Policy Discussion 1:

Campus Security Initiative Report

UNIVERSITY OF
NORTH CAROLINA

2013-14
UNC Campus Security Initiative

Report to the President

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This report can be found online at northcarolina.edu/campus-security-initiative

EXECUTIVE SUMMARY

University President Thomas W. Ross launched the UNC Campus Security Initiative (Initiative) in August 2013 to study system-level coordination of security and student safety efforts at our 17 campuses. President Ross asked for a review of current security practices, an assessment of pending needs, and recommendations for coordinated action. Co-chaired by Chancellor Harold Martin of NC A&T State University and Chancellor Randy Woodson of North Carolina State University, the Campus Security Initiative included students and staff at all UNC institutions among its membership. Campus police chiefs, attorneys, student affairs professionals, counselors, medical and mental health professionals, faculty, provosts, Title IX coordinators, students, and others devoted considerable time and expertise to this important work.

Our work is intended, first and foremost, to help protect students from harm. We reviewed campus responses to serious offenses against persons, including sexual violence; safety and security operations; crime reporting and awareness; and alcohol and other substance abuse among students, which is often a contributing factor in serious

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incidents. Separate work groups focused on: (1) Responding to Offenses Against Persons, (2) Campus Public Safety, and (3) Security Reporting and Awareness. Our Drug and Alcohol Advisory Group, composed of five vice chancellors for student affairs from across the system, comprehensively assessed the role of alcohol and drugs in campus safety, and provided expert advice and input to the Initiative on these matters.

As part of this renewed effort, we reviewed the work of two earlier system-wide campus safety task forces from 2004 and 2007. The need to fully implement the recommendations of UNC's 2007 Campus Safety Task Force — many of which were put on hold following the 2008 recession — is particularly pressing. That group's work focused on student mental health and large-scale campus incidents, and resulted in a number of changes, including new campus security training practices and the acquisition of essential security equipment. (The 2007 recommendations can be explored in detail in Appendices F and G.)

Building on these earlier efforts, we developed recommendations to coordinate and strengthen the work underway on our campuses. Campus officials respond every day to issues of sexual violence, drug and alcohol abuse, and other safety concerns. Our recommendations are informed by those experiences, as well as evolving federal mandates that demand significant investment of resources and personnel.

We have identified effective and compliant policies, training strategies, and resources to aid campus leaders in preventing and responding to serious offenses, including sexual violence. We have highlighted critical needs across the system. And we have suggested strategies for countering substance abuse and mitigating its effects.

The primary responsibility for campus security and student safety rests with the chancellor of each institution, and we have worked to clarify those responsibilities amid a growing thicket of laws, regulations, and agency guidance. The University's 17 institutions have distinct histories, cultures, and missions. Safety efforts must be tailored to the unique needs of each community, and our recommendations allow for that flexibility.

Our students and stakeholders expect, and the law requires, the designation of appropriate resources to fulfill our commitment to campus safety. Anything less will leave our students and our institutions vulnerable. With a keen appreciation for budget constraints, we have suggested areas of collaboration and possible shared services among campuses.

In developing safety policies and guidelines for adjudicating serious offenses, we are mindful of the rights of all parties. Campus policies should provide for fair and impartial investigations, as well as prompt and equitable resolution of disciplinary matters. The complex issues surrounding the adjudication of sexual violence are addressed with a particular sense of urgency, with an understanding of the nature and dynamics associated with trauma.

PRIORITY RECOMMENDATIONS

While the full report includes 36 recommendations, the following are top priorities, including the high priority items that remain to be implemented from the 2007 Task Force. Taken together, the full set of recommendations will make our campuses safer, ensure the University is meeting both the letter and the spirit of laws governing campus security, and offer a blueprint for continuous improvement.

▸ The University should adopt a system policy on sexual harassment and sexual violence.

▸ Students should not serve on student disciplinary hearing panels in cases involving sexual violence. Individuals who hear sexual violence cases must have appropriate levels of experience and training.

▸ Reports or complaints involving serious offenses, such as sexual violence, should be investigated by individuals with appropriate professional training and investigative experience.

▸ Every UNC campus police department should, with sufficient funding, meet baseline proficiency standards by pursuing accreditation from the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) or a comparable association such as the International Association of Campus Law Enforcement Administrators (IACLEA).

▸ The University should seek the resources necessary to increase salaries and fund competitive pay for public safety officers and telecommunicators to established law enforcement market rates.

▸ Staff capacity and expertise on each campus and at UNC General Administration must be sufficient to implement campus security efforts, coordinate and lead emergency and disaster prevention, comply with regulatory and legal requirements, engage effectively with external law enforcement and emergency management agencies, lead response and recovery efforts, and administer the Campus Safety Plan, the Emergency Operations Plan, and the Threat Assessment Team.

▸ Each campus should establish and adequately fund a Clery compliance officer position to coordinate Clery Act compliance activities.

▸ The University should establish a system-wide Campus Security Committee composed of campus police and emergency operations personnel, legal counsel, Clery compliance and Title IX staff, student

affairs personnel, faculty, students, employees with substance abuse expertise, community service providers, public agency specialists, and others in an ongoing effort to address safety and security issues.

▸ In collaboration with campuses, UNC General Administration should enhance staff capacity to lead collaborative efforts with campuses by: (1) offering compliance assistance, training, and coordination in campus security and safety matters, including Clery, Title IX, campus law enforcement, and related areas; (2) developing guidelines and training materials, content checklists, manuals, sample template communications, and compliance updates; and (3) exploring the issuance of a system-wide request for proposal for basic online training content, which campuses could then choose to access through a master agreement.

▸ Each campus police department, with coordination by General Administration, should provide basic campus law enforcement officer training to newly-hired officers and advanced interpersonal violence investigation training for police investigators.

▸ All campuses should continue to develop the capacity and resources to assess and treat mental health issues. Essential resources include accredited counseling centers, experienced and credentialed clinicians and case managers, prompt access to services, and policies that serve to de-stigmatize the treatment of mental health problems and promote culturally-appropriate modes of treatment.

▸ Campuses should develop comprehensive, evidence-based programs to reduce the harm associated with alcohol and drug abuse among students. These efforts should attempt to change the underlying culture of alcohol and substance abuse among students, including efforts to change the culture of alcohol and substance abuse on campus and in the community. (While campuses have made significant strides on this 2007 guidance, the Campus Security Initiative makes new recommendations designed to enhance the University's efforts to address substance abuse.)

INITIATIVE CHARGE

The University's commitment to student well-being goes far beyond compliance with legal mandates. An ongoing focus on protection and prevention is reflected in the work of two previous system-wide safety initiatives: the 2004 Task Force on UNC Campus Safety and the 2007 UNC Campus Safety Task Force.[1] President Ross established the Campus Security Initiative to build on previous efforts and identify new challenges. He asked the Initiative to focus particular attention on:

Crimes and offenses against persons: Examine campus and UNC system policies, procedures, and practices for responding to and addressing offenses against persons, with particular attention to sexual harassment and other offenses involving students and compliance with Title IX requirements. Such offenses include sexual assault, stalking, dating violence, domestic violence, robbery, burglary, or any other offense causing bodily injury.

Campus public safety: Review and address the functions and procedures of campus police departments and campus public safety operations.

Security reporting and awareness: Review campus and UNC system policies, procedures, and practices for ensuring accurate and timely reporting of campus crime and security information, with particular focus on compliance with federal Clery Act requirements.

Initiative members were divided into three work groups to address each of these areas and were tasked with examining current policies and gathering best practices from within the University, from all of higher education, and from any other institutions or sectors that have confronted similar issues. Members heard from a range of outside experts and shared their own expertise, drawn from years of direct experience on our campuses and in previous professional roles. Each work group was asked for recommendations based on their research and findings.

Substance abuse is a significant factor in a great many of our most pressing safety and security concerns

Substance abuse is a significant factor in a great many of our most pressing safety and security concerns, so each work group was asked to examine the role of alcohol and drug abuse within each area of focus. Five vice chancellors for student affairs were also appointed to work with the Campus Security Initiative as part of a Drug and Alcohol Advisory Group to make recommendations for system-level policies, procedures, education, and training to address the problem on our campuses. At every stage, this Initiative has proceeded with an understanding that a culture of substance abuse cannot be tolerated.

The goal of this Initiative was a set of recommendations to guide an effective system-wide response to offenses against persons, including sexual violence; strengthen the performance of campus public safety departments; and ensure consistent and transparent reporting of crime and security information.

The University — with its three-part mission of teaching, research, and service to the people of North Carolina — includes 17 institutions. These 17 campuses are not isolated enclaves. By necessity and by choice, they are open to the wider world, with few barriers or restrictions to public access. Students, faculty, staff, and visitors — a truly diverse community — come together on each campus to study, collaborate, play, research, and take part in the life of the public university. Openness and accessibility define our campuses, reflecting their identities as public institutions. We don't want that to change.

An open and dynamic environment does, however, present real challenges for safety and security, ranging from the potential for large-scale emergencies to interpersonal violence and other crimes. We have an obligation to do everything feasible to make UNC campuses safe and welcoming places to live, work, and study. To be effective in their mission of teaching and learning, our universities must create a safe environment where students can focus on pursuing an education and earning a degree. That effort should be proactive and consistent, not a series of reactive measures. It is in that spirit that the University undertook this comprehensive review.

Openness and accessibility define our campuses — we don't want that to change

Nationally, student and employee well-being has come under renewed focus. Across the country, concern about campus security has generated public debate and intense regulatory interest. Policymakers at all levels recognize the institutional responsibility to provide a secure environment, evidenced by the detailed legislation that governs campus safety. Often, these laws are adopted in response to specific threats or high-profile incidents, such as mass shootings, injuries or fatalities related to alcohol abuse, or sexual violence.

We are responsible for complying with these detailed legal mandates intended to enhance safety. Federal laws, regulations, and guidance require a comprehensive infrastructure of staff, services, policies, and training meant to protect campus community members and ensure that safety threats are publicly disclosed. The Clery Act, Title IX, and the Violence Against Women Reauthorization Act of 2013 (known colloquially as the Campus SaVE Act)[2] all include extensive requirements, many necessitating the investment of additional personnel and financial resources. Federal regulators continue to issue new requirements and more detailed guidance on these issues, and several institutions have faced high-profile litigation in recent years. Federal officials have also dramatically increased enforcement at colleges and universities to address concerns about violent crime, sexual violence, and other serious offenses. Meeting our expanding legal and compliance obligations in an era of constrained budgets requires careful coordination, strong support from University and state policymakers, and thoughtful planning.

At the state level, the North Carolina General Assembly has adopted strict legal prohibitions against hazing. A troubling number of crimes and injuries impacting college students and campuses involve alcohol, prompting calls for more training and enforcement on the part of University officials. Lawmakers at all levels, as well as North Carolina Governor Pat McCrory, have urged universities to take action against alcohol and other substance abuse, including underage drinking.[3]

The dynamics of campus crime are complex, and the practices currently in place on UNC campuses reflect that complexity. The sheer breadth of day-to-day operations on our campuses —encompassing classrooms, research labs, residence halls, transportation systems, sports venues, power plants, construction projects, and so much more — places extraordinary demands on public safety and emergency personnel to plan for major risks and respond to threats and emergencies. University police and emergency personnel must be properly equipped, receive regular training, and continually develop and maintain relationships with state and local agencies. In the wake of violent incidents at campuses around the country, higher education institutions have invested considerable resources in security infrastructure. UNC campuses are no exception, and the University made

significant progress in emergency preparedness following the adoption of recommendations from the 2007 Campus Safety Task Force. But there is still work to be done, still room to improve our readiness.

