prohibited Conduct receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law.

7.1.1 The privacy of Student education records will be protected in accordance with the Family Educational Rights and Privacy Act ("FERPA"), as outlined in the University’s FERPA policy. The privacy of an individual’s medical and related records generally is protected by the Health Insurance Portability and Accountability Act (“HIPAA”), excepting health records protected by FERPA. Access to an Employee’s personnel records may be restricted in accordance with the North Carolina Human Resources Act, N.C. Gen. Stat. section 126-22 et seq. and the North Carolina Public Records Act, N.C. Gen. Stat. section 132-1 et seq. and the University’s record retention policy.

7.2 Confidentiality: Confidentiality exists in the context of laws that protect certain relationships, including with medical and clinical care providers (and those who provide administrative services related to the provision of medical and clinical care), mental health providers, counselors, and ordained clergy, all of whom may engage in confidential communications under the law. The University has designated individuals who have the ability to have privileged communications as “Confidential Employees”, as defined below. These resources adhere to strict standards of confidentiality, without sharing what an individual has told them other than in limited circumstances. Victim Advocates are considered confidential employees for purposes of confidentiality. These resources can provide information and other wellness services. When information is shared by an individual with a Confidential Employee or a community professional with the same legal protections, the Confidential Employee cannot reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information. For example, information may be disclosed when: (i) the individual gives written consent for its disclosure; (ii) there is a concern that the individual will likely cause serious physical harm to self or others; or (iii) there is a legally mandated reporting requirement, regarding information concerning conduct involving suspected abuse, neglect or dependency of a juvenile (one who has not reached their eighteenth birthday and is not married, emancipated, or a member of the Armed Forces of the United States).

7.2.1 A “Confidential Employee” is (1) any Employee who is a licensed medical, clinical or mental-health professional when acting in that professional role in the provision of services to a patient (“health care providers”); and (2) any Employee providing administrative, operational and/or related support for such health care providers in their performance of such services.

7.3.1.1. Duty to Report: A Confidential Employee will not disclose information about Prohibited Conduct to the University’s Title IX Coordinator without the individual’s permission (subject to the exceptions set forth in section 7.2 of this Regulation).

7.3 A “Responsible Employee” is (1) a person designated as a supervisor of any University employee; (2) any person who is designated as a Campus Security Authority; or (3) any ECU employee responsible for coordinating or supervising clinical education experiences, practicum and/or internships. Responsible Employees must report incidents of Prohibited Conduct to the Title IX coordinator and must not attempt mediation with the Complainant and Respondent. Faculty and other ECU employees who are responsible for coordinating or supervising clinical education experiences, practicum and/or internships are considered to be Responsible Employees with respect to the students participating in those experiences, and are required to report any allegations of Prohibited Conduct that they receive relating to those students to the Title IX coordinator. The University reserves the right to take disciplinary action against a Responsible Employee, up to and including discharge from employment, who fails to report Prohibited Conduct to the
Title IX Coordinator.

7.3.1 **Duty to Report:** A Responsible Employee is required to report to the University’s Title IX Coordinator all relevant details (obtained directly or indirectly) about an incident of Prohibited Conduct that involves a campus community member as a Complainant, Respondent, and/or witness, including dates, times, locations, and names of parties and witnesses. Responsible Employees include Resident Assistants, and Graduate Teaching Assistants, when disclosures are made to any of them in their capacities as employees. Responsible Employees are not required to report information disclosed (1) at public awareness events (e.g., “Take Back the Night,” candlelight vigils, protests, “survivor speak-outs”, or other public forums in which students may disclose incidents of Prohibited Conduct; collectively, “Public Awareness Events”), or (2) during a student’s participation as a subject in an Institutional Review Board-approved human subjects research protocol (“IRB Research”). The University may provide information about Students’ Title IX rights and about available University and community resources and support at Public Awareness Events, however, and Institutional Review Boards may, in appropriate cases, require researchers to provide such information to all Student subjects of IRB Research.

7.3.1.1 **Responsibility to Report Prohibited Conduct Where Either the Complainant or the Respondent Is an Employee:** Under this Regulation, supervisors, management and human resources professionals are required to report to the University’s Title IX Coordinator all relevant details about an incident of Prohibited Conduct where either the Complainant or the Respondent is an Employee. Reporting is required when such supervisors, management and human resource professionals know (by reason of a direct or indirect disclosure) or should have known of such Prohibited Conduct. For academic faculty, supervisors include department chairs, deans, and other unit administrators.

7.3.2 **Training:** New supervisors (including those recently promoted to supervisor status) will be required to complete responsible employee training within 90 days of their status change. All current responsible employees will be required to complete training by July 31, 2018, and every three calendar years thereafter.

7.3.3 **Campus Security Authority (CSA)**

7331. **Who are CSAs?** ECU officials who have significant responsibility for student and campus activities are designated as Campus Security Authorities. ECU CSA positions titles are listed in the annual security report that is published on October 1 each year on the ECU Police website. These individuals include but are not limited to officials in the Office for Equity and Diversity, the ECUPD, Office of Student Rights and Responsibilities, the Campus Living Conduct Office, any Campus Living coordinator or resident advisor, ECU employees at the ECU Community School, and coaches for athletic teams (excluding volunteer coaches and/or advisors for club sports). Any CSA who learns of an allegation of Prohibited Conduct must ensure that the Anonymous Crime Reporting Form is completed and submitted to the ECU Police Department.

7332. **Who are not CSAs?** Faculty members who do not have any responsibility for student and campus activity beyond the classroom and clerical staff are not considered CSAs, and, therefore, are not required to complete the Anonymous Crime Reporting Form. All individuals receiving reports of crimes, are encouraged to offer to assist the reporter in completing an anonymous crime report for inclusion in the annual security report statistics. Counselors in the Center for Counseling and Student Development and medical providers in Student Health Services, are not required to report information received when they are functioning within the scope of their license, certification or religious training, and performing their official duties providing mental health counseling, medical care or religious counseling.
7.4. **Confidential Resources.** Consistent with the definition of Confidential Employees and licensed community professionals, there are a number of resources within the University and Greenville communities where Students and Employees can obtain confidential, trauma-informed counseling and support. These resources include the Victim Advocate (252-737-1466); and REAL Crisis Intervention (252-758-4357).

7.4.1 Students can also obtain such counseling at the Center for Counseling and Student Development. For a complete list of University and community-based confidential resources for Students, see the Resource and Reporting Guide for Students Reporting Incidents of Prohibited Conduct (A-1) and the Resource and Reporting Guide for Students Accused of Incidents of Prohibited Conduct (A-2).

7.4.2 Employees can also obtain such counseling through the Employee Assistance Program through the ECU Family Therapy Clinic (252-737-1415). For a complete list of University and community-based confidential resources for Employees, see the Resource and Reporting Guide for Employees Reporting Incidents of Prohibited Conduct (B-1) and the Resource and Reporting Guide for Employees Accused of Incidents of Prohibited Conduct (B-2).

8 **Reporting.**

There are multiple channels for reporting Prohibited Conduct. A Complainant may choose to report to the University, to law enforcement, to both, or to neither. These reporting options are not exclusive. Complainants may simultaneously pursue criminal and disciplinary action. The University will support Complainants in understanding assessing and pursuing these options. There are certain persons on campus who must report a crime, but those reports need not identify the complainant. For instance, campus security authorities must complete an anonymous crime reporting form, which does not require the disclosure of any personally identifying information about a complaining party. Rather, it is collected so that the University can stay informed about trends, areas of particular concern and target educational needs.

8.1 **Law Enforcement.** Complainants have the right to notify or decline to notify law enforcement. In keeping with its commitment to taking all appropriate steps to eliminate, prevent, and remedy all Prohibited Conduct, the University urges Complainants to report Prohibited Conduct immediately to local law enforcement by contacting:

- 911 (for emergencies)
- Greenville Police Department (252) 329-4315 (for non-emergencies)
- Pitt County Sheriff’s Office (252) 902-2800 (for non-emergencies)
- ECU Police Department (252) 328-6787 (for non-emergencies)

8.1.1 Police have unique legal authority that the Title IX Coordinator lacks, including the power to seek and execute search warrants, collect forensic evidence, make arrests, and assist in seeking Emergency
Protective Orders. The University will assist Complainants in notifying law enforcement if they choose to do so.

8.1.2 A University investigation with respect to Title IX is separate from a criminal investigation (into complaints alleging harassment or sexual violence that constitutes a criminal offense, such as assault, battery, rape or another form of violence or sexual violence). A Complainant can file a police report at any time, including during the duration of an investigation under this regulation. The University will assist in connecting the Complainant with the law enforcement agency of the applicable jurisdiction. The standard of evidence for conviction in criminal cases (“beyond a reasonable doubt”) is a higher standard than the University will use in a Title IX investigation (“preponderance of the evidence”). A University investigation will continue to go forward during a criminal investigation. Reporting to the police and/or the University does not end the investigatory responsibility for the University.

8.1.3 Clery Act Reporting: Pursuant to the Clery Act, the University includes statistics about certain offenses in its annual security report and provides those statistics to the United States Department of Education in a manner that does not include any personally identifying information about individuals involved in an incident. These statistics include the total number of crime reports that were “unfounded” and subsequently withheld from the crime statistics reported in the Annual Security and Fire Safety Report. Unfounded reports are those that have been fully investigated by sworn law enforcement personnel and, based on the results of this full investigation and evidence, have made formal determination that the crime report is false or baseless. Recovery of stolen property, stolen property that is of low value, the refusal of a complaining party to cooperate with law enforcement or the failure to make an arrest do not justify classifying a report as “unfounded.” The Clery Act also requires the University to issue timely warnings to the University community about certain crimes that have been reported and may continue to pose a serious or continuing threat to Students and Employees. Consistent with the Clery Act, the University withholds the names and other personally identifying information of Complainants when issuing timely warnings to the University community.

8.1.4 The University. The University also urges anyone who becomes aware of an incident of Prohibited Conduct to report the incident immediately to the University through the following reporting options:

8.1.5 By contacting the University’s Title IX Coordinator or any Deputy Title IX Coordinator by telephone, email, or in person during regular office hours at their respective locations, email addresses and/or phone numbers listed in Section IV, above; or

8.1.6 By contacting ECU CARES, where members of the campus community can make reports of concerning behavior on campus, including acts of Prohibited Conduct. It can be accessed online at www.ecu.edu/ecucares or by phone at (252) 737-5555.

8.1.7 There is no time limit for reporting Prohibited Conduct to the University under this Regulation; however, the University’s ability to respond may diminish over time, as evidence may erode, memories may fade, and Respondents may no longer be affiliated with the University. If the Respondent is no longer a Student or an Employee, the University will provide reasonably appropriate remedial measures, assist the Complainant in identifying external reporting options, and take reasonable steps to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects.
The Good Samaritan. The University’s “Good Samaritan” regulation is applicable to a student(s) who summon(s) medical attention for a person (including themselves) in need of medical assessment and/or treatment for a problem to which the student may have contributed or caused by participating in the use and abuse of alcohol and/or other drugs. While the University does not condone violations of the Student Code of Conduct or state and federal laws, the University may take into consideration potentially life-saving actions of students who act as “Good Samaritans” by reducing the disciplinary actions associated with alcohol and/or other drug use violations, including limited immunity to campus student conduct charges. More information about the Good Samaritan Regulation can be found on the University’s Policy Manual website.

9 Prohibited Conduct.

Conduct under this Regulation is prohibited regardless of the sex, sexual orientation and/or gender identity/expression of the Complainant or Respondent. Prohibited Conduct includes the following specifically defined forms of behavior: Sexual Assault, Offensive Touching, Sexual Exploitation, Dating and Domestic Violence, Stalking, Sexual or Gender-Based Harassment, Complicity, and Retaliation.

9.1 Sexual Violence consists of (1) Sexual Assault and/or (2) Offensive Touching.

9.1.1 Sexual Assault is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by any sex organ (penis, vagina, or anus) of another person, without their consent.

9.1.2 Offensive Touching is the intentional sexual touching, without consent, of another person’s intimate parts (genitalia, groin, breast, buttocks, or mouth), whether clothed or unclothed, or the intentional sexual touching, without consent, of another person with one’s intimate parts, or, for purposes of sexual gratification, using force to cause another person to touch his/her own or another person’s intimate parts. Offensive touching may be committed using one’s own body, a part thereof, or an object.

9.1.3 Consent is
9.1.3.1 Informed (knowing),
9.1.3.2 Voluntary (freely given), and
9.1.3.3 Active (not passive), meaning that, through the demonstration of clear words or actions, a person has indicated permission to engage in mutually agreed-upon sexual activity.