These efforts require a thorough understanding of the safety concerns on our campuses, specifically focused on serious offenses against persons. To promote effective prevention and response efforts, it is essential that campuses collect and analyze all relevant data. University leaders at every level must have a clear view of the challenges they face and their responsibilities in addressing them. Clear reporting requirements, an understanding of the dynamics of violence and trauma, and strong accountability are vital for ongoing improvements in campus safety.

As with most communities of comparable size, our campuses operate their own law enforcement agencies. Together with the UNC Health Care System, the University's 17 campuses encompass 285,000 students, faculty, and staff. If UNC were a city, it would be North Carolina's third largest — just behind Charlotte and Raleigh. The territorial jurisdiction of UNC's police departments includes all property owned by or leased to the institution and any public road or highway passing through campus property or immediately adjoining it. In total, UNC campuses employ more than 500 sworn officers and 400 non-sworn personnel in administrative and staff positions. Officers are responsible for the security of 6,985 acres of campus property, including 2,965 UNC buildings encompassing some 84,934,100 square feet. In 2012 alone, UNC police departments received and/or responded to over 300,000 calls for service.

The crime rate for UNC campuses is significantly below the statewide rate

In carrying out their mission to protect people and property, campus police have the same powers of investigation and arrest as municipal and county law enforcement. Each of UNC's 16 institutions of higher education has its own chief of police, and officers' duties and qualifications are comparable to those of municipal law enforcement officers. (While North Carolina School of Science and Mathematics has security staff, it does not have a campus police department.) Many officers have earned the NC Advanced Training Certificate, and all sworn officers are certified through the NC Justice Academy Basic Law Enforcement Training program. UNC campus law enforcement officers collaborate closely with state and local law enforcement agencies, including district attorneys. Serious incidents — including sexual assault — committed on or near UNC campuses are treated as crimes, not simply conduct code violations. University investigations and disciplinary hearings can and do proceed alongside criminal investigations and prosecutions, and we have practices in place to facilitate communication and coordination with our law enforcement partners.

The vast majority of our students will not suffer a violent crime while enrolled on a UNC campus. Despite the University's population and size, the crime rate for UNC campuses, as a whole, is significantly below the statewide rate, even accounting for the fact that sexual violence is significantly under-reported.[4] In 2012, the University's violent crime rate was fewer than 60 incidents per 100,000 people, compared to a violent crime rate of 358.6 incidents per 100,000 inhabitants for North Carolina as a whole.[5] Though we cannot completely insulate our campus communities from harm, the University must do everything feasible to promote a safe learning environment and ensure that the rights of individuals are respected.

In reviewing the University's overall approach to security, our aim is to (1) ensure compliance with federal and state laws, regulations, and agency guidance; (2) educate all members of the University community on the complex dynamics of serious offenses against persons, including sexual assault, and the role of alcohol and other substance abuse and campus culture; and (3) ensure that all levels of the University — from campus departments to UNC-system personnel — are working in a coordinated manner, guided by policies and procedures that are adaptable to the unique environment and resources of each campus.

These principles will guide policies and actions that are fair to all students, consistent with the requirements of due process, and in keeping with the expectation that UNC students will uphold the highest standards of personal behavior and responsibility both on campus and off.[6]

2012 UNC Violent Crime Rates Compared to the State of North Carolina[7]
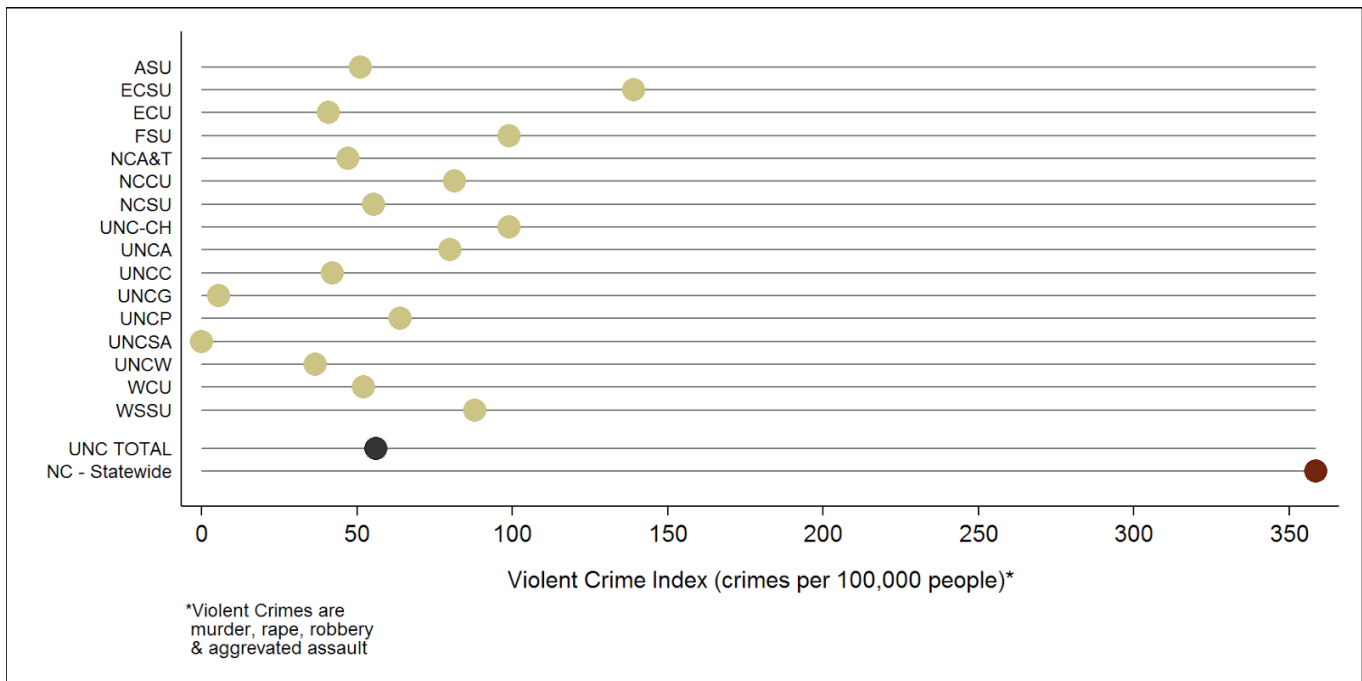
PROTECTING THE CAMPUS FROM MAJOR THREATS

UNC President Molly Broad created a task force in 2004 that offered a number of suggestions for strengthening the admissions screening process and improving overall campus safety. In 2007, in the wake of a mass shooting by a student at Virginia Tech, UNC President Erskine Bowles ordered another review of campus safety. The 2007 Campus Safety Task Force focused on preventing and responding to violent crimes and extreme events. Together, the 2004 and 2007 safety reviews offered valuable recommendations, many of which have been at least partially implemented, contributing to a generally impressive record of campus safety.

As a result of the 2007 Campus Safety Task Force, the University established the position of Associate Vice President (AVP) for Campus Safety and Emergency Operations at UNC General Administration. The AVP collaborates with campus law enforcement and emergency personnel and provides assistance to the 17 UNC constituent institutions in the areas of campus safety/security, emergency management, and physical security. The AVP also serves as a direct liaison between the UNC campuses and local, state, federal, and private agency counterparts in public safety and emergency operations, to enhance strategic planning both within the University system and with external agencies to better prepare for and respond to critical incidents.

Establishing and funding this position in 2008 created a direct and clear line of communication between the UNC campus police departments and senior leadership within UNC General Administration. Prior to the establishment of the AVP for Campus Safety and Emergency Operations position, the 16 UNC campus police departments and the NC School of Science and Mathematics had no mechanism in place to address their individual concerns and issues impacting campus safety at a system level, nor were campus police and security departments in the practice of communicating directly with each other. Now, the campus police chiefs and campus emergency management coordinators join monthly conference calls initiated by the AVP to discuss

immediate- and medium-term security and emergency management issues. Campus law enforcement and emergency personnel use the calls to update each other on current and upcoming events, trends, and other topics focusing on campus security. UNC police chiefs and emergency management coordinators also frequently conduct after-action debriefs via conference call following major incidents occurring at any of the UNC campuses, providing valuable information about promising tactics, strategies, and lessons learned.

As a result of partial funding received from the General Assembly following the 2007 Campus Safety Task Force's work, UNC was able to acquire certain safety-related equipment and engage in a number of security and emergency operations planning activities at the campuses. For example, with funding for emergency management consultants and coordination with local and state agencies, UNC campuses conducted 34 training exercises (both tabletop and full scale) during the 2009 and early 2010 timeframe. Most exercises focused on the campus response to an active shooter situation. The exercises offered significant value by involving the municipal and county public safety departments (police, fire, EMS, etc.) that would respond as part of mutual aid in the event of an on-campus critical incident. Over 118 outside agencies and more than 2,000 individuals participated in the training exercises occurring on UNC campuses across the state. The training exercises allowed agencies throughout the state an opportunity to work and train with not only campus first responders at each of the UNC constituent campuses but to also work and coordinate with both middle and upper management at the university level. The 2009-2010 exercises were made possible by the availability of non-recurring funds, which have not been replenished with subsequent appropriations. Therefore, while the University has continued to conduct training exercises in some form, the University has been unable to continue conducting system-wide training exercises of the same scope and value as those conducted in 2009 and 2010.

Other significant activities undertaken as a result of the 2007 Task Force recommendations include:

‣ Developed and implemented a UNC "all hazards" Emergency Operations Plan template used by the UNC constituent campuses;

‣ Developed and implemented a UNC Emergency Notification System Protocols template;

‣ Developed and implemented a UNC Mutual Assistance Agreement, which provides formal guidance and language on how a UNC campus police department shall request temporary assistance from any of the 16 constituent police departments, including the NC Arboretum Police Department;

‣ Developed and implemented the UNC Statewide Emergency Management Mutual Aid and Assistance Agreement, which provides formal written guidance to all UNC campuses in requesting both supplies and personnel from the North Carolina Division of Emergency Management and from any of the UNC campuses during a natural or man-made disaster;

‣ Secured a $147,000 grant through the North Carolina Emergency Response Commission that provided funding to purchase training equipment that UNC campus police departments can use to train officers in responding to active shooter situations;

‣ Trained and certified UNC police officers as Advanced Law Enforcement Rapid Response Training (ALERRT) instructors, who have successfully trained officers from all 16 constituent campus police departments as well as municipal and county law enforcement officers throughout the state of NC;

‣ Based on the availability of resources, campuses conduct at least two training exercises annually that focus on better preparing campus responses to man-made or natural incidents. UNC campus police departments and emergency management departments regularly assist other campuses in the preparation for and facilitation and evaluation of these exercises due to lack of funding by the state to support such training exercises;

‣ Developed capability for each UNC campus to immediately notify the campus community in the event of a man-made or natural emergency;

- Conducted system-wide training for UNC campus Threat Assessment Teams and Counseling Center Staff in 2009, 2010, 2011, and 2012;

- Developed protocols for campuses to identify and respond to students who potentially pose a threat to themselves or others and to better educate the campus community about how best to recognize signs and indicators of violence, suicide and mental illness;

- Each UNC Campus Police Department entered into a Memorandum of Agreement with the city or county agency in whose jurisdiction the main campus is located; and

- The AVP hosts UNC system-wide training programs for Clery Act compliance, Title IX training, and Campus Threat Assessment Team training.