9.1.3.4 Consent is explicit approval and permission to engage in sexual activity demonstrated by clear actions, words, or writing(s). Consent is informed, freely given, continuing, and mutually understood by all parties involved. If coercion, intimidation, threats, and/or physical force are used to obtain participation or continuing participation, then consent is not present. If the Complainant was mentally or physically
incapacitated or impaired so that the Complainant could not understand the fact, nature, and/or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious, or under the age of legal consent, or unable to give consent under current law. If a person becomes incapacitated after consent is given, but before the sexual act is initiated or completed, then consent is no longer valid. Silence does not necessarily constitute consent, and past consent of sexual activities does not imply ongoing future consent. Whether the Respondent has taken advantage of a position of influence over the Complainant may be a factor in determining whether consent was freely given. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Consent can be withdrawn at any time by either party.

9.1.3.5 Force includes (1) the use of physical violence, (2) threats, (3) intimidation, and/or (4) coercion. Consent cannot be obtained by Force.

9.1.3.5.1 Physical force means exerting physical control over another person. Examples of physical force include but are not limited to hitting, punching, slapping, kicking, restraining, choking, and brandishing or using any weapon.

9.1.3.5.2 Threats are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples of threats include, but are not limited to, verbal statements reflecting intent to harm a person physically, to reveal private information to harm a person’s reputation, or to cause a person academic or economic harm.

9.1.3.5.3 Intimidation is an implied threat that causes reasonable fear in another person. Examples of intimidation include, but are not limited to: destroying property, brandishing a weapon, blocking an exit to cause fear. A person’s physical size, alone, may not constitute intimidation; however, if the person’s size is used in a method to insight fear, it may constitute intimidation.

9.1.3.5.4 Coercion includes conduct, intimidation, and express or implied threats of physical or emotional harm, that would reasonably place an individual in fear of immediate or future harm and that is employed to persuade or compel someone to engage in sexual activity. Coercion is more than an effort to persuade, entice, or attract another person to have sex. When a person makes clear a decision not to participate in a particular form of sexual activity, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued unreasonable pressure can be coercive. In evaluating whether coercion was used, the University will consider: (i) the frequency of the application of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, and (iv) the duration of the pressure.

9.1.3.6 Incapacitation means that a person lacks the ability to make informed, rational judgments about whether or not to engage in sexual activity. A person who is incapacitated is unable, temporarily or permanently, to give Consent because of mental or physical helplessness, temporary or permanent physical or mental health
condition, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated as a result of the consumption of alcohol or other drugs. However, the consumption of alcohol and/or drugs does not automatically mean that a person is incapacitated. Consent cannot be gained by taking advantage of the incapacitation of another, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated.

9.1.4 University Guidance on Consent and Assessing Incapacitation: A person who wants to engage in a specific sexual activity is responsible for obtaining Consent for that activity. Lack of protest does not constitute Consent. Lack of resistance does not constitute Consent. Silence and/or passivity also do not constitute Consent. Relying solely on non-verbal communication before or during sexual activity may lead to misunderstanding and result in a violation of this Regulation.

It is important not to make assumptions about whether a potential partner is consenting. In order to avoid confusion or ambiguity, participants are encouraged to discuss with one another before engaging in sexual activity. If confusion or ambiguity arises during sexual activity, participants are encouraged to stop and clarify a mutual willingness to continue sexual activity.

Consent to one form of sexual activity does not, by itself, constitute Consent to another form of sexual activity. For example, one should not presume that Consent to oral-genital contact constitutes Consent to vaginal or anal penetration. Consent to sexual activity on a prior occasion does not, by itself, constitute Consent to future sexual activity. In cases of prior relationships, the manner and nature of prior communications between the parties and the context of the relationship may have a bearing on the presence of Consent.

Consent may be withdrawn at any time. An individual who seeks to withdraw Consent must communicate, through clear words or actions, a decision to cease the sexual activity and/or withdraw Consent. However, Consent is automatically withdrawn once an individual becomes incapacitated, if the person seeking to engage in sexual activity knew or should have known that the other person became incapacitated. Once Consent is withdrawn, the sexual activity must cease immediately. In evaluating Consent in cases of alleged incapacitation, the University asks two questions: (1) Did the person initiating sexual activity know that the other party was incapacitated? and if not, (2) Should a sober, reasonable person in the same situation have known that the other party was incapacitated? If the answer to either of these questions is “YES,” Consent was absent and the conduct is a violation of this regulation.

Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily incapacitated merely as a result of drinking or using drugs. The impact of alcohol and other drugs varies from person to person.

One is not expected to be a medical expert in assessing incapacitation. One must look for the common and obvious warning signs that show that a person may be incapacitated or approaching incapacitation. Although every individual may manifest signs of incapacitation differently, typical signs include slurred or incomprehensible speech, unsteady gait, combativeness, emotional volatility, vomiting, or incontinence. A person who is incapacitated may not be able to understand some or all of the following questions: “Do you know where you are?” “Do you know how you got here?” “Do you know what is happening?” “Do you know whom you are with?”

One should be cautious before engaging in sexual activity when either party has been drinking alcohol or using other drugs. The introduction of alcohol or other drugs creates ambiguity for either party as to
whether Consent has been sought or given. If one has doubt about either party’s level of intoxication, the safe thing to do is to forego all sexual activity.

BEING IMPAIRED BY ALCOHOL OR OTHER DRUGS IS NO DEFENSE TO ANY VIOLATION OF THIS REGULATION.

9.2 Sexual Exploitation occurs when an individual takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other Prohibited Conduct offenses in this Regulation. Examples of sexual exploitation include but are not limited to any of the following:

9.2.1 Causing the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person’s ability to give Consent to sexual activity;

9.2.2 Allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or livestreaming of images);

9.2.3 Engaging in voyeurism (e.g., watching private sexual activity without the consent of the participants or viewing another person’s intimate parts (including, but not limited, to genitalia, groin, breasts or buttocks) in a place where that person would have a reasonable expectation of privacy);

9.2.4 Recording or photographing private sexual activity and/or a person’s intimate parts (including, but not limited, to genitalia, groin, breasts or buttocks) without consent;

9.2.5 Disseminating or posting images of private sexual activity and/or a person’s intimate parts (including, but not limited, to genitalia, groin, breasts or buttocks) without consent;

9.2.6 Prostituting another person; or

9.2.7 Knowingly exposing another person to a sexually transmitted infection or virus without the other’s consent.

9.3 Dating and Domestic Violence.

9.3.1 Dating Violence is violence committed by a person who is 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 party’s statements 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. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
9.3.1.1 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.

9.3.2 Domestic Violence is violence committed: (A) by a current or former spouse or intimate partner or family member (who resides within the same household) of the alleged victim; (B) by a person with whom the alleged victim shares a child in common; or (C) by a person who is cohabitating with, or has cohabitated with, the alleged victim as a spouse or intimate partner.

9.3.2.1 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 as listed above. It does not include acts of self-defense. Domestic Violence includes, but is not limited to:
- Physical violence or attempted physical violence;
- Making one fear, or one’s household members fear serious bodily injury, or continued harassment; or
- Stalking an individual or family member that rises to such a level as to inflict substantial emotional distress.

9.4 Stalking. Stalking occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear bodily injury or to experience substantial emotional distress.

9.4.1 Course of conduct means two or more acts, including but not limited to acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person’s property. Repeated, unwanted attention; physical, verbal, or electronic contact; or any other course of conduct directed at an individual that is sufficient to cause physical, emotional, or psychological fear or to create a hostile, intimidating or abusive environment for a reasonable person may constitute stalking. Stalking may involve individuals who are known to one another or who have a current or previous relationship or may involve individuals who are strangers.

9.4.2 Stalking includes “cyber-stalking,” a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.

9.5 Sexual or Gender-Based Harassment.
9.5.1 Sexual Harassment is any unwelcome sexual conduct, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when the conditions outlined in 9.5.3.1 and/or 9.5.3.2, below, are present.

9.5.2 Gender-Based Harassment includes harassment based on gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions outlined in 9.5.3.1 and/or 9.5.3.2, below, are present.
9.5.3 For conduct to meet the definition of Sexual Harassment or Gender-Based Harassment, it must meet one of the following criteria, in addition to the definition stated in Section 9.5.1 or 9.5.2:

9.5.3.1 Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of a person’s employment, academic standing, or participation in any University programs and/or activities or is used as the basis for University decisions affecting the individual (often referred to as “quid pro quo” harassment); or

9.5.3.2 Such conduct creates a hostile environment. A “hostile environment” exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefitting from the University’s education or employment programs and/or activities. Conduct must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective. In evaluating whether a hostile environment exists, the University will consider the totality of known circumstances including, but not limited to:

- The frequency, nature and severity of the conduct;
- Whether the conduct was physically threatening;
- The effect of the conduct on the Complainant’s mental or emotional state;
- Whether the conduct was directed at more than one person;
- Whether the conduct arose in the context of other discriminatory conduct;
- Whether the conduct unreasonably interfered with the Complainant’s educational or work performance and/or University programs or activities; and
- Whether the conduct implicates concerns related to academic freedom or Constitutionally-protected speech.

A hostile environment can be created by persistent or pervasive conduct or by a single or isolated incident, if sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. A single incident of Sexual Assault, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

9.6 Retaliation. Retaliation means any act of interference, restraint, penalty, discrimination, coercion, reprisal, intimidation, threats, or harassment against an individual for using applicable policies responsibly (including making a charge of discrimination protected by this Regulation; testifying, assisting, or participating in a hearing, proceeding, review process or investigation of discrimination; opposing an illegal act; requesting a reasonable disability or religious accommodation; or exercising any other right protected by this Regulation).

9.7 Complicity. Complicity is any act taken with the purpose of materially or substantively aiding, facilitating, promoting or encouraging the commission of an act of Prohibited Conduct by another person.

10 Violations of Law.

Behavior that violates this Regulation may also constitute a crime. For example, North Carolina criminalizes and punishes some forms of Sexual Assault, Dating and Domestic Violence, Sexual Exploitation, Stalking, and Assault. The criminal statutes that may apply in cases Sexual Assault may be found in N.C. General Statutes sections 14-27.20 through 14-27.36. The criminal statutes that relate to Stalking may be found in N.C. General Statutes sections 14-277.3A. The criminal statutes that relate to Domestic Violence may be found in N.C. General Statutes section 50B. This compilation of criminal statutes is not exhaustive, but is offered to notify the University community that, some forms of Prohibited Conduct may also constitute crimes under North Carolina law, which may
subject a person to criminal prosecution and punishment in addition to any sanctions under this Regulation.

11 Prevention and Awareness Programs.

The University is committed to the prevention of Prohibited Conduct through regular and ongoing education and awareness programs. Incoming Students and new Employees receive primary prevention and awareness programming as part of their orientation and returning Students and current Employees receive ongoing training and related education. For a description of the University’s Prohibited Conduct prevention and awareness programs, including programs on minimizing the risk of incidents of Prohibited Conduct and bystander intervention, see Appendix C.

12. Training.

The University provides training to Students and Employees to ensure they understand this Regulation and the topics and issues related to maintaining an education and employment environment free from harassment and discrimination. For a description of the University’s training related to this Regulation, see Appendix C.

13. Obligation to Provide Truthful Information.

All University community members are expected to provide truthful information in any report or proceeding under this Regulation. Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an incident of Prohibited Conduct is prohibited and subject to disciplinary sanctions under the University’s Student Code of Conduct and disciplinary action under the appropriate Employee disciplinary policy. This provision does not apply to reports made or information provided in good faith, even when the alleged facts are later not substantiated.


This Regulation is maintained by the Title IX Coordinator. The University will review and update this Regulation, as appropriate, by July 31 of each year. The University will evaluate, among other things, any changes in legal requirements, existing University resources, and the resolution of cases from the preceding year (including, but not limited to, timeframes for completion and sanctions and remedies imposed). The Title IX Coordinator shall certify to the Chancellor.

Appendix A - Procedures For Reports Against Students; Investigating and Resolving Reports of Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence Committed by Students Under the Regulation

Appendix B - Procedures for Reports Against Employees; Investigating and Resolving Reports of Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence Committed by Employees Under the Regulation

Appendix C - Training, Education and Prevention Programs; Regulation on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence

ECU PROCEDURES ON SEXUAL AND GENDER-BASED HARASSMENT AND OTHER FORMS OF INTERPERSONAL VIOLENCE

ECU Regulation on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence’s Appendix A Procedures for Reports Against Students and Appendix B Procedures for Reports Against Employees contains procedures for reporting, investigating, disciplinary proceedings, and appeals. The following provides policy statements from these appendices. A link to the appendices is included in the title of this section.

Initial Assessment includes the following:

- Inform the complainant of the right to seek medical treatment, and explain the importance of obtaining and
preserving forensic and other evidence; Inform the Complainant of the right to contact law enforcement, decline to contact law enforcement, and/or seek a protective order;

• Inform the Complainant (students)/Parties (employees) about University and community resources, the right to seek appropriate and available remedial and protective measures, and how to requests those resources and measures;

• Ensure that Complainant (students)/Parties (employees) receive a written explanation of all available resources and options and is offered the opportunity to meet and to discuss those resources and options.