THE ROLE OF ALCOHOL AND OTHER SUBSTANCE ABUSE

Many UNC students do not engage in high-risk drinking or substance abuse, and there is no reason to believe these issues are more prevalent on our campuses than anywhere else in higher education. Even so, alcohol and drug abuse are contributing factors in many of the most serious incidents that take place on and near our campuses. High-risk drinking and substance abuse cause significant damage to students' mental and physical health, and the culture of high-risk drinking has a negative effect on academic performance and student retention. Most importantly, high-risk student drinking leads to serious injuries and deaths.[8]

Nationally, 95 percent of all violent crimes that occur on campus involve alcohol consumption by the perpetrator, the victim, or both.[9] Each year approximately 1,825 students between the ages of 18 and 24 die from alcohol-related accidents and injuries. Many more — 599,000 — suffer from nonfatal serious injuries while under the influence of alcohol. Additionally, 696,000 college students in the same age range are assaulted each year in alcohol-fueled conflicts, and another 97,000 are victims of alcohol-related sexual assault. A 2002 survey showed that 19 percent of college students aged 18-24 met the criteria for alcohol abuse.[10] Only 5 percent of these students, however, sought treatment in the year prior to the survey.[11] UNC students are not immune from these harms. In the past 10 years, alcohol use has contributed to multiple UNC student serious injuries and deaths resulting from falls, head trauma, alcohol poisoning, and car accidents.

The culture around college drinking too often encourages destructive behavior

The 2007 Task Force raised major concerns about the role of substance abuse as a catalyst for campus security and safety problems for students and staff, and it recommended that the University retain qualified mental health professionals at our campuses to address alcohol and substance abuse and other issues. We echo and amplify those concerns. Members of the Campus Security Initiative see a critical need for University officials at all levels to take a more informed, research-based approach to reducing substance abuse and its associated harms on our campuses. This includes acquiring and allocating the resources needed to maintain a professional staff of alcohol and substance abuse counselors and other trained professionals.

Mindful of the harm substance abuse inflicts on students and the broader community, our campuses are already working to combat it. Training designed to discourage alcohol and substance abuse is offered at all 17 UNC institutions. Through orientation sessions, online training programs, presentations to specific groups, or referrals of at-risk students to other service providers, all of our campuses make an effort to discourage and address this high-risk behavior. The nature and scope of these education efforts varies widely, however, and effectiveness is not consistently measured. Drug and alcohol counseling programs are available on almost all campuses, though fewer than half of our institutions have a certified, full-time substance abuse counselor.

Public health research makes it clear that the misuse of alcohol contributes to an environment where crime and threats to safety are both more likely to occur and more difficult to adjudicate. Alcohol can play an especially pernicious role in sexual assault, creating circumstances in which sexual violence is both easier to commit and more difficult to prosecute. A culture of alcohol abuse can serve as cover for perpetrators, making it critically important for campus officials to condemn and combat irresponsible drinking. In addition to research-based programming, campuses should approach alcohol use, in particular, from a public health perspective, engaging with students and campus communities to encourage responsible personal behavior, provide intervention and treatment options for dependency when appropriate, and eliminate institutionally-sponsored messages that promote high-risk substance use.

This will require combatting a national culture around college drinking that too often serves to encourage destructive behavior. It will require sustained efforts from all institutional stakeholders — members of our governing boards, senior leadership, alumni, parents, students, faculty, and staff. This will be a long-term commitment, and we have made a number of recommendations toward that end.

FEDERAL REGULATION OF CAMPUS SECURITY

UNC is governed by a range of federal statutes, regulations, and agency enforcement guidance concerning crime reporting and the handling of serious incidents on campus. These federal requirements are based on state law crime definitions and subject to investigation and prosecution through local law enforcement. Failure to comply can have significant financial and legal consequences for an institution and, more importantly, adversely affect the lives of students, employees, and campus visitors.

UNC institutions risk regulatory enforcement action, civil penalties, and litigation if university officials fail to allocate the financial and personnel resources needed to meet these standards. In addition to the administrative consequences of failing to comply with federal standards, the University and individual employees may also be subject to legal claims in state and federal court by individuals injured as a result of alcohol or substance abuse, sexual violence, or other campus incidents. Individuals may pursue a variety of legal avenues in an effort to show that UNC or its officials knew, or reasonably should have known, of a particular risk or danger and failed to take adequate steps to prevent harm. Federal regulatory activity is likely to continue to expand. For example, the April 29, 2014 report of the White House Task Force to Protect Students from Sexual Assault outlines increased and expanded enforcement initiatives and compliance requirements that will directly impact UNC efforts.[12] U.S. Senator Claire McCaskill also issued a report in July 2014 which addressed a national survey about how colleges and universities are responding to allegations of sexual assault.[13]

Among the major federal laws implicating campus safety are the Clery Act, Title IX, and the Campus SaVE Act. Each is discussed below. As part of their work, members of the Campus Security Initiative created a chart that includes current statutory and regulatory requirements of the Clery Act, Title IX, the Campus SaVE Act, and related federal guidance. The chart is included in Appendix E to this report, and covers other safety and security related laws as well.[14]

THE CLERY ACT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) was passed in 1990, named in honor of a Lehigh University freshman who was assaulted and murdered in 1986 in her dorm room. The Clery Act covers institutions of higher education that receive federal financial assistance. Thus, all UNC higher education constituent institutions are covered by the Act. The U.S. Department of Education enforces the Act's requirements and may impose fines of up to $35,000 for each violation or withhold federal funds.

The law requires colleges and universities to collect and publish detailed statistics about certain crimes that occur on and near their campuses, and to annually provide information about safety measures so that students, employees, and visitors can make informed decisions related to safety. Clery statistics are meant to be comprehensive, encompassing all reported crimes, not just those that have been investigated by law enforcement. Reporting for Clery purposes does not turn on investigative findings or a law enforcement decision to charge or not to charge. As long as there is a reasonable basis for believing a reported crime is not rumor or hearsay, it must be included in a campus' Annual Security Report (ASR).

An ASR is a report required by the Clery Act that each institution submits annually to the U.S. Department of Education, and provides to the public, that includes institutional safety and security related policy statements and crime statistics. It must be distributed to all current students and employees, and schools must inform prospective students and employees about the availability of the report. Crimes that occurred on campus, in or on any campus-owned or campus-controlled buildings or property, or on property immediately adjacent to and accessible from campus fall within the scope of Clery reporting. (To review a sample ASR from Elizabeth City State University, visit www.ecsu.edu/universitypolice/docs/annual_safety_fire_report.pdf. See Appendix M for links to all UNC institutions' most recent ASRs.)

Each institution's ASR must describe the type of crime, where it occurred, to whom it was reported, and when the crime was reported. Covered crimes include but are not limited to criminal homicide, sex offenses, robbery, and aggravated assault. Institutions must report sex offenses under four classifications: rape, fondling, incest, and statutory rape.

The Act requires institutions to maintain a publicly accessible daily crime log of all reported crimes. The log must remain open for 60 days, after which it must be made available upon request to anyone requesting it within two business days. The log must contain information about: (1) the nature of the crime, (2) the date of the crime, (3) the time of the crime, (4) the general location of the crime, and (5) the disposition of the complaint.

The Clery Act also requires timely warning notification to the campus community of all Clery Act crimes that are reported to campus security authorities or local police and are considered by the school to represent threats to students and employees. Institutions are to issue warnings as soon as the pertinent information is available, to ensure that the campus community is alerted to a threat to safety and may aid in the prevention of similar crimes. In deciding whether to issue a warning, the institution should consider the nature of the crime, the threat of danger, and the possible risk of compromising law enforcement efforts. If the institution decides to issue a warning, the format selected should be one that is reasonably likely to reach the entire campus community (e.g., e-mail and text message).

Recent Fines Issued by U.S. Department of Education for Non-Compliance with the Clery Act

Year	Institution	Fine
2013	Dominican College of Blauvelt	$262,500
2013	Liberty University	$165,000
2013	Lincoln University	$275,000
2013	Oregon State University	$280,000
2013	University of Texas at Arlington	$82,500
2013	Yale University	$165,000
2013	University of Northern Iowa	$110,000
2013	University of North Dakota	$115,000
2012	University of Vermont	$65,000
2012	Wesley College	$60,000
2011	Washington State University	$82,500
2011	Notre Dame College of Ohio	$165,000
2010	Virginia Polytechnic Institute and State University	$55,000
2010	Paul Smith's College of Arts & Sciences	$260,000
2009	Schreiner University	$55,000
2009	Tarleton State University	$137,500
2007	Eastern Michigan University	$357,500
2007	La Salle University	$110,000
2005	Miami University of Ohio	$27,500
2004	Salem International University	$250,000

Clery-covered institutions must develop policies, procedures, and programs relating to sex offenses. Institutional reporting procedures should outline the steps that a student should follow if a sexual offense occurs, including who should be contacted, the importance of preserving evidence, and to whom the alleged offense should be reported. The institution should also maintain procedures for disciplinary action. Disciplinary procedures must provide a complainant and respondent an equal right to have persons present during the proceeding, to be informed of the outcome and the sanctions imposed, and to speak about the offense. Additionally, procedures should list the potential sanctions for offenses. The victim should be informed of the right to call both local and on-campus police, the availability of on- and off-campus counseling and mental health services, and the options for reasonable accommodations in changing academic and living situations after an alleged sexual assault.

THE CAMPUS SaVE ACT

Congress adopted the Violence Against Women Reauthorization Act of 2013, a portion of which is commonly referred to as the Campus Sexual Violence Elimination Act, or "Campus SaVE." Colleges and universities were required to be in compliance with its requirements beginning March 7, 2014. The Campus SaVE Act, which amends the Clery Act, requires that colleges and universities report incidents of domestic violence, dating violence, and stalking in their Annual Security Reports (ASRs), in addition to incidents of sexual assault.

The Campus SaVE Act also details certain requirements for student disciplinary procedures related to these incidents, including prompt, fair and impartial investigations; annual training for student disciplinary hearing officials; the opportunity for both parties in student disciplinary proceedings to have an advisor of their choice present; and a requirement that both parties simultaneously receive written notice of any outcome of a disciplinary proceeding.

The Campus SaVE Act requires that parties who report incidents receive written notice of their rights, such as interim protective measures available to prevent a hostile environment and a description of the university's disciplinary process and potential sanctions. Institutions must also provide individuals with reporting options to notify proper law enforcement authorities, including on-campus and local police; assistance in notifying law enforcement authorities if the victim so chooses; and the option to decline to notify the authorities. The Act also requires colleges and universities to prepare policy statements for prevention and awareness programs on domestic violence, dating violence, sexual assault, and stalking, and to develop a bystander intervention program for all incoming students and new employees.

The U.S. Department of Education developed draft regulations for the SaVE Act, which include additional compliance requirements. Although we anticipate the new regulations will take effect by the summer of 2015, we are presently charged with making a good faith effort to comply.

Since the Campus SaVE Act amends the Clery Act, Clery Act penalties ($35,000 per violation) apply to violations of the SaVE Act.

TITLE IX

Title IX of the Education Amendments of 1972 (Title IX) prohibits sex discrimination in education programs and activities. The law applies to all colleges and universities that are recipients of federal financial aid, including all UNC institutions.

Sex discrimination includes sexual harassment, according to long-standing Supreme Court authority and U.S. Department of Education regulatory guidance. Sexual harassment, in turn, encompasses sexual misconduct, such as sexual assault. Accordingly, Title IX protects both students and employees from sexual harassment, and requires institutions of higher education to respond in specific ways to reports of sexual harassment, including sexual violence.

In particular, Title IX requires all institutions to:

- ▸ Publish a statement of nondiscrimination based on sex;

- ▸ Designate a Title IX compliance coordinator;

- ▸ Publish and implement procedures for sex discrimination grievances;

- ▸ Have prompt, thorough, and impartial investigation procedures for reports of sex discrimination;

- ▸ Have appropriate remedies for sex discrimination; and

- ▸ Provide education and training on the institution's related policies and procedures to students, employees, implementers, and adjudicators.

Institutions must respond adequately to a report of sex discrimination regardless of whether there are criminal charges pending against the responding party. Significantly, the existence of criminal charges does not excuse an institution's independent legal duty to respond to a report of sex discrimination under Title IX.

Recent Resolution Agreements Issued by U.S. Department of Education Office for Civil Rights Related to Investigations into the Handling of Reports of Sexual Violence or Harassment by Post-Secondary Institutions

Year	Institution
2014	Cedarville University
2014	Virginia Military Institute
2014	Tufts University
2013	State University of New York
2013	University of Montana – Missoula
2013	Kentucky Wesleyan College
2013	City University of New York – Borough of Manhattan Community College
2012	University of Northern Iowa
2012	Yale University
2012	Xavier University
2012	Glenville State College
2011	University of Notre Dame
2010	Eastern Michigan University
2010	Notre Dame College
2007	Temple University
2004	Oklahoma State University

An institution must take several important steps when it is on notice of sex discrimination. These steps are an institution's responsibility whether or not the individual affected makes a complaint or otherwise asks the school to take action. For example, institutions must impose appropriate interim protective measures as necessary for the safety of the community and the individuals involved, such as academic support, monitoring or security at the location where the misconduct allegedly occurred, counseling services, no contact orders, and housing and class schedule adjustments. In certain circumstances, institutions may be required to place one or more students on interim suspension, pending the outcome of any investigation and grievance procedure. An institution must implement remedial measures even when a reporting party requests that the report remain confidential. Institutions must also have prompt, thorough, and impartial investigations and hearing processes, while guarding against retaliation. Guidance from the U.S. Department of Education requires that the institutions use a preponderance of the evidence standard in determining whether sexual harassment has occurred.

An institution's failure to appropriately respond to a report of sex discrimination may result in investigation and enforcement action by the U.S. Department of Education Office for Civil Rights (OCR). In its report to the president for the period 2009 through 2012, the Department of Education disclosed that OCR had received nearly 29,000 discrimination complaints, more than in any other four-year period in its history. Approximately 14 percent of those reports involved sexual harassment, sexual misconduct, or other discrimination on the basis of sex.[15] The Office for Civil Rights has substantially increased its sexual harassment/

sexual misconduct investigations and enforcement actions in recent years. As of April 2014, OCR had already received 33 complaints in the 2014 fiscal year--three times the number it received in all of fiscal year 2009, just five years ago.[16]

Possible U.S. Department of Education sanctions for noncompliance include the suspension and termination of federal financial assistance. The U.S. Supreme Court has concluded that Title IX also permits individuals to file civil lawsuits against institutions for noncompliance with the law's requirements.[17] Plaintiffs in successful Title IX civil suits can recover significant damages and attorneys fees. From 2006 to 2010, one major insurer of higher education institutions received 262 claims against universities involving student-perpetrated sexual assault, which generated over $36 million in losses.[18] Moreover, those numbers include claims filed by individuals who were alleged to have been perpetrators of assault, as well as individuals who said they were victims of assault.

Furthermore, schools' compliance with Title IX is garnering increased national attention. The White House established an inter-agency task force in January 2014 to coordinate enforcement efforts and aid institutions of higher education in their compliance with Title IX and the Campus SaVE Act. The task force released guidelines in its first report on April 29, 2014 and launched a website with information about enforcement and resources.[19]

On the same day, the U.S. Department of Education Office for Civil Rights released new Title IX-related guidance expounding on and clarifying earlier guidance issued in April of 2011. The Office for Civil Rights is also taking steps to make its enforcement process more transparent and accessible for institutions and those who wish to file a complaint.[20] As part of that approach, the Department is now publicly listing each institution that is under investigation for alleged violations of Title IX.[21] It is critically important to the welfare of our campus communities that we, as a university system, promptly, thoroughly, and impartially tackle these issues.

OTHER FEDERAL LEGAL REQUIREMENTS

The Higher Education Opportunity Act (HEOA), a comprehensive federal education statute that assigns significant regulatory authority to the U.S. Department of Education, places numerous requirements on campus security activities and emergency operations functions. For example, the HEOA contains provisions that require institutions to notify the campus community in the event of a significant emergency and publish the procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation. Institutions must also have security policies that encourage accurate and prompt reporting of crimes. Regulations adopted under the federal Occupational Safety and Health Act require institutions to have written emergency action plans, which must be kept in the workplace and available for employee review upon request, as required under OSHA standards.

A portion of the HEOA and the Drug Free Schools and Communities Act, in conjunction, directs institutions of higher education to take steps to prevent and address alcohol and drug use and abuse by students and employees. Together, these Acts require institutions that receive federal aid to adopt a program to prevent student and employee alcohol and other substance abuse. They also require our institutions to distribute annually in writing to all students and employees standards of conduct related to substance abuse; a description of possible health risks and sanctions for use of illegal drugs or alcohol; and drug and alcohol counseling options for students and employees. Institutions must complete a biennial review of their drug and alcohol prevention programs. As part of their biennial reviews, campuses must report the number of drug- and alcohol-related violations and fatalities that have occurred on the institution's campus or as part of the institution's activities and that are reported to campus officials. For more information about these Acts, see Appendix E.

DUE PROCESS REQUIREMENTS

Federal law requires educational institutions to report and address serious offenses, such as sexual assault, through grievance procedures and policies. Institutions must maintain these procedures and make them available to complainants whether or not a complainant elects to report an alleged violation to law enforcement. Campus responses to these offenses are prescribed by institutional policies and procedures for handling matters of student discipline. These policies and procedures must include certain procedural safeguards for accused students.

The 14th Amendment of the U.S. Constitution provides that no one shall be deprived of life, liberty, or property without due process of law. The 14th Amendment due process clause requires that an institution afford certain procedural safeguards in the event that one of these protected interests is threatened by a disciplinary action.

Due process requires fundamental fairness

Courts have found that both liberty and property interests may be implicated in educational institutions' disciplinary actions.[22] In particular, a student may have a property interest in continued enrollment or in the progress that individual has made toward a degree. A suspension or expulsion could implicate a student's liberty interest in the student's reputation or honor.

The more significant the property or liberty interest that is potentially being deprived, the more extensive an institution's process must be. Courts have found that the concept of due process is not fixed or rigid, "but is a flexible standard, which varies depending upon the nature of the interest affected and the circumstances of the deprivation."[23] Fundamentally, procedural due process requires notice and the opportunity to be heard "at a meaningful time and in a meaningful manner." [24]

At an even more basic level, due process requires fundamental fairness, but it does not impose an unattainable standard of accuracy.[25] Courts consistently point out that educational institutions are academic in nature and are not to be converted into courtrooms. Along the same lines, courts caution against having a disciplinary process so formal that it unreasonably diverts resources away from the academic purpose of the institution.

Although the components of a student disciplinary proceeding change depending on the nature of the offense and the potential sanctions, notice, an opportunity to be heard, an impartial decision maker, and an opportunity to confront witnesses are common safeguards in student disciplinary proceedings. Not all are required in every circumstance.

In conducting our work, we gathered information from a broad range of sources. We studied and discussed security and safety issues that universities are facing across the country, determined to learn from the work of others. We discussed our own experiences, drawn from years of direct service at UNC institutions and elsewhere. We gathered information and insight from our colleagues in North Carolina and from around the United States, and we sought advice from members of our campus and local communities.

Our work groups focused on resource needs and opportunities for collaboration among campus police departments and other units. We evaluated Clery Act requirements in light of recent legislation and new regulatory guidance. We also conducted a thorough review of the processes our campuses and other institutions use to investigate and adjudicate the most serious offenses that involve students, including sexual assault, to determine good practices.

Campus safety demands sustained attention and regular evaluation

In the process, we carefully reviewed the work of the 2007 UNC Campus Safety Task Force. While that effort led to significant strides in UNC's level of preparedness for campus threats, some of the 2007 recommendations remain unfinished due to lack of funding. Others are in need of review and updating. Ensuring the security of our campuses — taking all feasible steps to provide a safe environment for our students and employees — must be an ongoing effort, requiring sustained attention and regular evaluation. In that spirit, we have developed a set of findings that offer a snapshot of where the University's efforts stand today. These findings provide context for the recommendations we have set forth below.

The urgency of these recommendations will vary considerably among campuses. We expect campus leaders to use them in assessing their institution's own unique needs and priorities. The work of this Initiative is not meant to mark a capstone to UNC's campus safety efforts, but rather a continuation of the diligent and important work that is already underway on our campuses.

See Appendix D for a chart that shows links between the themes, findings, and recommendations in this report. See Appendix C for a chart of actions required by this report's recommendations.

FINDINGS

Our findings encompass several areas of campus security, each addressed in greater detail in the recommendations. Those areas include campus police training; continued attention to regulatory and legal compliance; transparency in crime reporting; training requirements for students, faculty and staff; capabilities, resources and reform in the adjudication of discrimination and sexual assault allegations; and needs for new policies and system-wide coordination. The recommendations are detailed, and implementation will require significant work.

The findings upon which those recommendations are based can be categorized into four broad themes:

A. **Governance and System Capacity:** Although campus security and community member safety is, and must remain, primarily a campus responsibility, the governance structure of the University of North Carolina system offers campuses the opportunity to share expertise and resources to enhance security, safety, and regulatory compliance. The University can fully realize that opportunity by: (a) formalizing oversight of campus security in a way that is consistent with our governance structure and driven by clear data on student safety; (b) developing staff capacity, or access to capacity, at the campuses and, to

ensure that student and community needs are met, adding resources where necessary; and (c) encouraging campuses and General Administration to coordinate, collaborate and share resources and expertise across the system to ensure that all campuses have access to the range of professional expertise needed to meet all security and safety needs.

B. **Campus Engagement on Security and Safety Issues:** The University's focus on the well-being of students and employees is not new. Our campuses already have well-trained personnel who have worked for many years on campus safety, student affairs and student conduct, substance abuse prevention and treatment, and other areas critical to health and safety. Our campuses have a strong record of working to educate students and staff about serious offenses, prevent them from occurring, and properly address and report incidents when they do happen. Many of our campuses already have exemplary data collection processes, educational programming, bystander intervention training, and awareness campaigns. The day-to-day work of campus security and safety is, and will continue to be, conducted primarily at the campus level, but can be enhanced by coordination and collaboration across the University, with appropriate systemization. Personnel on every campus can benefit from engaging more often with their counterparts across the UNC system, coming together to share expertise, good practices, and successful programs. Our campuses already work closely with state and local law enforcement to ensure that crimes are properly investigated and prosecuted. Student conduct procedures, while critically important to the safety and well-being of the campus community, are never a substitute for criminal investigation and prosecution. Campus-based conduct proceedings are designed to address the institution's educational interests and fulfill its mission, and respond to federal mandates to eliminate sexual harassment on campus. They are not to be used to impede criminal investigations.