Investigation
Whenever Formal Resolution is commenced, the Title IX Coordinator or designee will designate one or more Investigators from the University’s Office for Equity and Diversity and/or a qualified external investigator to conduct a prompt, thorough, fair, and impartial investigation. All Investigators will receive annual training on issues related to sexual and gender-based harassment, sexual assault, dating violence, domestic violence, and stalking, and on how to conduct an investigation that is fair and impartial, provides parties with notice and a meaningful opportunity to be heard, and protects the safety of Complainants, Respondents, and the University community while promoting accountability.

Advisor
Throughout the investigation and resolution process, each party has the right to be represented, at the party’s expense by a licensed attorney or non-attorney advocate who may participate in accordance with UNC Policy Manual 700.4.1.1[R]. The advisor may be any person, including an attorney, who is not otherwise a party or witness potentially involved in the investigation. The University reserves the right to remove any individual whose actions are disruptive to the proceedings.

Disciplinary Proceedings
The University utilizes a “Preponderance of Evidence” standard when investigating incidents of sexual and gender-based harassment and other forms of interpersonal violence. The steps, anticipated timelines and decision-making process for each type of disciplinary process are described in detail in Appendix A for student processes and Appendix B for employee processes. Investigations are typically completed within 60 days. Should the investigation exceed 60 days, the complainant and respondent will be provided a status update at 60 days and then at regular intervals every 30 calendar days thereafter.

ECU is committed to providing a prompt, fair and impartial process from the initial investigation to the final result. The University appoints members of the University community who, at minimum, receive annual training, staff and faculty employees and, at the discretion of the Title IX Coordinator, external professionals with experience adjudicating cases of Prohibited Conduct.

The University provides both the complainant and the respondent have the right to be represented, at the respective party’s expense, by a licensed attorney or non-attorney advocate who may participate in accordance with UNC Policy Manual 700.4.1[R]. The University reserves the right to remove any individual whose actions are disruptive to the proceedings.

Students - Within two business days of the hearing, the Hearing Chair will notify in writing (which may include email), simultaneously, the Complainant, Respondent, the Title IX Coordinator and the Vice Chancellor for
Student Affairs of the Student Conduct Board’s determination and imposition of sanctions or recommendation for expulsion. The Final Outcome Letter shall include the name of the Respondent; the violation(s) of the Policy (and, if applicable, the Notice of Nondiscrimination and Affirmative Action policy) for which the Respondent was found responsible or not responsible, the sanction(s) (if applicable) imposed against the Respondent but only as they relate to the Complainant. The rationale for the result and any sanction(s) imposed will be included in the Final Outcome Letter when required by law. The Final Outcome Letter may also identify protective measures implemented with respect to the Respondent or the broader University community. The Final Outcome Letter will not disclose any remedial measures provided to the Complainant, except as may be imposed on the Respondent. As such remedial measures will be shortly thereafter shared with the Complainant by separate communication.

Appeals – The Complainant and the Respondent are notified of the appeals procedure in writing within five business days from the date that the written decision on sanctions is provided to the appealing party. The appealing party must specify in writing “appeal letter” which grounds form the basis for his/her appeal.

Appeals of Student Board Sanctions are made to the Vice Chancellor for Student Affairs and appeals of Vice Chancellor for Student Affairs Imposition of Expulsion are made to the ECU Board of Trustees.

Final Determination
Where a Complainant or Respondent has appealed a determination by the Hearing Board, the Director of OSRR or designee, will compile the written record and provide it to the Vice Chancellor for Student Affairs or designee to make the final determination based on the standard in Paragraph 6.2.5.1 and 6.2.5.2 above. The Vice Chancellor for Student Affairs will make a final administrative decision within forty-five (45) calendar days after the hearing is completed.

Employees – The Hearing Chair will notify OED promptly and OED will notify in writing (which may include email) the Complainant and Respondent, the Title IX Coordinator, the Chancellor, and the appropriate Vice Chancellor in the Respondent’s supervisory chain of the Hearing Panel’s recommendation within five business days of the Hearing. Regardless of the recommendation, Title IX Coordinator may nevertheless ensure that remedial measures remain in effect to support either party, as required.

Any decision made by the Chancellor with respect to determination(s) of the validity of the investigation and findings under the Regulation are final as to the University appeal or grievance. Sanctions for Prohibited Conduct may be appealed as allowed by policies applicable to the Respondent.

STUDENT CONDUCT

THE DIVISION OF STUDENT AFFAIRS

The Division of Student Affairs is organized and administered by the Vice Chancellor of Student Affairs to augment, strengthen and support the University’s commitment for the total development of students. Student Affairs provides many opportunities for students to develop personally and socially through active engagement in community service, career exploration, health and fitness, peer mentor education and student life.

THE STUDENT CONDUCT PROCESS

The Office of Student Rights and Responsibilities is responsible for administering the Code of Conduct for Students, which articulates the behavioral standards and the equitable procedures employed by the University to respond to allegations of student misconduct.

Students who are found responsible for violations of the Code, including those that relate to sexual misconduct such as dating or domestic violence, sexual assault and stalking, may be subject to sanctions.
Sanctions for Students: If a student is found responsible for violating this policy, possible sanctions include: warning, probation, service, educational task, counseling, no contact ban, restricted privileges, restitution, suspension, expulsion, and revocation of degree. Definitions for these sanctions can be found in the Student Code of Conduct. Students residing in University housing may also lose the privilege of living on campus for violating University rules and regulations or conditions of the housing contract.

Sanctions for Staff Members: For employees classified as SPA/CSS and found responsible for violating this policy, possible sanctions include: written or oral warning, suspension without pay, demotion, dismissal. Information on these sanctions regarding SPA employees can be found in Section 7 of the Office for State Human Resources Policies. CSS employees can find more information in Section 20 of Clinical Support Services Employee Handbook. For employees classified as EPA and found responsible for violating this policy, possible sanctions include: written and/or oral warning, letter of reprimand, counseling, suspension without pay, reassignment, salary reduction, demotion, separation from the institution. Separation from the institution can include: discontinuation of appointment, discharge for cause, expiration of term appointment.

In most cases, the Office of Student Rights and Responsibilities, in conjunction with the Counseling Center, will also assign developmental and educational interventions designed to promote greater awareness and improved decision-making for students in an effort to deter future misconduct.

In instances where there is reasonable cause to believe a student is an immediate threat to the safety of himself/herself or other persons or property or is an immediate threat to disrupt essential campus operations, the Office of Student Rights and Responsibilities administrator may assign an administrative suspension and/or other actions, designed to protect the health and safety of the community and members therein. Students are granted the right to appeal the administrative action within five calendar days to the Dean of Students.

Any individual or entity may submit reports alleging student misconduct to the Dean of Students Office that an incident occurred. Both the complainant and the respondent have rights under the Student Code of Conduct. The Student Code of Conduct contains the disciplinary procedures for ECU to address alleged dating violence, domestic violence, sexual assault or stalking between students. It establishes the timelines for investigation, hearings and appeal. The complete current student code of conduct is available online at: http://www.ecu.edu/PRR/11/30/01 and the following excerpt outlines the Rights and Responsibilities of complainants and respondents:

4.4 **Respondent Rights and Responsibilities**

A student whose conduct is under review is a Respondent and has the following rights and responsibilities. The Respondent might forfeit any of these rights if, after being given appropriate notice and opportunity to exercise these rights, s/he fails to do so. An organization whose conduct is under review is entitled to the rights listed below and its president will be required to identify a representative as a Respondent.

4.1.1. **Respondent Rights:**

4.1.1.1. The right to an objective and impartial evaluation of the complaint.

4.1.1.2. The right to be present during the meeting with a conduct administrator or during the Conduct Board hearing.

4.1.1.3. The right to reasonable access to all information gathered throughout the evaluation pertinent to the alleged violation.
4.1.1.4. The right to present information relevant to the alleged violation, including inviting witnesses.

4.1.1.5. The right to respond to information presented against her/him.

4.1.1.6. The right to a separate meeting with a conduct administrator or Conduct Board hearing in cases involving multiple Respondents.

4.1.1.7. The right not to provide information with the understanding that the University will make a determination without the Respondent’s information.

4.1.1.8. The right, after receiving written notice of the outcome, to review of the decision, including to appeal as described in section 5.5.

4.1.1.9. The right to be represented, at the student’s expense, by a licensed attorney or non-attorney advocate who may participate in accordance with UNC Policy Manual 700.4.1.1[R]. A Respondent represented by an attorney or non-attorney advocate is expected to attend all scheduled meetings and hearings.

4.1.1.10. The right to be informed of pertinent University-based support services.

4.1.2. Respondent Responsibilities:

4.1.2.1. The responsibility to be honest and direct in communicating with individuals involved in the conduct process.

4.1.2.2. The responsibility to review pertinent conduct process policies and procedures and to seek clarification if necessary.

4.1.2.3. The responsibility to respond in a timely manner to University requests for information, to promptly schedule meetings when requested, and to arrive on time for scheduled meetings.

4.1.2.4. The responsibility to provide the decision-maker with pertinent information that the Respondent would like considered in the review of the alleged violation.

4.1.2.5. The responsibility to participate in the conduct process in a manner that is civil and respectful.

4.5 Complainant Rights and Responsibilities

Any ECU student, faculty, or staff member who has been negatively influenced by the alleged behavior of a student, may file a complaint against that student, and be designated by the Office of Student Rights and Responsibilities as a Complainant. Complainants have the following rights and responsibilities. The Complainant might forfeit any of these rights if, after being given appropriate notice and opportunity to exercise these rights, s/he fails to do so.

4.2.1. Complainant Rights

4.2.1.1. The right to an objective and impartial evaluation of the complaint.

4.2.1.2. The right to present information relevant to the alleged violation, including inviting witnesses.

4.2.1.3. The right to submit a written impact statement.

4.2.1.4. The right, after receiving written notice of the outcome, to review the decision, including if permitted under ECU policies and local, state, and federal laws.

4.2.1.5. The right to be informed of pertinent University-based support services and to be presented with an option of reporting the incident to law enforcement, if appropriate.

4.2.1.6. For cases specific to sexual misconduct, the Complainant is entitled the rights enumerated in 4.1.1, above,
such as the right to an observer/support person at the hearing; to have the same access to the proceedings as the Respondent, including the ability to question witnesses; to be free of irrelevant questions about sexual history; and to appeal a decision based on grounds described in section 5.5. In cases where the Respondent has an attorney present at the hearing, the Complainant also may have an attorney, at the Complainant’s own expense, present at the hearing.

4.2.2. Complainant Responsibilities

4221. The responsibility to be honest and direct in communicating with individuals involved in the conduct process.

4222. The responsibility to review pertinent conduct process policies and procedures and to seek clarification if necessary.

4223. The responsibility to respond in a timely manner to University requests for information, to promptly schedule meetings when requested, and to arrive on time for scheduled meetings.

4224. The responsibility to provide the decision-maker with pertinent information that the Complainant would like considered in the review of the alleged violation.

4225. The responsibility to participate in the conduct process in a manner that is civil and respectful.

The Division of Student Affairs provides outreach programming designed to inform and educate students and to promote ECU principles. Please visit the Dean of Students webpage where you can view the Policies, Rules, Regulations & Procedures at http://www.ecu.edu/cs-
studentaffairs/dos/rules_policies.cfm. Here, you can find the Student Code of Conduct, Admissions Safety Policy, Good Samaritan Procedure, and links to all policy and procedural guidelines related to the Student Conduct process.

ADDITIONAL INFORMATION REGARDING THE STUDENT CODE OF CONDUCT

ECU is obligated to provide all students with the University regulations, policies, and procedures governing student conduct. ECU policies and procedures, including the policies referenced in the Code of Conduct for Students, are published in the ECU Policy Manual located at http://www.ecu.edu/prr/.
The University reserves the right to report student discipline information to the parents or legal guardians of students.

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

THE FOLLOWING ARE POLICY STATEMENTS FROM APPENDIX C OF THE INTERIM REGULATION ON SEXUAL AND GENDER-BASED HARASSMENT AND OTHER FORMS OF INTERPERSONAL VIOLENCE:

**Bystander Intervention** – Bystander intervention consists of safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is risk of an occurrence of Prohibited Conduct. It also includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. The University’s specific bystander intervention programs are:

**Green Dot** -- Green Dot is a bystander intervention initiative that recognizes that most people care about the high prevalence of power-based personal violence but don’t have the tools to know how to be part of the solution. Green Dot seeks to change the culture by activating people that have been on the sidelines of power-based personal violence, thus making sexual violence prevention a responsibility of everyone. Green Dot recognizes the barriers and obstacles when it comes to intervening, and seeks to provide concrete strategies to safely intervene, thus increasing confidence. For more information regarding the Green Dot Program at ECU please contact either Georgia Childs (CHILDSG@ecu.edu) or Lauren Thorn (THORNLA@ECU.EDU) in the Dean of Student's Office. More information regarding Green Dot [https://alteristic.org/services/green-dot/](https://alteristic.org/services/green-dot/).

**Risk Reduction** – Risk reduction consists of options designed to decrease perpetration and bystander interaction and to increase empowerment in an effort to promote safety and to help individuals and communities address conditions that facilitate violence. The University’s specific risk reduction programs are: Rape Aggression Defense R.A.D. offered by the ECU Police Department, Resisting Aggression with R.A.D. offered by the ECU Police Department, LiveSafe Mobile Safety App, ECU Cares, Emergency Blue-Light Phone System, Safe Ride and Pirate Express Transportation.

ONGOING PREVENTION AND AWARENESS CAMPAIGNS – THE FOLLOWING PREVENTION AND AWARENESS CAMPAIGNS ARE PROVIDED BY THE UNIVERSITY:

**Sexual Assault Awareness Month** – Each year, the University observes Sexual Assault Awareness Month in April with programing around sexual violence awareness and prevention

**Halloween Safety** – Safety education and awareness programming is provided annually related to Halloween events. Included a month this are publicity and social media awareness efforts about safety during the night, as well as an alcohol-free alternative event for students on campus titled, Halloween Havoc.

**National Hazing Prevention Week** – Each year, several campus offices collaborate to provide a week of programming aimed at educating the campus on the three types of hazing: subtle, harassment, and violent. The focus is prevention of hazing as well as how to report instances.
International Women’s Day – Annually in March, the University celebrates International Women’s day with a day-long series of lectures on topics relevant to women’s issues. The event is sponsored by the Chancellor’s Committee on the Status of Women, the Office of the Provost, the Division of Student Affairs, and the Women’s Studies program.

Personal Safety Seminars – These seminars, conducted by the ECU Police Department, are designed to improve safety habits within the student population. Topics include Residence Hall security, personal safety habits, reporting illegal suspicious activity, crime on campus, and police services. This program allows students the opportunity to address safety-related concerns and to receive an appropriate response.

Alcohol & Drug Awareness Seminars – These seminars, conducted by the ECU Police Department, are for the entire campus community and provide information on alcohol and drug abuse. Included are topics such as binge drinking, Drug ID kits, and the effects on the body and legal ramifications of alcohol and drug abuse, both on and off campus.

Sexual Assault Seminars – These seminars, conducted by the ECU Police Department, are for the entire campus community and address acquaintance rape, statistics, victim resources, and reporting procedures. Also provided is information about the various so-called “date rape” drugs.

Domestic Violence Awareness Month – Each October, the University recognizes Domestic Violence Awareness Month. Awareness activities to bring attention to issues related to domestic violence are held, to include relevant speakers, participation in the Red Flag Campaign, and a PSA campaign.

Sexual Assault Victim Advocate Presentations – The Victim Advocate provides awareness presentations as requested regarding sexual assault and rape. These presentations typically include definitions of sexual assault and rape, definitions and discussion of consent, statistics regarding victims, myths and truths about sexual violence, typical reactions to being the victim of sexual violence, and how to help a friend who has experienced an assault.

Intimate Partner Violence Awareness Presentations – The Victim Advocate provides, upon request, awareness presentations regarding intimate partner violence. These presentations typically include definitions of intimate partner violence, a discussion on the cycle of violence, statistics regarding victims, power and control dynamics and tactics, red flags of abusive behavior, a discussion of why individuals may stay in abusive relationships, and how to help a friend who is experiencing partner violence.

Wellness Passport Events – This program provides students with an added opportunity to experience a variety of health and wellness activities, services and programs at ECU relative to the 8 Dimensions of Wellness. A required assignment for all students enrolled in HLTH 1000 and some sections of COAD 1000.

Understanding Title IX Presentations – These presentations to students, faculty and staff provide a general understanding of Title IX, as well as, how to report issues of concern. Topics covered include sexual misconduct, sexual harassment, sexual violence, consent, ECU policy, who is protected by Title IX, and reporting procedures and resources.

The Clothesline Project – A national project to promote awareness to women’s issues including domestic violence and rape. This event provides an opportunity for survivors and victims to share their stories. During the project, participants decorate T-shirts in honor of the stories of domestic violence victims and survivors.

Responsible, Who Me? – An in-person training that educates responsible employees on their duty to report incidents of sexual harassment and misconduct of which they are told or become aware of. The course includes information on Title IX, definitions, reporting requirements, how to report, what information to report, and campus resources available to those who have been affected.
**Pirate Ally** – Pirate Ally offers a training experience modeled after Safe Zone. Targeted at the ECU undergraduate student body, Pirate Ally offers the opportunity to explore vocabulary and discuss issues of importance to sexual and gender minority students on campus.

**SEX OFFENDER REGISTRY**

The ECU campus community can find relevant information about registered sex offenders at the North Carolina Sex Offender Registry: [http://sexoffender.ncsbi.gov/](http://sexoffender.ncsbi.gov/)

**CAMPUS SECURITY POLICIES; CRIME PREVENTION AND SAFETY AWARENESS PROGRAMS**

**ONGOING PREVENTION AND AWARENESS CAMPAIGNS**

In an effort to promote safety awareness, ECU Police maintains a strong working relationship with the community. This relationship includes partnering with other campus University departments in offering a variety of safety and security programs and services and crime prevention programming. If you or your organization would like to request a specific program, please contact the ECU Police Department at (252) 328-6787.

Ongoing prevention and awareness campaigns consist of programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to, and skills for addressing Prohibited Conduct, using a range of strategies with audiences throughout the University. The University’s specific ongoing prevention and awareness campaigns are:

**Greek Member Education Programming:** Throughout the year, the Office of Greek Life conducts numerous educational programs. The topics of these programs include but are not limited to: hazing, sexual assault, alcohol and drug prevention, and other ways to reduce risk. These programs require 50% chapter attendance. In addition, the Interfraternity and Panhellenic Councils conduct programs called Junior IFC and Junior Panhellenic, which mandate similar programming for all new members.

**Pledge Purple Week:** An annual, week-long initiative focused on education and advocacy centered on the issues of sexual violence, harassment and bullying. Activities and programs during Pledge Purple Week include guest presenters, It’s on Us awareness campaigning, and Take Back the Night walk, among others.

**It’s On Us:** The Student Government Association initiated and launched the It’s on Us media and awareness campaign in 2014 to raise awareness about sexual assault. This national campaign features male and female students, administrators, athletes and other campus faculty and staff speaking about messages related to consent, bystander intervention and responsibility for ending sexual assault. The SGA is committed to maintaining It’s On Us as an annual program as a part of Pledge Purple Week.

**Take Back the Night:** A walk to demonstrate support for victims of sexual violence and to promote its end. This is a national rally, march and speak out for survivors and allies. This occurs annually during Pledge Purple
Unlawful Harassment Prevention: Harassment is also seen as prohibited behavior at ECU. This training offered through the Office of Equity and Diversity is provided to educate the community about why harassment compromises the community and how you can protect yourself from such behavior. This program is required for new employees.

Preventing Discrimination and Sexual Violence Online Module: The University through the Office of Equity and Diversity offers this educational module to educate ECU Employees (permanent, temporary, short-term and student employees) about sexual assault, sex discrimination, Title IX, Campus SaVE Act and other related terms and regulations. This module is mandatory for all employees to complete within ninety (90) days of their hire date.

SAFE: SAFE is an acronym for Staff and Faculty Eyes. The purpose of the SAFE Program is to develop liaisons between the various employees working in academic/administrative buildings and the ECU Police Department in order to increase crime awareness and reporting. The program was designed to promote positive interaction between police officers and staff and faculty members with an overall objective of working together to formulate strategies to solve and prevent crime related problems. The SAFE Program is fashioned after the Neighborhood Community Watch Programs found in many local communities.

Safe Zone Training: The Safe Zone program is a symbol of this University’s commitment to diversity and inclusiveness. Participation in the Safe Zone training helps to create an ever-expanding network within the ECU community to support our students. Safe Zone training is an opportunity for faculty/staff to talk, learn, and ask questions about sexuality and gender in a non-judgmental, educational environment. The purpose of Safe Zone is to create a network of allies who are willing to talk to students about sexual orientation, gender identity, and gender expression. Trainings are offered throughout the year.

Collegiate Recovery Community: The East Carolina University Collegiate Recovery Community (ECU CRC) provides a supportive environment within our campus culture to help students who have made a commitment or are making a commitment to lead sober, healthy lives. ECU CRC is designed to provide social and educational opportunities where recovering students can thrive academically and socially while actively pursuing their recovery. A variety of educational materials are available to support students in their recovery, and two lounges exist on campus for the purpose of building a sense of community.

PRIMARY PREVENTION PROGRAMS

Primary prevention programs consist of programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop Prohibited Conduct before it occurs through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions. The University’s specific primary prevention programs are:
AlcoholEDU: AlcoholEdu, a product of EverFi, is a research-based program that provides information on alcohol and its effects on the body and mind, as well as information about campus resources for health and wellness that are available to students. Each year, all new students to the University under the age of 21 are required to participate in this online module.

Haven: Haven, a product of EverFi, is a research-based program that provides information on the importance of healthy relationships, including consent, and being a good communicator. Each year, all new students to the University are required to participate in this online module.

Pirate Safety: The Pirate Safety module is designed specifically for new students to ECU to provide valuable information related to safety guidance and tips. Included is information related to “blue light” emergency phones and security cameras on campus; resources such as the ECU Alert texts and the ECU Cares phone line and website; mechanisms for reporting suspicious or concerning behavior; and tips students can take to protect themselves. This is a one-time requirement for incoming students.

Healthy Pirates – Peer Health Educators: A diverse group of students who are trained to teach fellow students about pertinent health issues in a positive, interactive and nonjudgmental manner. Topics range from alcohol and other drugs, smoking cessation, sexuality programming, nutrition, body image, eating disorders, stress management and more. Healthy Pirates provide patient education sessions; facilitate dynamic outreach programs; encourage physical, mental, and spiritual health; create informative awareness events; and promote community support to create a healthy campus culture. Healthy Pirates meets on a monthly basis.

Title IX Advisory Council: The Title IX Advisory Council works to monitor and evaluate Title IX compliance and issues of gender equity. This Council meets every other month.

The Chancellor’s Committee on the Status of Women: This Committee works to improve the lives of women on campus and in the community through events, outreach, and engagement on and off campus. The Committee brings attention to the achievements and challenges that women at ECU face daily. This Committee meets monthly.

Safe Spring Break: Each spring, this health fair is held for students with vendor tables from various campus departments providing information and resources before students leave for break. The goal is to provide students with these resources to encourage better decision making if students choose to go on a spring break trip.

COAD 1000 – First Year Seminar: This one credit hour course is designed for new students to ECU. The objective is to help new student be successful in their first year of college and beyond. Topics covered in this course include understanding the transition from high school to college, student development and motivation, goal-setting, learning styles, memory development, listening skills, note-taking skills, study skills, test-taking skills, communication, critical-thinking skills, ECU academic rules and regulations, and career development issues. COAD 1000 is taught by academic advisors and student affairs educators trained in understanding college student development and the academic and social issues encountered by college students. This course
is offered throughout the academic year.

**Health 1000 – Health in Modern Society:** This two credit hour course — the oldest and largest required college personal health course in the United States — provides mostly incoming freshmen the information and skills they need to make informed decisions about leading healthier lives. The course covers mental, social, and physical health problems faced by children and adults in our society. This course is offered throughout the academic year.

**True Life:** True Life is a face-to-face prevention educational session provided during summer Orientation covering topics including alcohol and other drugs, campus safety, sexual health issues, and diversity. Collaboration amongst Office of Student Transitions and First Year Program, Dean of Students office, Ledonia Wright Cultural Center, Student Recreation/Wellness Center, and the Center for Counseling and Student Development allows delivery of this interactive program to all incoming freshmen.

**Sex Signals:** A sexual assault prevention presentation required for athletes at ECU. The program focuses on sexual assault prevention, bystander intervention, alcohol and substance abuse, and hazing behaviors.

In addition to the many programs offered by the University Police and other University offices, ECU has established a number of policies and procedures related to ensuring a reasonably safe campus community. These policies include:

**UNIVERSITY BEHAVIORAL CONCERNS TEAM**

In order to enhance emergency preparedness and prevention, ECU has established a University Behavioral Concerns Team. The objective of the UBCT is to use investigation, reasoned risk analysis and recognized threat assessment techniques, and recommendations for the provision of supportive intervention services through the development and proposal of individual action plans, when needed, to maintain a safe environment for the University community.

**UNIVERSITY REGULATION CONCERNING WEAPONS ON CAMPUS**

1. Introduction
   - All university constituents, including students, faculty, staff, and visitors, should respect the institutional mission and help to ensure that a safe and secure environment, which is conducive to learning, is present at all times. Therefore, each constituent should respect and obey the following rules and regulations pertaining to weapons on university property.

1.1 This policy does not apply to an individual’s legal right to possess or own a weapon off campus.
Any member of the University community who violates North Carolina General Statute 14-269.2, Weapons on Campus or other

12 educational property, may be subject both to prosecution and punishment in accordance with state criminal law and criminal procedures and to disciplinary proceedings by the University.