C. **Prompt, Thorough, and Impartial Investigation and Adjudication:** As a public institution of higher education, the University is committed — in principle and in system-wide policy — to investigating and adjudicating student conduct and disciplinary matters in a fair and impartial manner as part of the campus-based disciplinary and grievance procedures. Federal law and regulation require universities to have grievance procedures and to investigate and adjudicate serious offenses involving students, including sexual assault, domestic violence, stalking, and other offenses, as part of those campus-based grievance procedures. These requirements are never a substitute for criminal investigations conducted by law enforcement authorities and should be coordinated in a manner that allows law enforcement to investigate crimes and district attorneys to prosecute them. System-wide University policies should reflect regulatory requirements and affirm the campus policies and procedures that ensure that all parties are treated with respect and fairness, and that allegations are addressed in a prompt and impartial manner. Moreover, the University should coordinate across campuses to ensure that students have the information they need concerning student safety issues, and that campuses have access to the staff capacity and resources necessary to provide prompt, thorough, and impartial adjudication, consistent with both University policy and the clear requirements of federal law.

D. **Education, Intervention and Training:** Achieving our aim of secure campuses and safe students requires that faculty, students, staff, and board members receive regular training. We can meet this need through close coordination of training resources across the system; through partnerships with community organizations, sexual assault prevention organizations, local law enforcement, and others to develop training programs; and by offering proven online training that can be used as part of a comprehensive training regimen on each campus. Moreover, campuses must continue to address student needs with appropriate counseling and interventions, particularly as it pertains to alcohol and substance abuse.

GOVERNANCE AND SYSTEM CAPACITY

Finding 1: The security of UNC campuses and the safety of all community members must remain among the foremost concerns for the president, the chancellors, the UNC Board of Governors, and campus trustees.

At the direction of the University's governing boards and administrative leadership, the University has invested resources to prevent crime and keep students and employees safe. These efforts should be enhanced, and must include reasonable, sustained investments in police, staff, and other resources to protect the campus environment, prepare for major natural and man-made emergency situations, educate members of the campus community, and ensure that they know how to protect themselves and seek help if they witness or experience crime.

Finding 2: Higher education institutions operate under complex and overlapping legal and regulatory requirements related to campus security and student safety, and these requirements reflect a renewed national focus on increased enforcement.

Most notably, compliance obligations in the area of Title IX and the Clery Act have expanded in the last three years and will continue to expand, driven by increased public concern and backed by heightened enforcement by the U.S. Department of Education and attention at the highest levels of our government. Clery, Title IX, Campus SaVE, and related regulations reflect a genuine public interest in student safety. Failure to meet these new standards not only exposes members of the University community to serious risks, but also threatens our institutions with major financial penalties, including the possible loss of federal funding. State law addresses matters such as hazing, the use of illegal drugs, and the rights of students at UNC campuses to be represented by attorneys or non-attorney advocates in campus disciplinary proceedings. Substance abuse among the UNC student population, including alcohol abuse associated with student organizations, presents serious health and safety risks that the University is expected to address through campus law enforcement, student disciplinary procedures, and prevention programs that educate students about the harms of substance abuse.

Finding 3: University officials need timely and accurate information and data relating to campus security and student safety and well-being to inform their efforts.

In order to guide and support campus security activities and ensure student safety, University administrators and board members need to base decisions on clear, consistent data from campuses that illuminate safety risks, efforts to combat those risks, and the associated costs. UNC campuses currently use a variety of information technology and administrative systems to collect and report data. In certain circumstances, they use different definitions and standards. Adopting common or compatible information systems and standardizing key metrics, where possible, could make crime and safety information far more useful to governing boards and campus administrators. In particular, safety-related data protocols should include information concerning the staff time and other resources allocated to campus security, student safety and student conduct activities. Such an approach will allow for efficient and accurate needs assessments, and can serve to guide training, education, and intervention efforts across the University system.

Finding 4: Campus security, student safety, alcohol and drug use in the campus community, campus climate, and associated risk management issues and policies need to be reviewed by the Board of Governors and the boards of trustees on at least an annual basis.

The Board of Governors provides general oversight and governance of all affairs of the University, including the constituent institutions. The Board allocates authority and responsibility to the boards of trustees, the president, and the chancellors. The Board has assigned primary responsibility for campus security, student safety, and student conduct to the chancellors, while the boards of trustees are tasked with advising the Board of Governors and the chancellors on matters pertaining to each constituent institution. Within this framework, each chancellor works with the campus board of trustees to oversee campus affairs and student safety, ensuring compliance with relevant laws, regulations and University policies. Given the significance of campus security issues, the boards of

trustees and the Board of Governors should regularly be informed of safety risks, changes in regulatory requirements, and the progress of ongoing efforts to promote safety. The Board of Governors and the president should ensure that campuses are monitoring and aggressively combating (a) sexual assault and other incidents of personal violence; (b) alcohol and drug use; and (c) other threats to student safety and well-being. To that end, the Board of Governors and/or the president should adopt policies and regulations providing for regular reports concerning these matters to boards of trustees, the president, and the Board of Governors as part of overall institutional risk management. These reports should outline the nature of the risks, the likelihood of occurrence, and the existence and effectiveness of internal controls, including any plans for risk mitigation.

Finding 5: University policies and procedures related to student conduct and discipline — including serious offenses such as sexual assault and issues associated with alcohol and drug use — should be regularly reviewed and revised to reflect current legal and regulatory requirements and provide clearer guidance to campuses.

The members of the Campus Security Initiative reviewed the provisions of the UNC Code and Policy Manual and identified provisions applicable to campus security, student safety, legal and regulatory compliance, and substance abuse. The following policies require revision to conform to current legal and regulatory requirements, and provide clearer guidance to campuses:

- Section 103 of The Code - Equality of Opportunity in the University;

- Section 502 D3 of The Code - Relation of the Chancellor to the Constituent Institutions;

- UNC Policy Manual Section 700.4.1 – Minimum Substantive and Procedural Standards for Student Disciplinary Procedures;

- UNC Policy Manual Section 700.4.2 – Policy on Student Conduct;

- UNC Policy Manual Section 700.2[R] – Regulations on UNC General Administration with Respect to the Family Educational Rights and Privacy Act;

- UNC Policy Manual Section 1300.1 – Illegal Drugs; and

- UNC Policy Manual Section 700.4.1.1[R] - Regulation Applicable to Student Disciplinary or Conduct Procedures: Right to an Attorney or Non-Attorney Advocate for Students and Student Organizations.

Finding 6: Strong and well-coordinated efforts by UNC campuses to prevent and address serious offenses and comply with federal laws and regulations require significant and worthwhile resource investments.

University campuses must, as a matter of federal law, provide prevention and education programming and grievance procedures through which students and employees can seek redress of sexual violence and other offenses. These procedures are separate and in addition to criminal reporting procedures, but never a substitute for them. Campuses must also retain qualified staff, including law enforcement personnel, and equip them with the training, technology and resources needed to ensure that campuses are secure and students and employees are safe. The University must invest significant resources in such safety and security efforts. It is well worth it -- in terms of the physical, academic, and emotional well-being of our campus communities, and the integrity of our institutions--for us to properly address these issues. Failure to make these investments to comply with applicable legal and regulatory requirements can result in degradation of a quality living and learning environment so essential to fulfillment of the University's primary mission. It can also result in harm to institutional integrity, substantial monetary penalties to the University, potential civil liability resulting from student claims under Title IX, and other causes of action. Our campuses need to hire and retain personnel and invest other resources in prevention and response efforts upfront rather than risking the negative consequences to our community of not meeting our obligations.

Finding 7: The regulatory climate will continue to change. Campuses will face a continuing need to plan for and allocate significant resources to legal and regulatory compliance activities associated with campus security and safety efforts.

During their meetings, Initiative members examined the processes campuses use to investigate serious offenses against persons, work with law enforcement, evaluate grievances, and adjudicate student conduct and disciplinary matters. Members heard from experts and professional staff from Appalachian State University, East Carolina University, North Carolina State University, UNC-Chapel Hill, and others. It was clear that all campuses — no matter their size or constraints — have devoted significant resources to these activities and expect to continue doing so to meet campus security needs, keep students informed, and maintain compliance with a complex and shifting body of federal regulation.

Finding 8: In addition to essential resources, access to system-wide policies, guidelines, checklists, manuals, and other materials can help further develop and enhance how campuses address campus security and student and employee safety issues and provide training, education, and outreach.

The members of the campus security initiative recognize that they are continuing the work of the 2004 and 2007 task forces, and that the University's work on campus security and student safety is an ongoing process. To that end, administrators and staff at all campuses would benefit from regular opportunities to share expertise, research, and experience across the UNC system. With coordination by General Administration, campus personnel should also meet regularly in committees to formalize practices in forms such as policies, guidelines, manuals, and other practical materials for use by campuses to maintain procedural consistency.

Finding 9: Effective campus policing depends on having officers, telecommunicators, and support staff with the skills, training, and resources to meet the unique needs of the campus environment.

A basic component of any campus safety strategy is a trained and professionally managed corps of public safety officers. In North Carolina, campus police possess the same law enforcement authority as municipal and county police officers, including the powers to conduct investigations and make arrests for felony and misdemeanor offenses. Once trained and certified — at considerable cost to the University — campus police possess the basic qualifications to be hired as police officers in other law enforcement agencies in the state. Indeed, many campus police officers can earn more by leaving the university and joining a nearby law enforcement agency. On average, UNC system public safety officer salaries are 13 percent below the 2014 "Metropolitan Rates," which has a negative impact on recruitment and retention of the best officers. A recent review conducted by the North Carolina Office of State Human Resources with support from the University suggests that this problem has been compounded by several years without pay raises and lack of alignment between law enforcement officer salary ranges and the changing roles of law enforcement officers on campuses.

Campus officers do have unique responsibilities compared with other law enforcement professionals. Campus police must learn the unique demands of working in a university setting, including working with a resident student population and complying with complex federal requirements and state laws. They must conduct threat assessments to prevent instances of mass violence on campus, investigate and document allegations of interpersonal violence, and provide compassionate care to survivors. Police officers and support staff must also work closely with Title IX coordinators and other personnel during the federally-mandated grievance process, which could include a full disciplinary hearing through the campus student conduct system. Campus law enforcement personnel must also know about the nature of student drug and alcohol use, intervene appropriately to enforce the law, keep students and employees safe, and encourage responsible student behavior. Finally, campus law enforcement personnel must have the training and knowledge necessary to protect the community from major threats of violence on or near campus. In addition to ensuring campus police are well-trained, appropriately equipped, and fairly compensated within their markets, overall job satisfaction should be monitored on a regular basis.

Finding 10: The nature and complexity of Clery Act reporting coupled with the requirements of the Campus SaVE Act now require the dedicated attention of at least one employee at each campus, particularly given the serious consequences associated with failure to report as required.