2. Weapons on Campus or Other Educational Property

21. G.S. 14-269.2 makes it unlawful and, in some circumstances, felonious conduct, for any person to possess or carry, whether openly or concealed, any gun, rifle, pistol, or other firearm of any kind, or any dynamite cartridge, bomb, grenade, mine, or powerful explosive on educational property.

22 The statute makes it a misdemeanor, for any person to possess or carry, whether openly or concealed, any BB gun, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades (except solely for personal shaving), firework or any sharp pointed or edged instrument except instructional supplies, unaltered nail files, and clips and tools used solely for the preparation of food, instruction, and maintenance on educational property.

23. The statute does not apply to:

23.1. A weapon used solely for educational or school-sanctioned ceremonial purposes or used in a school-approved program conducted under the supervision of an adult whose supervision has been approved by the school authority.

232. Armed forces personnel, officers and soldiers of the militia and national guard, law enforcement personnel, any private police employed by an educational institution, when acting in the discharge of the official duties, and armed armored car or courier service guards or hospital or health care facility guards acting in the discharge of the guard’s duties and with the permission of the University.

233. A person who has a concealed handgun permit issued in accordance with Article 54B of this Chapter, has a concealed handgun permit considered valid under G.S. 14-415.24, or is exempt from obtaining a permit pursuant to G.S. 14-415.25, provided the weapon is a handgun, is in a closed compartment or container within the person’s locked vehicle, and the vehicle is in a parking area that is owned or leased by the University. A person may unlock the vehicle to enter or exit the vehicle, provided the handgun remains in the closed compartment at all times and the vehicle is locked immediately following the entrance or exit.

234. An employee of the University who resides on the campus of the institution at which the person is employed when the employee’s residence is a detached, single-family dwelling in which only the employee and the employee’s immediate family reside, the weapon is a handgun and it is possessed in accordance with appropriate statutory criteria.

2.4. The director of the ECU Police Department is responsible for authorizing weapons on campus that meet either 2.3.1. or 2.3.2.

3. Penalties

31. Double Jeopardy. It is not, double jeopardy for both the criminal law enforcement authorities and the university to proceed against and punish a person for the same specified conduct.
3.1. The University will initiate its own disciplinary proceedings against a student, faculty member, administrator, or other employee when the alleged conduct is deemed to affect the interest of the University.

3.1.2. A resident student should also understand that he or she may be removed from the residence hall for violating the housing contract regulation pertaining to the possession or use of a weapon in the residence halls (see Sec. IV A.3. East Carolina University Campus Living Contract).

3.2. Penalties will be imposed by the University in accordance with procedural safeguards applicable to disciplinary actions against students, faculty members, administrators, and other employees. These safeguards are found in the East Carolina University Faculty Manual, the Board of Governors policies applicable to employees exempt from the State Personnel Act, the policies and procedures of the East Carolina University Student Judicial System, and by the regulations of the State Personnel System.

3.3. Unless one of the exceptions enumerated in section 2.3, above, applies, the penalties to be imposed by the University may range from written warnings to expulsions from enrollment and discharges from employment. All mitigating and aggravating circumstances associated with an incident involving weapons, including threatening to use a weapon, will be taken into account when considering an appropriate penalty. However, the following penalties shall be established for the particular offenses described:

3.3.1. Persons who possess or use a gun, rifle, pistol, or other firearm of any kind or powerful explosive will be suspended for a period of not less than one year (student), or discharged (faculty member, administrator, or other employee). For a second offense, the student will be expelled.

3.3.2. Persons who possess or use a BB gun, stun gun, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, leaded cane, switchblade knife, blackjack, metallic knuckles, razors and razor blades (except solely for personal shaving), firework, or any sharp pointed or edged instrument except instructional supplies, unaltered nail files, and clips and tools used solely for the preparation of food, instruction, and maintenance, will be suspended from enrollment for a minimum period of at least one semester or its equivalent (student), or discharged (faculty member, administrator, or other employee). For a second offense, any student will be expelled.

3.4. In certain instances, established penalties may be reduced due to mitigating circumstances. The established penalty, however, may not be reduced if the violation involves use of a weapon in a manner where bodily harm or injury occurs or where the weapon was involved in another violation of university regulations. In cases where the penalty is reduced, the person should expect some penalty which may include probation, counseling, community service, or loss of certain privileges. A subsequent violation of this policy will result in a progressively more severe penalty, which includes suspension or expulsion of students and discharge of a faculty member, administrator, or other employee.
*This list is not intended to be inclusive of all items that would be considered weapons and, therefore, prohibited by the University.

MISSING STUDENT NOTIFICATION POLICY

Persons missing from ECU must be reported immediately to the ECU Police Department who thoroughly investigate all reports of missing persons. The ECU Police Department works in partnership with other law enforcement agencies and University Departments to aid in the investigation and locating of the reported missing person. In addition to the appropriate law enforcement agency, missing persons can be reported to the ECU Dean of Student’s Office and if the person is an on-campus resident, Campus Living.

LAW ENFORCEMENT AGENCIES:

- ECU Police Department
  609 E 10th Street, Greenville, NC 27858
  252-328-6150

- Greenville Police Department
  500 S. Greene Street, Greenville, NC 27834
  252-329-4315

- Pitt County Sheriff Department
  100 W 3rd Street #102, Greenville, NC 27858
  252-902-2800

**Missing Student Protocol** is provided to students in the ECU Campus Living Resident Handbook. ECU provides an option for students to identify an individual to be contacted by the institution not later than 24 hours after the time that the student is determined missing in accordance with official notification procedures. Campus Living encourages students to register a confidential contact person using the Banner Self Service option. This information will only be accessible to authorized campus officials and will not be disclosed, except to law enforcement personnel in the furtherance of a missing person investigation. ECU will notify the custodial parents of any students who are not yet 18 years of age, and who are not emancipated individuals, and who are determined missing not later than 24 hours after the official determination that the student is missing. Also, ECU will inform appropriate law enforcement agencies not later than 24 hours after the time that any student is determined missing. Upon notification from any entity that a student may be missing, the University may use any of the following resources to assist in locating the student. These resources will be used in any order and
combination as deemed appropriate by university officials:

- Initiate a “wellness” check. In accordance with approved guidelines, appropriate staff will be visit the residential room to establish contact or verify that the individual is not currently available in their assigned space.

- Contact known friends, other students living in the same location, and family members in an effort to gather additional information on student’s potential location and other applicable information.

- Assign a liaison to ensure that family members are provided with information and support.

- Access class information and contact academic departments and faculty members to ascertain information on last physical sighting of the student as well as any other relevant information.

- Search on campus public locations, including but not limited to dining facilities, libraries, recreation areas, etc.

- Access the residence hall/apartment electronic key database to determine time and use of most recent entry points of the student using their key fob.

- Access the campus meal plan electronic database to determine time and use of most recent point of sale transaction.

- Access to electronic access of camera footage.

- ITCS may be requested to provide the following information:
  
  ° email/computer access logs to verify last log in and use of university computers
  
  ° ensure that use of student accounts/passwords is monitored
  
  ° obtain and examine Internet service provider and e-mail records. Monitor instant messaging and chat room activity

If there is any indication of criminal activity the University will involve the appropriate local outside agencies and will, prepare, update, and disseminate information as appropriate to agencies within and outside of the University community or the public at-large as appropriate.
LEGAL REQUIREMENTS NORTH CAROLINA LEGAL REQUIREMENTS

In summary, North Carolina General Statutes as stated in the Alcoholic Beverage Control laws provide:

3.1 Sale of alcoholic beverages
3.1.1 State law prohibits the sale of any alcoholic beverage on the University campus by any person, organization, or corporation on the campus of the University, except by a hotel or nonprofit alumni organization with a mixed beverages or special occasion permit.¹

3.2 Possession and consumption of alcoholic beverages
3.2.1 It is unlawful for any person less than twenty-one (21) years of age to consume and possess malt beverages, unfortified wine, fortified wine, spirituous liquor or mixed beverages.

3.3 Sale to or purchase by underage person
3.3.1 It is unlawful for any person to sell or give any alcoholic beverage to a person less than 21 years old.
3.3.2 It is unlawful for a person less than 21 years old to purchase or possess any alcoholic beverage.

3.4 Aider and Abettor
3.4.1 It is unlawful for any person to aid or abet another in violation of 3.2 above.

3.5 Fraudulent Use of Identification
3.5.1 It is unlawful for any person to obtain or attempt to obtain alcoholic beverages by using or attempting to use:
3.5.1.1 A fraudulent or altered driver’s license; or
3.5.1.2 A fraudulent or altered identification document other than a driver’s license; or
3.5.1.3 A driver’s license issued to another person; or
3.5.1.4 An identification document other than a driver’s license issued to another person.

3.6 Allowing Use of Identification
3.6.1 It is unlawful for any person to allow the use of his or her driver’s license or any other identification document by any person who violates or attempts to violate 3.3.2 above.

3.7 Conviction Report Sent to Division of Motor Vehicles
3.7.1 A violation of 3.2, 3.3, 3.4, 3.5 or 3.6 may result in the court filing a conviction report with the Division of Motor Vehicles. Upon receipt of the conviction report the Division will revoke the person’s license for a period of one year; there is no limited driving privilege.

¹ As permitted by Session Law 2019-52, the ECU Board of Trustees approved the issuance of permits for the sale of alcoholic beverages at certain locations on ECU property and is reflected in ECU’s policy regarding the “Possession, Consumption and Sale of Alcoholic Beverages.”
GREENVILLE ORDINANCE

4.1 SEC. 12-1-2 CONSUMPTION OF ALCOHOLIC BEVERAGES IN PUBLIC. (A) Malt beverages and unfortified wine; general prohibition. It shall be unlawful for any person to consume a malt beverage or unfortified wine on any public street in the city or any public place owned, occupied, or controlled by the city. It shall be unlawful for any person to possess an open container of malt beverage or unfortified wine on any public street in the city or any public place owned, occupied, or controlled by the city. (Greenville Ordinance No. 358 and 360)

UNIVERSITY POLICIES ON USE AND CONSUMPTION OF ALCOHOLIC BEVERAGES:

5.1 Prohibition on possession and consumption of alcoholic Beverages

5.1.1 Possession and Consumption of Alcoholic Beverages are prohibited (a) for all persons under the age of 21; (b) in areas of classrooms being used for instructional purposes; and (c) in all other buildings, facilities, and grounds of the University except in instances described in provisions 5.2 below, or in other areas approved by the Chancellor or his or her designee.

5.2 Permitted Possession and Consumption of Alcoholic Beverages

5.2.1 Possession and Consumption of Alcoholic Beverages by those 21 years and older are permitted if those persons who use or possess alcoholic beverages shall do so legally as prescribed by the laws of the state of North Carolina, within the regulations of East Carolina University, and in a manner that does not disrupt the lives of others. A student whose conduct is outside these parameters will be subject to university disciplinary proceedings.

5.2.2 Students who are twenty-one years of age or older are allowed possess and consume in their own rooms or in the room of another of-age resident. Guests who are of legal age may only consume alcohol in the room of a resident who is twenty-one years old or older. Neither residents nor guests may possess or drink in the room of two underage residents (or one underage resident if the room is a single room). Students and guests who are of legal drinking age and are consuming alcohol in a room where an underage guest or resident is also drinking or is in possession of alcohol are violating the alcohol policy.

5.2.2.1 Common sources of alcohol (i.e., kegs, party balls, punch bowls, etc.) are prohibited in residence halls or surrounding areas.

5.2.2.2 Residents should not have a party in their room where alcoholic beverages are served. A party is defined as being more than six people in a room, regardless of age.

5.2.2.3 The resident(s) of the room are responsible for the behavior of the people in the room, including the guests.

5.2.2.4 Staff members can document a person who appears intoxicated even if that person does not have an open container of alcohol in his or her possession.

5.2.2.5 Manufacturing of alcoholic beverages is prohibited in the residence halls.

5.2.2.6 The possession of alcohol or monuments to alcohol consumption is prohibited in the rooms of underage students.
Possession and consumption of malt beverages and unfortified wine in nonresidential buildings on University property and areas other than the private rooms in University housing facilities are prohibited except as allowed under provisions 5.2.3.1 and 5.2.3.2 below.

If the request for Campus Approval of Alcohol Beverage use is granted, then the Dean of Students Office provides a copy of the form to ECU Campus Police.

5.2.3.2 Possession and consumption of malt beverages and unfortified wine are permitted in Mendenhall Student Center or the Croatan Greenroom only when served in accordance to the following:

52321 Such alcoholic beverages will be allowed only at scheduled functions sponsored by registered campus organizations

52322 And only within the confines of that function with regard to time and place of consumption.

52323 Only such alcoholic beverages served by the sponsoring organization will be permitted at any type of activity except dinners sponsored by registered university organizations.

52324 Sponsoring organizations are responsible to restrict the consumption of such alcoholic beverages to persons twenty-one years of age or older.