The tasks associated with gathering and reporting crime and safety information in accordance with federal requirements and university policy require staff with appropriate knowledge and training. Large campuses within the UNC system typically task several individuals with direct responsibility for Clery Act-required reporting. All campuses communicate the imperative that compliance with Clery and reporting crime information is a responsibility shared by many individuals, as part of the university's commitment to security and safety. Given the nature and complexity of the tasks associated with Clery Act compliance, however, members of the Campus Security Initiative believe that each campus should have at least one employee dedicated to this function because of its critical importance.

CAMPUS ENGAGEMENT ON SECURITY AND SAFETY ISSUES

Finding 11: Student conduct codes and campus conduct systems are important components of efforts by UNC institutions to provide a safe educational environment and encourage responsible behavior.

UNC constituent institutions encourage character formation and development by asking students, as members of the University community, to uphold the highest standards of personal behavior and responsibility in all settings. Disciplinary or conduct procedures at UNC constituent institutions are designed to address violations of disciplinary or conduct rules in a manner that prioritizes student development and education.

Finding 12: Alcohol and other substance abuse by students contributes to serious incidents that affect their well-being.

Although many students at UNC campuses do not engage in high-risk drinking or do not drink at all, a critical mass of students do choose to drink. Many students arriving on university campuses have high-risk drinking habits that developed before matriculation at a university. National research indicates that approximately 45 percent of high school students have consumed multiple alcoholic beverages in one sitting during their high school experience. Various national and local data comparisons indicate that between 10 and 15 percent of new college students began experimenting during the summer between their senior year of high school and matriculation to their first semester in college. This tells us that many students arrive on our campuses having already experimented with alcohol and other substances, and in some cases, having already developed regular consumption habits.[26]

The culture of high-risk drinking and substance abuse by college students contributes to risky behaviors that lead to serious personal injuries, assaults, and even fatalities. The issue brief drafted by the Drug and Alcohol Advisory Group, "Supporting a Comprehensive Approach to Addressing Alcohol and Other Substance Abuse Issues in the UNC System," includes striking statistics that illustrate this point.[27] Nationally, 95 percent of the violent crimes and 90 percent of sexual assaults that occur in college communities involve the use of alcohol by one or both parties involved.[28] Within recent years, several UNC system students have died due to alcohol-related incidents.[29] Not only do these incidents affect the safety of our students, but they also negatively affect the academic environment as a whole.

Finding 13: A variety of individual, environmental, and cultural factors influence students' decisions to engage in high-risk drinking and substance abuse.

A student's individual decision to drink is influenced by multiple environmental factors, which may include music and widespread media, social media posts from peers, the availability of alcohol near campus, whether an institution is predominantly white or historically black, misperceptions about peer drinking norms, the presence of Division I athletics or fraternities or sororities, enforcement of the drinking age, and the clarity of institutional

policies and expectations.[30] If an institution promotes an event or activity with the use of alcohol-related paraphernalia, music, or messages, this may send an institutional message to students that promotes alcohol use. At many colleges and universities, heavy drinking is treated as a "rite of passage." These messages are, unfortunately, reinforced in popular culture and in students' interactions in social media well beyond the boundaries of any of our campuses. This sends to students an unhealthy message that the entire college or university community endorses and expects students to engage in high-risk drinking as a part of the college experience.[31] These messages reinforce a myth among students that high-risk drinking is the norm. The messages also tend to mask the significant risks and consequences of alcohol and substance abuse.

Finding 14: The responsibilities associated with the Clery Act, Campus SaVE Act, Title IX, due process requirements, and general student safety require a team-based approach at each campus.

We evaluated approaches used by campuses to meet Clery Act, Title IX, Campus SaVE, and due process requirements. Members of the Campus Security Initiative reviewed information from several campuses and experts, both inside and outside North Carolina. Some institutions have established compliance committees that focus only on Clery, Title IX, Campus SaVE or due process requirements, while others address Clery, Title IX, Campus SaVE, and due process requirements as one of many compliance matters in a comprehensive risk management structure. Both approaches have merit and make clear that the nature of Clery, Title IX, Campus SaVE, and due process requires coordinated, team responses to serious offenses from a number of individuals in different departments. For example, a report of a serious offense could be filed with campus police, but campus police must share information about the incident, as appropriate, with student affairs officials, the Title IX coordinator, legal counsel, or other officials. Institutions should have response teams for Clery and Title IX-related issues, composed of individuals from multiple divisions who have defined responsibilities and protocols and procedures for sharing information.[32] Regular exchange of information helps team members effectively respond to individual reports and encourages continuous improvement of campus response processes.

Finding 15: Campuses benefit from building strong relationships with local law enforcement agencies, district attorneys' offices, health centers, and organizations.

Our campuses are already providing a great deal of preventative programming and responsive resources to students and employees. Our campuses could make available to their communities an even more comprehensive set of resources by creating new relationships and strengthening existing ones with hospitals, local law enforcement, Alcohol Law Enforcement (ALE), rape crisis centers, counseling centers, and other organizations. Campuses could benefit from creating memoranda of understanding with local victim services providers. While UNC institutions currently have memoranda of understanding in place with local law enforcement agencies, these relationships could be strengthened and routinized by holding regular meetings and arranging information-sharing opportunities, as appropriate and in accordance with federal and state law.

Finding 16: Examples of innovative training and outreach abound within the UNC system.

Initiative members assessed the training and education efforts that are currently taking place on UNC campuses and noted good practices and areas of need across the 17-campus University system. For example, Initiative members learned about Appalachian State University's "It's Up To Me" campaign,[33] which equips students with tools to recognize potentially harmful situations and encourages them to respond if they find themselves or others in such a position. As part of this campaign, students have access to the Appcares mobile phone application which provides contact information for on- and off-campus resources, such as the ASU counseling center and a local substance abuse recovery center. ASU also has a website that houses all relevant resources in a central location. Initiative members also heard about UNC-Chapel Hill's various in-person and online training resources, including in-person bystander intervention programming, HAVEN, and online alcohol education programming. Initiative members recognized that, while some UNC campuses, such as ASU and UNC-Chapel Hill, have robust prevention and awareness campaigns in place with multiple components, other campuses still have a need for basic programming. Depending on the campus, the availability of funding and personnel capacity for training coordination also varies greatly.

Finding 17: Federal law imposes specific requirements for investigating and adjudicating sexual assault, domestic violence, dating violence, and stalking.

With respect to student disciplinary matters involving sexual misconduct, campuses are required to adopt procedures that include the following:

▸ Requirements for an adequate, reliable, impartial, and prompt process from the initial investigation through the final result;

▸ A statement that the preponderance of the evidence standard of proof will be used during the proceedings;

▸ Requirements that all individuals involved with the grievance procedures (e.g. Title IX coordinators, individuals who receive complaints, investigators, adjudicators) will have appropriate training and experience in handling complaints and in the University's grievance procedures;

▸ The identification and notification to parties of interim protective measures that may be imposed during an investigation whether or not the accuser chooses to report the crime to campus police or local law enforcement;

▸ Information about existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for the reporting party both on-campus and in the community;

▸ Information about the importance of preserving evidence;

▸ Options for students to make a report to law enforcement and campus authorities or decline to make such a report;

▸ Procedures students should follow if an offense occurs;

▸ Reporting party's rights and the University's responsibilities regarding orders of protection, no contact orders, restraining orders, and other court orders;

▸ The identification of available sanctions and remedies that may be imposed following an institution's final determination that rape, domestic violence, dating violence, sexual assault, or stalking has occurred;

▸ Requirements that the accuser and the accused will: (i) have the same opportunity to present information during the investigation and proceedings, (ii) have the same opportunity to be accompanied at any meeting or proceeding by an advisor of their choice; (iii) receive simultaneous notification in writing of the outcome of the proceeding, appeal, or any change to the result before it becomes final;

▸ Confidentiality protections and limitations;

▸ Prohibitions against retaliation; and

▸ Other substantive and procedural requirements.

Finding 18: Given the complex dynamics associated with sexual assault and similar types of interpersonal violence, students should not be involved in adjudicating such cases.

Personnel with significant training and experience should hear these cases. UNC campuses define acts of violence and sexual misconduct as violations of the code of student conduct, for which disciplinary proceedings may be instituted and sanctions imposed. Some campus disciplinary panels include student members, even in cases involving sexual assault and interpersonal violence. Typically students on hearing panels in such matters are asked to consider testimony and facts offered by other students, determine whose version of events is more likely than not to have occurred, and then impose a sanction that can be as serious as expulsion.

There is significant concern among campus officials and community members in general about the well-being of students tasked with hearing such cases. This concern is magnified by the problem of providing transient student board members with adequate training and experience to handle these sensitive matters. Most speakers at the public forum, and most participants in Campus Security Initiative meetings and discussions, from students to experienced professionals, expressed the view that students should not be involved in adjudicating incidents of alleged sexual misconduct or similar types of interpersonal violence. Recently, the U.S. Department of Education expressed the same view.

Personnel serving on hearing panels for these serious offenses should have appropriate training and experience, including training on the dynamics associated with sexual misconduct and related trauma issues. Training should include, but not be limited to, information on working with and interviewing persons subjected to sexual violence; information on particular types of conduct that would constitute sexual violence; the proper standard of proof; information on consent and the role drugs or alcohol can play in the ability to consent; the importance of accountability for individuals found to have committed sexual violence; the need for remedial actions for the perpetrator, complainant, and school community; how to determine credibility; how to evaluate evidence and weigh it in an impartial manner; how to conduct investigations; confidentiality; the effects of trauma, including neurobiological change; and cultural awareness training regarding how sexual violence may impact students differently depending on their cultural backgrounds.

Finding 19: Campuses need assistance from the University to ensure that all campuses have the capacity to promptly, thoroughly, and impartially investigate and adjudicate serious offenses.

Campuses rely on procedures that meet policy standards established by the Board of Governors. Those policy standards, in turn, meet Constitutional due process requirements by providing notice to an accused student and an opportunity to respond to charges. The Board's procedural standards do not, however, include provisions intended to address all of the legal and regulatory requirements for investigating and adjudicating Title IX-related disciplinary matters.

Campus Security Initiative members considered several suggestions and strategies raised by students, faculty, and staff for ensuring a prompt, fair, and impartial process, including:

▸ Provide information to students about the right to be represented by attorneys or non-attorney advocates in disciplinary proceedings;

▸ Ensure that those who investigate and adjudicate serious offenses, including sexual misconduct and interpersonal violence, have the necessary qualifications, training, and experience to perform those functions in a fair and impartial manner;

▸ Convene UNC campus staff with appropriate expertise to develop investigative and hearing manuals, checklists, template communications, and training materials;

▸ Review, update and enhance standards for conducting investigations of serious offenses, including sexual assault, with sensitivity toward survivor trauma;

▸ Provide better definition of roles and responsibilities for campus staff who are responsible for responding to reports and complaints, working with complainants and respondents, and conducting hearings.

Finding 20: Many campuses need access to additional professional and administrative staff, investigators, adjudicators, training, capacity, and expertise in order to respond to campus security and student safety needs, particularly with respect to serious offenses like sexual assault.

Campuses must hire, retain, and continuously train staff in campus law enforcement, student affairs, and other components. Campuses must also identify and allocate scarce resources to support the staff who are performing these important functions related to safety, security, and compliance. Mid-size and small campuses within the UNC system face particular challenges and resource constraints that need to be addressed. Larger campuses are

more likely to have the resources, scale, and structure to justify employment of full-time professional staff with training and experience in investigating and adjudicating serious offenses, discrimination, and other interpersonal violence issues. Mid-size and small campuses, however, lack the resources, scale and organizational differentiation that would justify maintaining individuals with such qualifications as full-time staff. The members of the Campus Security Initiative recognize that campuses must have the staff capacity necessary to respond to the unique circumstances of their particular campus communities. At the same time, we believe that campuses can most efficiently enhance and further develop their capacity by leveraging the expertise of similarly qualified professionals on other campuses, and by further developing the staff capacity at UNC General Administration to provide coordination, compliance assistance, guidance, and support.

EDUCATION, INTERVENTION, AND TRAINING

Finding 21: UNC campuses must continue to address the link between alcohol and other substance abuse and serious offenses against persons through a comprehensive public health approach by addressing both individual student needs and identifying greater institutional and cultural changes that are needed.

Our campuses currently use various approaches to deal with high-risk drinking and substance abuse, such as education and prevention programs, intervention programs for students with drug or alcohol offenses, and recovery resources for students struggling with dependency. Our campuses must build upon these efforts by addressing substance abuse not only from an individual student basis, but from an institutional and cultural perspective as well. Efforts must include a combination of alcohol-related policy, consistent implementation and enforcement, a reduction in environmental barriers to making good decisions, educational efforts, treatment options for students struggling with dependency, and regular reports of serious alcohol-related incidents to institutional leadership.

Finding 22: While federal laws, regulations, and guidance focus heavily on campus processes for responding to serious offenses, they also place comparable emphasis on prevention, awareness and intervention efforts.

Recent legislation significantly increases the obligation that universities must provide training and education to students, employees, and other constituencies concerning campus security and safety matters. The Campus SaVE Act requires institutions to have both primary and ongoing prevention and awareness campaigns for students and faculty that must include information about the following:

- ▸ Institutional prohibitions of dating violence, domestic violence, sexual assault, and stalking;

- ▸ Definitions of dating violence, domestic violence, sexual assault, and stalking;

- ▸ A definition of consent as it relates to sexual activity;

- ▸ Options for bystander intervention;

- ▸ Information about risk reduction; and

- ▸ Information about reporting options, resources, and disciplinary procedures.

Finally, and importantly, federal laws, regulations, and guidance require that policy implementers receive further training on their particular roles, responsibilities, and the nature and dynamics of dealing with serious offenses.

Finding 23: Thoughtful, well-designed training curricula and outreach efforts form an important part of the campus culture. They can help create a climate in which students and employees are aware of and attuned to safety issues, including issues associated with sexual violence.

These prevention efforts include education for students and employees and ongoing, multifaceted, campus-wide awareness campaigns that aim to inform community members about resources and ways to reduce the

occurrence of serious incidents. Taken together and implemented well, these programs and campaigns can help to create a campus culture of awareness, responsiveness to safety needs, and high expectations for conduct. This type of culture is conducive to student academic success.

Finding 24: System-wide emergency preparedness and campus safety coordination, while successful, has been limited due to a lack of funding. Additional resources are needed to build capacity and effectiveness.

In the wake of the Virginia Tech shooting incident, the 2007 Campus Safety Task Force recognized a need for system-wide coordination of campus safety operations and emergency preparedness within the UNC system. The University established the Associate Vice President for Campus Safety and Emergency Operations position within UNC General Administration in response to the 2007 Task Force's recognition of this need. The position was filled in 2008 and, with funding from the General Assembly, resulted in immediate improvements in security capability, preparedness, and coordination among UNC campuses and community partners.

As a result of the Associate Vice President's coordination, a total of 34 training exercises, both tabletop and full-scale, were conducted between 2009 and 2010 to practice a coordinated response to an active shooter scenario. All 16 campus police departments also now have an emergency management coordinator. These efforts at coordinated emergency preparedness, however, were significantly impeded by large budget reductions and funding restrictions that resulted from the recession. While the Campus Security Initiative members recognize the significant progress made by the University as a result of coordination through the Associate Vice President, this system-level function lacks the funding and capacity to provide all campuses with adequate and ongoing preparation for emergencies, such as an active shooter scenario. Moreover, campuses need additional resources and staff capacity in order to continue to implement and maintain the level of training, expertise, coordination and preparedness necessary to meet anticipated and unanticipated threats to campuses.

Although each campus public safety department must maintain the flexibility necessary to adjust operations to meet the needs of their particular campus communities, the provision of resources for capacity for system-wide training and coordination would allow for standardization of policies, emergency preparedness, and training in several key areas that would be considered beneficial to all campus public safety departments.

Finding 25: There is an opportunity to develop and systematize basic training standards across the UNC system for campus constituencies.

Initiative members determined that UNC campuses should provide a basic level of training and education to their students, faculty, and staff, to be set system-wide. Training programs should be built around federally-mandated training and then incorporate additional training and education, developed and customized by each campus. The minimum training required for each audience should differ according to an individual's role and responsibilities, such as student, employee, Campus Security Authority, responsible employee, Title IX coordinator, Clery compliance officer, investigator, adjudicator, or campus police officer. Campus Security Authorities, responsible employees, Title IX coordinators, Clery compliance officers, investigators, and adjudicators require additional, specialized training that is tailored to their roles.

Finding 26: While some campuses have the resources to fund and create their own training and educational programs for their campus communities, other campuses could benefit from shared resources and programming ideas.

Initiative members learned that, although campuses are ultimately responsible for meeting federal requirements themselves, system-wide coordination and collaboration could be helpful to most campuses. This type of system-wide information sharing can enable all campuses to take advantage of the knowledge base and expertise within our system. It can also reduce costs for training across the system. Campuses should, wherever possible, collaborate with campus constituencies, community-based organizations, state and local health services, and local law enforcement to provide this education and training. In addition, small and mid-sized campuses with fewer resources and staff, and less differentiation of duties, should share resources, with coordination from UNC General Administration, to ensure that appropriate training is available and accessible.

RECOMMENDATIONS

See Appendix B for a chart that lists this report's recommendations, estimated cost of implementation, and tentative target dates for implementation.

Recommendation 1: Adopt a University system policy requiring a periodic (no less than annual) report and presentation to the boards of trustees and the Board of Governors with relevant data and information concerning campus security, student safety, sexual assault, alcohol and drug use, risk management and associated institutional policies. *(See Findings 3 and 4.)*

Individual campus reports to boards of trustees should at a minimum:

- ‣ Provide relevant information concerning campus climate and student health and well-being;

- ‣ Review institutional policies, legal obligations, and compliance requirements associated with campus security, student safety, and campus law enforcement operations;

- ‣ Provide data concerning alcohol and drug use by students and use associated with student organizations;

- ‣ Describe and provide information concerning the nature of risks, likelihood of occurrence, and risk mitigation plans associated with student safety, including sexual assault, dating violence, domestic violence, stalking and other offenses against persons;

- ‣ Review student disciplinary proceedings associated with such matters; and

- ‣ Describe staffing needs and costs associated with safety and security, including information about time and resources spent by campus personnel on compliance with federal (Clery, Title IX, Campus SaVE Act, due process) and state legal requirements; time and resources spent on risk management activities associated with campus security; time and resources spent providing training required by regulation; time and resources spent conducting investigations of student conduct matters; and time and resources spent preparing for and conducting hearings of student conduct matters, including all pre- and post-hearing activities.

The Board of Governors should receive an annual report from the president summarizing the information reported to each board of trustees.

Consistent with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), Section 304 of the Violence Against Women Reauthorization Act of 2013 (Campus SaVE Act), the Higher Education Opportunity Act, the U.S. Department of Education's April 4, 2011 "Dear Colleague" Letter (2011 "Dear Colleague" Letter), the U.S. Department of Education's 2014 "Questions and Answers on Title IX and Sexual Violence" (2014 Q & A Document), and "NOT ALONE: The First Report of the White House Task Force to Protect Students from Sexual Assault" (First White House Task Force Report).

Recommendation 2: The University should adopt a system policy on sexual harassment and sexual violence. *(See Findings 2 and 5.)*

The policy on sexual harassment and sexual violence should:

- ‣ Define key terms as required by law and regulation, including Sexual Harassment, Sexual Violence, Sexual Assault, Dating Violence, Domestic Violence, Consent, Stalking, and Incapacitation;

- ‣ Include revised language to address sexual orientation, gender identity, and intimate partner violence, as required by the Campus SaVE Act;

- ‣ Prohibit sexual harassment and sexual violence, provide for dissemination of the policy, address reporting, and prohibit retaliation for making reports;

- ‣ Distinguish prohibited conduct from the exercise of academic freedom and freedom of speech;

- Address students, faculty, staff, visitors and contractors;

- Be consistent with grievance and disciplinary procedures of UNC campuses;

- Include the requirement that each campus must have a Title IX coordinator;

- Include the preponderance of the evidence standard for evaluating complaints;

- Identify and require notification to the reporting party of interim protective measures available;

- Provide for bilateral appeals;

- Provide both parties with an equal opportunity to present evidence;

- Provide parties with equal opportunity to be represented by attorneys/advocates;

- Provide for simultaneous notification to both parties of the outcome of a hearing;

- Address confidential resources and confidentiality limitations, formal reporting options, and the institution's obligation to respond to a report;

- Require campuses to adopt policies and procedures consistent with the system policy; and

- Include other appropriate and related provisions.

As required by the Clery Act, Clery regulations, the Campus SaVE Act, Title IX of the Education Amendments of 1972 (Title IX), Title IX regulations, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, and the First White House Task Force Report.

Recommendation 3: Establish a UNC system-wide Campus Security Committee composed of campus police, attorneys, Clery compliance and Title IX staff, student affairs leadership, faculty, students, employees with substance abuse expertise, community service providers and public agency specialists, and others as may be appropriate. *(See Findings 1, 6, 7, 14, 17, 19, 21, 22, 24, 25, and 26.)*

The committee should be charged with conducting an annual review of:

- All reporting to the boards of trustees and the Board of Governors concerning alcohol and drug use, sexual misconduct, and offenses against persons;

- UNC system policies concerning student conduct and discipline, the Sexual Harassment and Sexual Violence policy, and policies concerning reporting of crime information and the operation of campus public safety departments;

- Such other reports, information, and security-related items as may be identified by the president.

The committee should recommend additions or changes to policies, as appropriate, and adjustments to practices as needed, on an annual basis, to the President. The committee may also recommend additional training and resources and offer advice to University leadership concerning budget and resource needs for campus security and safety. Members should be selected by the president, with approval of the proposed member's chancellor, and should serve three-year rotating terms. The committee should also offer an annual campus security training conference.

Consistent with the Clery Act, Clery regulations, the Campus SaVE Act, Title IX, Title IX regulations, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, and the First White House Task Force Report.

Recommendation 4: Develop a data collection protocol and process for campuses to collect campus security information from each constituent institution in a way that is most useful to law enforcement, campus student affairs, campus administrators, boards of trustees, the Board of Governors, and the president. *(See Finding 3.)*

Data collection protocols should be explored for the following:

▸ Information concerning offenses against persons, including sexual assault, stalking, domestic violence, and dating violence, with data collection elements to include report/complaint information, time to complete investigation, number of formal charges, time to complete disciplinary/conduct proceeding, involvement of outside representation for reporting parties and responding parties, use of alcohol/drugs in incident, outcome, and satisfaction with process.

▸ Information concerning alcohol and drug arrests and referrals.

▸ Surveys of campus climate with respect to campus security, student safety, sexual assault, and alcohol use.