52325 Permission for such functions must be obtained from the Associate Vice Chancellor / Director of Student Involvement and Leadership. Requests for permission must be made at least one week in advance and during the regular office hours of the director of Mendenhall Student Center.

52326 Reservations must be made with the University Central Reservations Office in Mendenhall Student Center (328-4731) at least one week in advance.

University catering will also provide bartending services for the alcoholic beverages.

5.2.3.2.8 The consumption of such alcohol beverages is restricted to the Great Rooms, Multipurpose Room, Cynthia’s Lounge and Hendrix Theatre, or in other areas approved by the Chancellor or his or her designee. Unfortified wine may be served in the art gallery on special occasions approved by the Associate Vice Chancellor / Director of Student Involvement and Leadership. Alcoholic beverages may be used only as a complement to programs, never as the main feature (e.g., beer blasts are prohibited).

A full copy of the Code is available at http://www.ecu.edu/prr/11/30/01.
The faculty adviser of a student organization or a student center staff member approved by the student center director must be in attendance during any function where alcoholic beverages are served in the student center.

It is implicit in these rules that the officers of the sponsoring organization ensure adequate safeguards for compliance with federal, state, and municipal ordinances and laws and all University policies.

Alcoholic beverages must be purchased by the sponsoring organization and distributed by a bartender through Aramark Catering Services.

The purchase of alcoholic beverages with student fees is prohibited.

Acknowledgment by Registered Student Organizations

Each student organization requesting University registration through Student Activities and Organizations shall sign the following statement which will appear on the “Campus Organization Information” form.

“I have read, understand, and agree that the members of the above registered student organization will abide by the policies outlined in the East Carolina University Alcohol Policy and any forms required by the Chancellor or Chancellor’s designee governing the possession and consumption of alcohol. In the event that members of this organization do not comply with the policy, and their noncompliance takes place in the context of their membership in the organization, I understand that we are subject to a loss of registration.”

Possession and consumption of malt beverages and unfortified wine are permitted in the Murphy Center only when served in accordance to the following:

Such alcoholic beverages will be allowed only at scheduled functions sponsored by registered campus organizations or by request of outside the University parties.

And only within the confines of that function with regard to time and place of consumption.

Only such alcoholic beverages served by the sponsoring organization will be permitted.

Sponsoring organizations are responsible to restrict the consumption of such alcoholic beverages to persons twenty-one years of age or older.

Permission for such functions must be obtained from the Assistant Director of Athletics when making the Murphy Center reservation. Requests for permission to serve alcoholic beverages must be made at least one week in advance and during the regular business office hours.

University catering will also provide bartending services for the alcoholic beverages.

Alcoholic beverages may be used only as a complement to the event, never as the main feature (e.g., beer blasts are prohibited).

A full copy of the Code is available at http://www.ecu.edu/prr/11/30/01.

The faculty adviser of a student organization must be in attendance during any function where alcoholic beverages are served in the Murphy Center at a student organization sponsored event.

It is implicit in these rules that the event planner or the officers of the sponsoring organization ensure adequate safeguards for compliance with federal, state, and municipal ordinances and laws and all University policies.

Alcoholic beverages must be purchased by the sponsoring organization and distributed by a bartender through Aramark Catering Services.

The purchase of alcoholic beverages with student fees is prohibited.
5.3 Discipline and Enforcement

5.3.1 Infractions of the University policy should be regarded as University disciplinary violations, which may (at the discretion of the University) be adjudicated at the University level in addition to being adjudicated in the court system.

5.3.2 In circumstances where alcohol is indicated to be an ingredient of a problem, students, faculty and staff may be required to participate in an alcohol assessment program.

5.3.3 A person who violates state or local law or University policy while intoxicated remains fully responsible for his or her actions and the consequences thereof. The consumption of alcohol and/or the results of such consumption are never considered to compromise personal responsibility or accountability.

5.3.4 An organization not complying with the University alcohol policy will forfeit its opportunity to receive student fee support. Officers of the sponsoring organization shall be responsible for the enforcement of all University policies and regulations. Failure to comply with any of these policies and regulations may result in a suspension of recognized student organization status. Failure to follow this policy can result in charges under the East Carolina Student Code of Conduct listed in detail under section 2 of the Code. A full copy of the Code is available at http://www.ecu.edu/prr/11/30/01.

5.3.5 At parties or events held on property within the jurisdiction of the University, violations of the policies set forth in this document may lead to the termination of the event by either a University staff person(s) and/or a Campus Police official(s) and disciplinary action against its sponsor.

5.3.6 Intoxicated/disorderly persons will be barred from entering the University’s facilities or will be evicted from the facilities according to Campus Police protocol.
POLICY ON DRUG AND SUBSTANCE ABUSE - INTERIM

1. Introduction

East Carolina University (ECU or the University) is dedicated to the pursuit and dissemination of knowledge and, as such, expects all members of the academic community to behave in a manner conducive to that end.

The highest standards of personal and professional conduct must be maintained by faculty, staff, and students. Illegal or abusive use of drugs or alcohol, referred to in this policy as substance abuse, by members of the university community adversely affects the mission of the university and is prohibited. For example, pursuant to other applicable university policies and regulations, students accused of felony drug violations may lose their right to remain in campus residence halls, and employees with certain job functions may be subject to reasonable suspicion drug and alcohol testing.

Accordingly, the East Carolina University Board of Trustees adopts the following policy, consistent with The UNC Board of Governors’ Policy on Illegal Drugs. The policy is intended to accomplish the following:

1.1 prevent substance abuse through a strong educational effort;

1.2 encourage and facilitate the use of counseling services and rehabilitation programs by those members of the academic community who require their assistance in stopping substance abuse; and

1.3 discipline appropriately those members of the academic community who engage in illegal drug or alcohol related behaviors.

2. Educational Efforts to Prevent Substance Abuse

In keeping with its primary mission of education, East Carolina University will conduct an educational program aimed at preventing substance abuse and illegal drug or alcohol use.

Educational efforts shall be directed toward all members of the academic community and will include:

2.1 information about the incompatibility of the use or sale of illegal substances with the goals of East Carolina University;

2.2 the health hazards associated with illegal drug or alcohol use;

2.3 the incompatibility of substance abuse with the maximum achievement of educational, career, and other personal goals;

2.4 the medical implications and health risks associated with illegal drug use and substance abuse; and
2.5 the potential legal consequences of involvement with illegal drugs or alcohol.

3. Counseling and Rehabilitation Services to Prevent Substance Abuse

Those faculty, staff, or students who seek assistance with a substance abuse related problem shall be provided with information about drug counseling and rehabilitation services available through East Carolina University and community organizations. Those who voluntarily avail themselves of university services shall be assured that applicable professional standards of confidentiality will be observed.

3.1 Student Alcohol and Drug Treatment. For students who may experience an alcohol or substance abuse problem while enrolled at the University, a substance abuse counseling program is available. Students may call the Center for Counseling and Student Development at (252) 328-6661 for services and referrals.

3.2 Employee Alcohol and Drug Treatment. For employees who may experience an alcohol or substance abuse problem while employed at the University, the University’s Employee Assistance Program (EAP) is available. Employees may call the Department of Human Resources, Employee Relations Unit, at (252) 328-9848 or the Benefits Unit at (252) 328-9887 for more information regarding the EAP.

4. Enforcement and Penalties Related to Unlawful Drug Possession and Use or Distribution of Illegal Drugs and/or Alcohol

4.1 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 both to prosecution and punishment by judicial or local authorities and to disciplinary proceedings by the university.

4.1.1 It is not “double jeopardy” for both the civil authorities and the University to proceed against and discipline a person for the same specified conduct. The university will initiate its own disciplinary proceedings against a student, faculty member, administrator, or other employee when the alleged conduct is deemed to affect the interests of the university.

4.2 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 applicable ECU policy.

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

4.3.1 For second or other subsequent offenses involving illegal drugs or alcohol, progressively more severe penalties shall be imposed.

4.3.2 When considering appropriate sanctions for students found responsible for an offense involving illegal drugs or alcohol, the university will sanction consistent with, and through the procedures outlined in, the Student Code of Conduct, which is referenced in the related policies section, above.

4.3.3 When considering appropriate disciplinary action for employees found responsible for a violation of this policy, the university will consider the relationship between the offense and the employee’s position and job performance, including assessment of the nature and gravity of the offense or conduct, the time that has passed since the offense or conduct and the nature of the job held. The penalties to be imposed by the university may range from written warnings with probationary status to discharge (or other separation) from employment.

4.4 A student, faculty member, administrator or other employee found to have violated applicable law or university policies concerning illegal drugs or substance abuse may be required 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 such conditions and restrictions may result in additional disciplinary action, up to and including expulsion from enrollment and discharge (or other separation) from employment.
4.5 **Suspension.** When a student, faculty member, administrator, or other employee has been charged by the university with a violation of policies concerning illegal drugs or alcohol, in accordance with the Student Code of Conduct or the policies/regulations that apply to that particular employee, he or she may be suspended from enrollment or removed from work before initiation or completion of regular disciplinary proceedings if, assuming the truth of the charges, the chancellor or, 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.

4.5.1 If such a suspension or removal from work is imposed on an employee, it is with full pay until the time of an appropriate opportunity to be heard on the alleged charges against the suspended person, which shall be held as promptly as possible thereafter.

4.6 **Notification by Employees.** In the case of employees, anyone convicted of a criminal drug statute violation shall notify the university no later than five (5) business days after such conviction. The university should commence with appropriate disciplinary action proceedings against such an individual within thirty business (30) days of notice of conviction.

4.6.1 Failure to notify the university by employees may result in disciplinary action upon discovery by the university of said conviction.

5. **Responsibilities Under This Policy**

5.1 All employees and students shall be responsible for abiding by the provisions of this policy. In the case of employees, adherence with the provisions of the policy shall be a condition of employment. Students and Employees are encouraged to report suspected substance abuse to ECU Cares at (252) 737-5555.

5.2 Pursuant to the authority vested by the chancellor, the Assistant Direct for Counseling –Licensed Clinical Addiction Specialist (Coordinator) is responsible for overseeing all educational programs relating to this policy. The chancellor will render an annual report to the Board of Trustees on the effectiveness of this policy.

5.3 As required by the Drug-Free Workplace Act of 1988, the Drug Free Schools and Communities Act Amendments of 1989 and applicable UNC System policy, the Coordinator will conduct a biennial review of the effectiveness of its educational programs regarding illegal drugs and the consistency of sanction enforcement, and maintain the results of these reviews.

6. **Dissemination of This Policy**

A copy of this policy shall be distributed annually to each student and employee and to all new employees at the beginning of their employment or new students at the time start of their first academic semester enrolled at ECU. The policy shall be printed in the university catalogues and other materials prepared for all enrolled and prospective students and materials distributed to faculty and staff.
Weblinks related to the drug and substance abuse policy

Student Code of Conduct:
https://osrr.ecu.edu/policies-procedures/

University's Substance Use Policies:
http://www.ecu.edu/prr/05/20/10

Federal and State Drug and Alcohol Laws:
https://www.deadiversion.usdoj.gov/21cfr/21usc/
https://www.ncleg.net/enactedlegislation/statutes/html/byarticle/chapter_90/article_5.html

Health Risks Associated with Substance Use:
https://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm
https://www.niaaa.nih.gov/alcohols-effects-body
https://www.cdc.gov/pwid/addiction.html

On and off campus resources:
https://hhp.ecu.edu/hdfs/family-therapy-clinic/ (students and staff)
https://blog.ecu.edu/sites/mcclammy/ (students and staff)
http://www.ecu.edu/cs-dhs/ah/clinics/navigate/ (students and staff)
http://www.ecu.edu/cs-cas/psyc/ecupass/Appointments.cfm (students and staff)
https://realcrisis.org/ (students and staff)
https://www.trilliumhealthresources.org/ (students and staff)
http://www.ecu.edu/cs-studentaffairs/counselingcenter/ (students only)
Theft is a common occurrence on college campuses. Oftentimes theft is a crime of opportunity. Confined living arrangements, recreation facilities, and many open classrooms and laboratories provide thieves with effortless opportunities. Occupants of the residence halls often feel a sense of security and home atmosphere and become too trusting of their peers, while others leave classrooms and laboratories unlocked when not occupied for short periods of time.

It is important to be very vigilant when it comes to suspicious persons. Never leave items and valuables lying around unsecured. Doors should be locked at all times. The following is a list of suggestions to help you not fall victim of theft:

- Keep doors to residence halls, labs, classrooms locked when not occupied;
- Don’t provide access to unauthorized persons in the buildings or classrooms;
- Do not keep large amounts of money with you;
- Lock all valuables, money, jewelry, checkbooks in a lock box or locked drawer
- Keep a list of all valuable possessions including the makes, models, and serial numbers
- Take advantage of the Engraving Programs to have all valuables engraved with specific identifying marks
- Don’t leave laptop computers or textbooks unattended in labs or libraries, even if it is for a short period of time
- Don’t lend credit cards or identification cards to anyone
- Report loitering persons or suspicious persons to police immediately; don’t take any chances

Identity theft is a crime in which someone wrongfully obtains and uses another person’s personal information in some ways that involve fraud or deception, typically for economic gain. This personal data could be a Social Security number, bank account or credit card information.

Persons involved in identity theft often use computers or other forms of media to assist them.

There are measures you can take to prevent this from happening to you:

- Do not give anyone your personal information unless there is a reason to trust them and the release is for good reason.
- Never give your credit card information, date of birth, or other information over the telephone, unless you can confirm the person receiving that information.
- Complete a credit check frequently to assure there is no suspicious activity.
- Examine financial information often to assure all transactions are authorized and accounted for.
- Use of computer security software on computers and installation of firewalls are good.
CLERY ACT CRIMES

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) requires colleges and universities across the United States to disclose information about crime on and around their campuses. The University Police maintains a close relationship with all police departments where ECU owns or controls property to ensure that crimes reported directly to these police departments that involve the University are brought to the attention of the University Police.

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

**Murder and Non-Negligent Manslaughter** – defined as the willful killing of one human being by another.

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

**Sex Offenses** – Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

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

- **Fondling**: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

- **Incest**: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. Under North Carolina law, incest is intercourse between a (1) grandparent or grandchild; (2) parent or child, stepchild, or legally adopted child; (3) brother or sister of the half or whole blood; or (4) uncle, aunt, nephew or niece.

- **Statutory Rape**: Non-forcible sexual intercourse with a person under the statutory age of consent.

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

**Aggravated Assault** – is defined as an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

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

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

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

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

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

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

**Domestic Violence** – Includes felony or misdemeanor crimes of violence committed by

- **A.** a current or former spouse of the victim;
- **B.** by a person with whom the victim shares a child in common;
- **C.** by a person who is cohabitating with or has cohabitated with the victim as a spouse;
- **D.** by a person similarly situated to a spouse of the victim under the domestic or family violence laws; or
- **E.** by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
Dating Violence – Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition— i. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. ii. Dating violence does not include acts covered under the definition of domestic violence.

Stalking – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: fear for his/her safety or the safety of others; or suffer substantial emotional distress.

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

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

CATEGORIES OF BIAS:

Race – A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.

Gender – A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

Religion – A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.

Sexual Orientation – A preformed 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.

Gender Identity – A preformed negative opinion or attitude toward a group of persons based on their gender identity (transgender and gender nonconforming).

Ethnicity – A preformed negative opinion or attitude toward a group of persons of the same race who share common or similar traits, languages, customs and traditions.

National Origin – A preformed negative opinion or attitude toward a group of persons of the same national origin who share common or similar traits, languages, customs and traditions.

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

CLERY GEOGRAPHY MAP

Please note that statistics are collected on all Clery crimes within Clery defined geographic areas. Crimes may or may not involve students, faculty, staff, or anyone affiliated with the University. A full and interactive Google Map of the University’s Clery Geography can be found here: https://drive.google.com/open?id=1MjnoE93AWj3dFHZIs68393S1w&usp=sharing
### MAIN CAMPUS REPORTED CRIME STATISTICS

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**Note:**

- a. After a review of the 2017 Annual Security Report, it was determined that this incident was counted both as an unfound crime and as a rape that occurred on noncampus property. Since the crime was unfounded, it should not have been included in the statistics for the noncampus crime category. As a result, the number was updated from 1 to 0 in the column containing statistics for the noncampus crimes.

- b. After a review of the 2017 Annual Security Report, it was determined that an incident was counted both as an unfound crime and as an aggravated assault that occurred on-campus. Since the crime was unfounded, it should not have been counted in the on-campus crime category. As a result, the number was updated from 2 to 1 in the column containing statistics for on-campus crimes.
### MAIN CAMPUS REPORTED CRIME STATISTICS

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#### Hate Crimes:

In 2016, there was one simple assault in an on-campus location classified as a hate crime on the basis of race.

In 2017, there are two reported hate crimes: one simple assault at an on-campus location classified as a hate crime on the basis of sexual orientation; one vandalism in an on-campus residence hall classified as a hate crime on the basis of race.

In 2018, there was one incident of robbery/intimidation at an on-campus location.
The Health Sciences Campus does not have on campus resident housing.

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c. After a review of the 2017 Annual Security Report, it was determined that this incident was counted both as an unfound crime and as a motor vehicle theft that occurred on on-campus property. Since the crime was unfounded, it should not have been counted in the on-campus crime category. As a result, the number was updated from 1 to 0 in the column containing statistics for on-campus crimes.
# Health Science Campus Reported Crime Statistics

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<thead>
<tr>
<th>YEAR</th>
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<th>Non-Campus Building or Property</th>
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## VAWA Offenses

### Domestic Violence

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### Dating Violence

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### Stalking

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## Other Offenses

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### Drug Abuse Violations

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### Illegal Weapons Possession

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## Hate Crimes:

Health Sciences Campus had no reported hate crimes for 2016, 2017, and 2018.

## Notes:

Health Sciences Campus has no on-campus student housing.
The Coastal Studies Institute Campus does not have on campus resident housing.

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<th>PRIMARY CRIMES</th>
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</table>

**Hate Crimes:**
Coastal Studies Institute Campus had no reported hate crimes for 2016, 2017, and 2018.

**Notes:**
Coastal Studies Institute Campus has no on campus student housing.
ECU Community School

The following policies are a portion of those that govern the students, staff and general operations of the ECU Community School. Certain policies found in the University Policy Manual may also be applicable to the Community School. In the event of a direct conflict between an ECU Community School policy and other University policies relating to Community School students, the ECU Community School policy shall be applied.

MISSION and VISION

Mission Statement:
The mission of the ECU Community school is to educate the whole child through a web of support that thrives through our partnerships.

Vision:
We will build a school culture that emphasizes safety, respect and love of the children and families we serve. It is our mission to engage children in learning experiences that support their curiosity, creativity, inquiry, and intellectual growth. It is our mission to create a school that respects children’s strengths and meets their needs. The ECU Community School acknowledges and supports the integration of health, wellness and learning. Through the ECU Community School, we will empower students, families and teachers to become informed engaged and resilient citizens in our community. It is our mission to cultivate and support a love of lifelong learning and growth for students and their families.

We Believe:

● Education should address the whole child
● Education must be engaging, meaningful and relevant to students so they will be equipped to participate in activities that create change in their communities and the world.
● Education is a process that happens through engagement with others, the environment and oneself and based off of prior experiences and knowledge
● Education should be culturally responsive
● Families and the communities are vital partners in the success of students
● The teacher is a valued professional that brings expertise in pedagogy and content, cultural competency, and understanding of children.
● School culture should emphasize safety, respect, democracy and love.
● Schools provide opportunities to construct knowledge through inquiry and discourse

ECU COMMUNITY SCHOOL CAMPUS POLICIES & REPORTED CRIME STATISTICS

EMERGENCY SCHOOL CLOSINGS

The Advisory Board authorizes the Dean to close the school in the event of hazardous weather or other emergencies that present a threat to the safety of students, school staff or school property. This closure decision will be made in coordination with Pitt County Schools.

In the event the Dean is out of town or otherwise unable to act in emergency situations, the decision will be made by the Dean’s designee.

As inclement weather forecasts are issued, those persons responsible should ensure their accessibility by telephone. Decisions regarding school closings or delayed openings should be issued at the earliest possible hour so as to facilitate efficient media coverage. The ECU Community School will follow the school closings and delayed openings schedule set forth by Pitt County Schools.

PROCEDURE FOR EMERGENCY SCHOOL CLOSINGS

PROCEDURE FOR EMERGENCY SCHOOL CLOSINGS

1. DEFINITIONS: Conditions sometimes require early dismissal, delay of opening, or suspension of school. Orderly procedures are needed during such emergencies.
   • A delayed opening is a delay in beginning the school day for a specific amount of time.
   • Early dismissal is the closing of school prior to the completion of a regular school day.
   • A suspension is having the schools closed and not in operation for the school day.
   • An emergency closing may be a delayed opening on a regular school day, early dismissal on a regular school day, or suspension of school and activities on a regular school day.

Emergency conditions include such conditions as extreme weather; power, gas, water or heating system failure; or other situations as determined by school authorities.

2. RESPONSIBILITY: The decision for delayed opening, early dismissal or school suspension will be based on the safety, welfare and health of students and employees. Responsibility for implementing emergency closing will rest with the Dean or his/her designee. The ECU Community School will follow the Pitt County Schools’ protocols for these decisions. The Dean may designate appropriate assistant(s) ensure that communication of the Emergency School Closing process occurs.

In the event there is immediate and/or imminent danger to students and/or employees, the principal or his/her designee may implement an emergency school closing for that day. The principal or his/her designee shall make every reasonable effort to contact the Dean before implementing such a closing.

3. PROCEDURES

A. The ECU Community School will follow any announced the decision to delay, dismiss or suspend school as set forth by Pitt County Schools. Regular school schedules will be followed in the absence of a publicized decision.

The decision to delay, dismiss or suspend school will normally be communicated by Pitt County Schools to appropriate radio and television stations. During an emergency involving delayed opening or suspension, decisions should be communicated daily to the appropriate
news media, if possible by 6:00 a.m. of the day involved. However, if weather conditions are extremely severe and there is no hope of opening school, school announcements are to be made the night before. The ECU Community School will adhere to the decisions set forth by Pitt County Schools.

B. If an emergency occurs while school is in session, every consideration will be given for regular schedule continuance. When early dismissal is authorized, the appropriate media should be notified, by Pitt County Schools, at least 30 minutes prior to dismissal (except when imminent danger exists). When early dismissal and/or delayed opening is involved because of imminent danger, the media should be notified as soon as the welfare and safety of employees and students have been assured. Pitt County Schools will immediately notify the principal at South Greenville Elementary who will notify the principal of the ECU Community School; and the Transportation Director who will implement appropriate action.

C. Emergency school closing decisions may need to be coordinated with adjoining school systems. When so needed, implementation will be initiated by the appropriate designee.

D. After-school activities will be suspended on the days when school is dismissed early or suspended, except as authorized by the school principal, with approval of the Dean or his/her designee.

E. In the event the principal has to invoke early dismissal or delayed opening because of imminent danger, he/she shall notify the Dean, news media and Transportation Director immediately.

F. When an emergency closing of school occurs for any reason, the Transportation Director will be notified at the earliest possible time.

4. CLOSINGS

A. When emergency school closing occurs, personnel will make up time lost in a manner prescribed by the Advisory Board.

B. Compensatory time or overtime pay will not be authorized for services rendered when emergency school closing occurs, except for employees who are specifically assigned overtime duties.

C. All school personnel should report at regular time unless instructed differently through news media or other appropriate persons.

5. RESPONSIBILITIES OF EMPLOYEES IN EMERGENCY SCHOOL CLOSINGS

The purpose of this administrative regulation is to clarify the rights and responsibilities of school employees on days when the schools are closed due to hazardous weather conditions, natural disaster, or other emergencies.

Days shall be included in the school calendar that can be used to make up any of the 180 days of the school term on which school is closed for the reasons stated above. Generally, those days for the ECU Community School shall be subsequent teacher workdays, unless specified differently by the annual school calendar. Therefore the missed school day shall become the teacher workday.

A. Attendance Regulations

1. School Suspension: If schools are closed due to inclement weather or an emergency for a day that would generally be made up on a workday as determined by the annual school calendar, all employees, with the exception of hourly food service workers, bus drivers, and other hourly employees (except as required by the principal/supervisor) shall either (a) report to their regular work station making an effort to be there as early as possible, but at least within two hours of the normal starting time, or (b) take leave in lieu of working. The leave may take one of the following forms:

a. Annual leave
b. Make-up time (to be made up at a later date in a manner set forth below)

c. Emergency personal leave (certified personnel only - if already earned - without five-day restriction) or

d. Leave without pay

Employees taking leave should submit appropriate forms immediately upon returning to work.

Time Sheets must reflect the option chosen. If time will be made up, it should show negative time (for example: “-6 hours” on February 11). The time sheet should show comp time during this pay period. Make-up time plus regular work time must not exceed 40 hours in a work week.

(Note: No time-and-a-half will be paid for make-up time.)

2. The ECU Community School principal is asked to make every effort to report to work during those days when schools are closed, still retaining the option to request leave as stated above.

B. Delayed Opening

In the event of a delayed opening, all employees are to report to their work stations the specified amount of time later than their normal reporting time. (For example: if schools are delayed two hours, employees should report to work two hours later than they normally would.) This delay will not have to be made up.

C. Early Dismissal

In the event of an early dismissal, all school employees, with the exception of those listed in Section b above, shall be dismissed as soon as it is determined that all students are safely enroute home. Time missed will not have to be made up.

D. If there is inclement weather or other emergency on a mandated or optional teacher workday, employees may exercise the options listed in Section A. Before reporting to work on such days, employees should contact the school/office to see if the building is open.

E. In case of delayed openings, early dismissals or suspensions, the principal or his/her designee should always be at the school except in the case of extreme emergencies. At those times the principal should notify the Dean.

F. MAKE-UP PROVISIONS

A. The first five days which are missed by students
because of inclement weather or other emergency shall be
made up as prescribed by the annual school calendar.

B. Employees who exercise the make-up option when
they have elected not to report to work on either a student
day suspended for inclement weather or a teacher
workday affected by inclement weather, may make up
their normal workday (7-1/2 or 8-hour) with the agreement
of the principal/supervisor. The time may be made up by
working before and/or after normal working hours on a
regular workday; provided that an employee must work a
minimum of two hours make-up time on any given day.

C. All make-up work must generally be completed by
the end of the pay period for employees. Exceptions will
be made only if the missed day falls near the end of the
prescribed time.

D. An equivalent of a day's pay shall be deducted from
an employee's pay for any day not made up by the end of
the prescribed time.

E. PLEASE NOTE: The principal is responsible for
an accurate recording and accounting of attendance and
make-up days.

7. NOTIFICATION OF OPTIONS

A. These regulations shall be made available to each
employee prior to the beginning of the winter inclement
weather season.

B. Using this information and TV and radio
announcements, employees shall determine their own
course of action.

C. Public service announcements shall always apply
to students; no reference will be made to teachers or other
employees for the following reasons:

1. References to employees are not always made
properly by the media.

2. Such references confuse the message for
students and parents.

3. It projects a bad image when other workers are
driving to work under difficult conditions and hear
that educators are staying home.

NOTE: The welfare and safety of every ECU Community
School's employee is of the utmost concern of the staff.
They, with the students, make up the ECU Community
School family. The Dean and his/her staff will decide the
student schedule; it is up to each employee to make his or
her own responsible decision when inclement weather or
other emergencies arise. The worst consequence of
choosing not to report to work would be the loss of a day's
pay: this is a small price to pay for safety and continued
healthy service. The principal is asked to work with their
employees within the framework of these guidelines to
promote the safety and continued welfare of our family.

TOBACCO-FREE SCHOOLS POLICY

The ECU Community School recognizes the health,
safety and environmental hazards associated with
the use of tobacco products. The School also
acknowledges that adult employees serve as role
models for students. In addition, the School is
committed to providing a healthy, clean and inviting
learning and working environment for all who enter
and use its schools and services.

The School prohibits the use of tobacco products at
any time in or on any district-owned, leased or
maintained buildings, property, or vehicles; or at any
instructional program or school-related activity or
event, including field trips and athletics. This
tobacco-free policy applies to everyone, including all
students, employees, visitors, guests, and vendors, and
it applies to private vehicles while on school property.

For purposes of this policy, "tobacco products" includes
cigarettes, cigars, pipes, (and any other herb or spice
smoked in a manner similar to cigarettes, cigars and
pipes), chewing tobacco, snuff, and any other items
containing or reasonably resembling tobacco or
	 tobacco products such as electronic cigarettes.
"Tobacco use" includes smoking, chewing, dipping,
use of electronic cigarettes, or any other use of

tobacco products.

The prohibition of tobacco products shall not extend to
displays created by or under the supervision of a faculty
member for a legitimate instructional or pedagogical
purpose.

The principal is encouraged to refer employees to
appropriate tobacco cessation programs.

Employees violating this policy are subject to
sanctions that may lead to a written reprimand,
suspension or dismissal.

Due to the fact that ECU started the Community School in the
Fall of 2017, crime statistics for the ECU Community School
began in 2017.
The Coastal Studies Institute Campus does not have on campus resident housing. Due to the fact that ECU started the Community School in the Fall of 2017, crime statistics for the ECU Community School began in 2017.

<table>
<thead>
<tr>
<th>PRIMARY CRIMES</th>
<th>YEAR</th>
<th>ONCAMPUS</th>
<th>NONCAMPUS BUILDING OR PROPERTY</th>
<th>PUBLIC PROPERTY</th>
<th>UNFOUNDED</th>
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<tr>
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<td></td>
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<tr>
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Due to the fact that ECU started the Community School in the Fall of 2017, crime statistics for the ECU Community School began in 2017.
The ECU Community School Campus had no reported hate crimes for 2017 and 2018. The ECU Community School Campus has no on campus student housing.

### Hate Crimes:
The ECU Community School Campus had no reported hate crimes for 2017 and 2018.

### Notes:
The ECU Community School Campus has no on campus student housing. Due to the fact that ECU started the Community School in the Fall of 2017, crime statistics for the ECU Community School began in 2017.
The Higher Education Opportunity Act (HEOA) enacted in August 2008 requires all institutions of higher education that provide on-campus housing facilities to publish an annual fire safety report. The purpose of this report is to disclose fire safety policies and procedures related to on-campus student housing and to disclose statistics for fires that occurred in those facilities. ECU takes fire safety very seriously and continues to enhance its programs to the ECU community through education, engineering and enforcement. 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. ECU also collaborates with State and local fire authorities to continuously improve fire safety.

DEFINITIONS THAT APPLY TO THIS REPORT

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

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

Fire drill: A supervised practice of a mandatory evacuation of a building for a fire.

Fire log: An institution that maintains on-campus student housing facilities must maintain a written, easily understood fire log that records, by the date that the fire was reported, any fire that occurred in an on-campus student housing facility. This log must include the nature, date, time, and general location of each fire. NOTE: A copy of the University’s Fire Log for the past 60-day period is available in printed form during normal business hours at the Department of Environment, Health and Safety office at 211 South Jarvis Street, Suite 102, Greenville, NC 27858. Any portion of the Fire Log older than 60 days is available within two business days of a request for public inspection, during normal business hours.

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

Fire-related death: Any instance in which a person -

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

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

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

Value of property damage: The estimated value of the loss of the structure and contents, in terms of the cost of replacement in like kind and quantity. This estimate should include contents damaged by fire, and related damages caused by smoke, water, and overhaul; however, it does not include indirect loss, such as business interruption.
All ECU residence halls are provided with automatic sprinkler systems, smoke detectors and building fire alarm systems to provide early detection and warning of a possible fire emergency. ECU maintains and tests all fire alarms and automatic fire suppression systems in accordance with the appropriate National Fire Protection Association Standards to insure system readiness and proper operation in the event of a fire emergency. All fire alarm systems are monitored by the ECU Police Department. Facilities are also equipped with portable fire extinguishers, posted evacuation maps, illuminated exit signs, emergency lighting and fire rated egress corridors and stairwells.

<table>
<thead>
<tr>
<th>RESIDENCE HALLS</th>
<th>FIRE ALARMS</th>
<th>SPRINKLERS</th>
<th>STANDPIPE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legacy Hall</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Clement Hall</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>College Hill Suites</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Cotten Hall</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>Fleming Hall</td>
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<td>Yes</td>
<td>No</td>
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<td>Fletcher Hall</td>
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<td>Garrett Hall</td>
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<tr>
<td>Gateway East</td>
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<tr>
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</tr>
<tr>
<td>Greene Hall</td>
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<tr>
<td>Jarvis Hall</td>
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<tr>
<td>Jones Hall</td>
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<tr>
<td>Scott Hall</td>
<td>Yes</td>
<td>Yes</td>
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<tr>
<td>Tyler Hall</td>
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<tr>
<td>Umstead Hall</td>
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<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>White Hall</td>
<td>Yes</td>
<td>Yes</td>
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</table>
### FIRE AND EVACUATION DRILLS

The Office of Environmental Health & Safety conducts, evaluates, and documents fire drills for each On-Campus Student Housing facility once a semester, including summer semesters.

<table>
<thead>
<tr>
<th>RESIDENCE HALL</th>
<th>NUMBER OF FIRE DRILLS - 2018</th>
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</thead>
<tbody>
<tr>
<td>Legacy Hall</td>
<td>2</td>
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<tr>
<td>Clement Hall</td>
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<td>College Hill Suites</td>
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<td>Fleming Hall</td>
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<td>Gateway East*</td>
<td>4</td>
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<td>Gateway West</td>
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<tr>
<td>Umstead Hall</td>
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</tr>
<tr>
<td>White Hall (Offline for 2018)**</td>
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</table>

*Gateway East was the only dorm used for Summer Session I & II

**White Hall was offline for renovations in 2018.
POLICIES ON PORTABLE ELECTRICAL APPLIANCES, SMOKING, AND OPEN FLAMES

ECU On-Campus Student Housing Facilities have prohibitions against the following items/activities:

- Smoking (Includes E-Cigarettes)
- Open Flames
- Open/Exposed Heating Elements (Hot Plates)
- Electric/kerosene heaters
- Extension Cords
- Cooking with grease
- Torchiere Halogen Lamps
- Microwaves and refrigerators other than those provided by the university


PROCEDURES FOR STUDENT HOUSING EVACUATION

All residents must evacuate the residence hall when a fire alarm is sounded. They should evacuate by using the stairs and the nearest outside exit door and report to their building’s posted evacuation location.

EVACUATION IN CASE OF FIRE EMERGENCY

BEFORE A FIRE:

- Locate the two nearest emergency exits and count the number of doors between your room and the exit. In a fire, the hall may be dark and it may be difficult to see the exit.
- Do not tamper with, disable or block fire alarms or smoke detectors.

IF YOU DISCOVER A FIRE:

- Close the door to the fire area if at all possible to contain smoke and fire.
- Activate the fire alarm system at the nearest pull station and exit the building immediately.
- Once outside, call 911 from the nearest phone and report the exact fire location.
- Report to your building’s designated meeting location.

DURING A FIRE:

- If the fire alarm sounds, leave the building immediately. Take your room key with you, in case the exits are blocked by fire or smoke, you can return to your room.
- Feel all closed doors for heat. If there is fire on the other side, it will feel warm. If the door is warm, use your second way out or stay in the room and begin procedures for “If You Are Trapped.”
- Always use the stairs, not an elevator, during a fire.
- If you must escape through smoke, crawl low under the smoke on your hands and knees to your exit.

IF YOU ARE TRAPPED:

- Stay calm - Do not panic.
- If you cannot escape and there is not fire in your room, stay put.

- Call 911 if possible and let them know your exact location.
- Shut off fans and air conditioner because they can draw smoke into the room.
- Stuff towels or sheets in the cracks around all doors and vents between you and the fire.
- Open the window and wave a white or brightly colored cloth from it and call to any people below.
- Do not break windows unless smoke is pouring into your room and you need fresh air to breathe.
- Stay near the window where you can be seen. Do not hide under the bed or in the closet.
- If you cannot get to a window, go to an inside corner of the room, curl up on the floor, and protect your face with a wet cloth if possible. Stay calm, breathe slowly, and call out for help when you hear rescue personnel
POLICIES REGARDING FIRE SAFETY EDUCATION AND TRAINING

The Office of Environmental Health & Safety conducts fire safety training for all Campus Living Staff (Resident Assistants and Professional Staff) annually so they are aware of fire safety rules and safe practices. This training consists of a fire safety lecture and hands-on fire extinguisher training. Even though extinguisher training is provided it remains ECU’s policy to evacuate on-campus student housing immediately in the event of a fire. All ECU residence halls have emergency evacuation plans and conduct fire drills during the school year to allow occupants to become familiar with and practice their evacuation skills. The ECU Police and Greenville Fire Departments also participate in these drills. Additional information regarding fire safety policies for on-campus student housing is available at the following link: https://campusliving.ecu.edu/.

REPORTING A FIRE

All fires should be reported immediately to ECU Police, regardless of how small, and even if they are believed to be extinguished. It is ECU Policy to dispatch ECU Police Officers and Greenville Fire- Rescue to each fire alarm activation. Additional information on this can be found on department specific Emergency Evacuation Plans.

Per federal law, ECU is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Listed below is the non-emergency numbers to call to report fires that have already been extinguished in on-campus student housing. These are fires for which you are unsure whether the ECU Police Department, Environmental Health and Safety or Campus Living may already be aware. If you find evidence of such a fire or if you hear about such a fire, please contact one of the following:

- ECU Police Department (252) 328-6787
- ECU Environmental Health & Safety (252) 328-6166
- ECU Campus Living (252) 328-4663

When calling, please provide as much information as possible about the location, date, time and cause of the fire.

PLANS FOR FUTURE IMPROVEMENTS IN FIRE SAFETY

ECU assesses fire safety equipment on an on-going basis to determine if any improvements are necessary. Fire protection systems are tested and maintained in accordance with NFPA and NC Building Code requirements with upgrades and repairs occurring on an as-needed basis. Walkthroughs and campus assessments are conducted with Greenville Fire & Rescue to ensure, and discuss ways to mitigate potential hazards.
### 2018 FIRE STATISTICS FOR ON-CAMPUS STUDENT HOUSING

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<th>Location</th>
<th>#OF FIRES</th>
<th>DATE</th>
<th>TIME</th>
<th>CAUSE</th>
<th>INJURIES</th>
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### 2017 Fire Statistics for On-Campus Student Housing

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