▸ Information concerning campus security or safety-related training.

▸ Data on the incidence of injury/death of students associated with alcohol/drug use or other factors.

▸ Information concerning the staff and other resources allocated to compliance activities associated with campus security and safety.

Campuses should implement regular processes to analyze the data collected and use the analysis to inform efforts to improve their responses to serious offenses. Campuses should also collaborate, with coordination from UNC General Administration, on the evaluation of appropriate information technology that can be utilized by all campuses to gather and report information. Consideration should be given to solutions that build upon and leverage existing campus data collection systems or off-the-shelf systems in use elsewhere.

Consistent with the Clery Act, Clery regulations, the Campus SaVE Act, the Higher Education Opportunity Act, Title IX, Title IX regulations, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, Violence Against Women Act Negotiated Rulemaking Consensus Language (VAWA Negotiated Rulemaking Consensus Language), and the First White House Task Force Report.

Recommendation 5: Students should not serve on campus student disciplinary hearing panels in cases involving sexual violence. *(See Findings 17, 18, and 19.)*

Campus student disciplinary adjudication procedures should be revised to provide that students will not serve on hearing panels for cases involving these matters. Relevant system-level policy should accommodate this recommendation, but provide sufficient flexibility for campuses to design and adjust hearing procedures to best meet needs of the particular campus.

Consistent with the 2014 Q & A Document, which discourages schools from permitting students to serve on hearing boards for cases involving allegations of sexual violence.

Recommendation 6: Reports or complaints involving serious offenses, including sexual misconduct, should be investigated by individuals with appropriate professional training and investigative experience. *(See Findings 14, 17, 18, and 19.)*

Campuses should work together, with coordination through UNC General Administration, to define the system-wide minimum set of skills and qualifications investigators of serious offenses must have. It is recommended that UNC General Administration pilot a shared services mechanism as one approach to ensuring that needs for investigative expertise are met at campuses without sufficient staff. Relevant system-level policy should be

revised or adopted to include the requirement that investigators of serious offenses have appropriate professional training and experience.

Consistent with the Clery Act, Clery regulations, the Campus SaVE Act, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, VAWA Negotiated Rulemaking Consensus Language, and the First White House Task Force Report.

Recommendation 7: Students should be provided clear notice of the right to representation by attorney or non-attorney advocates during conduct or disciplinary proceedings. *(See Findings 5 and 11.)*

Consistent with N.C.G.S. § 116-40.11 and guidance developed by UNC General Administration, students may be represented by attorneys or non-attorney advocates in many campus disciplinary proceedings. In accordance with regulations issued by the president (see UNC Policy Manual 700.4.1.1[R]), students should receive clear notice of their rights to be represented by an advisor of their choice (attorney or non-attorney advocate) in proceedings. The right applies in the same manner to complainants and respondents in sexual misconduct matters based on Title IX guidance.

Consistent with the Campus SaVE Act, VAWA Negotiated Rulemaking Consensus Language, and North Carolina General Statute § 116-40.11.

Recommendation 8: Campuses should establish clear and consistent responsibilities, skills, and minimum qualifications of Title IX coordinators. *(See Findings 2, 6, 14, 17, 18, 19, 20, and 24.)*

Each campus should clearly define the duties of the Title IX coordinator and deputy Title IX coordinators. Campuses should work with General Administration to identify, based on research, system-wide minimum skills and qualifications each Title IX coordinator must possess.

Consistent with Title IX regulations, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, and the First White House Task Force Report.

Recommendation 9: Campuses should collaborate in the development of University system regulations or guidance for adoption by the president that address the training that must be provided to all students and employees, Campus Security Authorities, responsible employees, Title IX coordinators, Clery compliance officers, and investigators and adjudicators of serious offenses in accordance with Title IX, the Clery Act, the Campus SaVE Act, and due process requirements. *(See Findings 8, 10, 14, 17, 18, 19, 20, 22, 24, 25, and 26.)*

This work may be accomplished by the Campus Security Committee described in Recommendation 3, in consultation with experienced trainers and other content experts.

Consistent with the Clery Act, Clery regulations, the Campus SaVE Act, Title IX, Title IX regulations, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, VAWA Negotiated Rulemaking Consensus Language, and the First White House Task Force Report.

Recommendation 10: The University should evaluate and, if feasible, issue a system-wide request for proposals for basic online training content, which campuses could then access at their option through a master agreement. *(See Findings 25 and 26.)*

Campuses are responsible for providing training to students, student groups, faculty, staff, Campus Security Authorities, campus police, emergency responders, hearing panel members, and others concerning campus security and emergency operations, the Clery Act's requirements, Title IX, University policy, intervention strategies, and a variety of other matters. UNC campuses already employ numerous innovative training approaches to deliver content to various audiences. Although on-line training will not and must not be used as a

substitute for other campus-based training, the Campus Security Initiative members have concluded that there is an opportunity to identify specific on-line training modules and topics and make them available to all campuses. UNC campuses can then incorporate that training content to meet particular needs.

Consistent with the Clery Act, Clery regulations, the Campus SaVE Act, Title IX, Title IX regulations, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, VAWA Negotiated Rulemaking Consensus Language, and the First White House Task Force Report.

Recommendation 11: Individuals who serve on hearing panels or as hearing officers to adjudicate cases involving allegations of serious offenses, including Title IX-related offenses, must have appropriate levels of experience and training to serve in these roles. *(See Findings 6, 11, 17, 18, and 19.)*

Individuals who hear appeals of these cases should also receive a minimum level of training. If necessary to meet the minimum training requirements, campuses may engage individuals from other UNC institutions to serve as adjudicators. UNC General Administration, in consultation with campus student affairs personnel, should establish guidelines setting forth minimum standards for training and experience and consider piloting a shared service mechanism as one approach to ensuring that campus needs are met. Relevant system-level policy should be revised or adopted to reflect this requirement that adjudicators have an appropriate level of professional training and experience.

Consistent with the Clery Act, the Campus SaVE Act, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, VAWA Negotiated Rulemaking Consensus Language, and the First White House Task Force Report.

Recommendation 12: With appropriate staff capacity, UNC General Administration should coordinate and convene system-wide annual training and collaboration opportunities for staff working in campus security and safety to address campus security/emergency operations issues, Clery, Title IX, Campus SaVE, due process, alcohol/substance abuse, and other federal and state requirements. *(See Findings 6, 7, 12, 14, 20, 22, and 23.)*

Utilizing experts within and outside the system, Clery compliance officers, Title IX coordinators, investigators and adjudicators, campus attorneys, and others should share best practices, including tools for assessing the impact of the training and education being implemented across campuses. System-level training may include, but should not be limited to, the following topics: privacy protections in records and information sharing, investigative techniques, compassionate care of trauma survivors, mental health assessment and suicide intervention, accurate data collection, and effective response protocols and coordination across departments.

UNC General Administration should also coordinate cross-system curriculum and programming collaborations, such as an online library of curriculum resources or e-mail listservs, for the development and sharing of good practices and educational programming. Development of general training content should include identifying community partners and others for the purpose of developing campus awareness campaigns, training videos, and other materials. To the extent possible, given funding and resource limitations, UNC General Administration staff should coordinate efforts among the campuses to create shareable media and content for training and awareness campaigns.

Consistent with the Clery Act, the Campus SaVE Act, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, VAWA Negotiated Rulemaking Consensus Language, and the First White House Task Force Report.

Recommendation 13: Each campus police department, with coordination by UNC General Administration, should provide basic campus law enforcement officer training to newly-hired officers and advanced sexual assault and interpersonal violence investigation training for police investigators. *(See Findings 9, 16, 24, and 25.)*

Each campus law enforcement officer in the UNC system should have equivalent foundational training on the topics unique to campus law enforcement. More advanced training in proper sexual assault response in the

campus environment should also be provided to investigators within the campus police departments to ensure compliance with Title IX. Campus police chiefs should work with UNC General Administration and local community partners (such as rape crisis centers or domestic violence agencies) to determine training content and ways to provide the training.

Consistent with the Clery Act, Clery regulations, the Campus SaVE Act, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, VAWA Negotiated Rulemaking Consensus Language, and the First White House Task Force Report.

Recommendation 14: Each campus should form a committee composed of personnel from multiple departments to meet regularly to develop and implement strategies to address alcohol and other substance abuse by students through a public health model approach. *(See Findings 1, 2, 4, and 6.)*

The committee should be led by an individual designated by the chancellor and may include staff from residence life, athletics, admissions, campus police, fraternity and sorority life, academic affairs, legal counsel, and other administrators. This committee should prepare an annual report for submission to the chancellor and the board of trustees. The committee should develop and monitor the following:

- Required in-person and on-line training for students that addresses substance misuse and the relationship between substance abuse and serious incidents;
- Policy revisions necessary to address alcohol and drug abuse through enforcement, as well as intervention and rehabilitation efforts, as appropriate and consistent with applicable law;
- Consistency of enforcement;
- Ways to change campus environmental messages that promote alcohol use;
- Types of substances students are using and their effects on health and behavior;
- Relationships with local partners, such as health centers, establishments that serve alcohol, counseling centers, and substance abuse treatment centers;
- Education programs for parents; and
- On- and off-campus resources to meet student and employee needs.

Some of these items may also be addressed by the system-wide Campus Security Committee referenced in Recommendation 3.

Consistent with the Drug Free Schools and Communities Act Amendments of 1989 (Drug Free Schools and Communities Act), the Higher Education Opportunity Act, the Clery Act, Clery regulations, the Campus SaVE Act, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, VAWA Negotiated Rulemaking Consensus Language, and the First White House Task Force Report.

Recommendation 15: Each campus should have access to at least one dedicated, trained and licensed substance abuse counselor. *(See Findings 5, 12, 13, and 21.)*

Campus counselors should provide substance abuse assessments, interventions, and referrals, as needed.

Consistent with the Clery Act, Clery regulations, the Drug Free Schools and Communities Act, the 2011 "Dear Colleague" Letter, and the 2014 Q & A Document.

Recommendation 16: Each campus should implement a Good Samaritan policy to encourage students to report serious incidents to campus officials. *(See Findings 8, 16, and 21.)*

Sexual assaults and other incidents that occur on university campuses are often not reported to law enforcement or to campus authorities. One barrier to reporting, even among survivors themselves, is the fear of being held accountable for minor alcohol violations. Each institution should enact and widely publicize a Good Samaritan policy to prevent students who report serious incidents — including sexual assault, medical emergencies, and mental health issues — from being subject to disciplinary procedures for incidental violations of campus rules. This would not prevent the institution from pursuing a welfare referral or assessment if the violations are indicative of a pattern of behavior that may jeopardize the safety and well-being of the student.

Consistent with the Drug Free Schools and Communities Act, the Higher Education Opportunity Act, the Clery Act, Clery regulations, the 2011 "Dear Colleague" Letter, and the 2014 Q & A Document.

Recommendation 17: Each campus should clearly communicate to students and employees the on- and off-campus resources available for individuals struggling with substance abuse, including alcohol abuse. *(See Findings 4, 11, 12, 13, and 21.)*

This information should be available to the campus community in a centralized place, such as a website.

Consistent with the Drug Free Schools and Communities Act, the Clery Act, Clery regulations, the 2011 "Dear Colleague" Letter, and the 2014 Q & A Document.

Recommendation 18: University leadership, including governing boards, senior administrators and faculty, should commit to eliminating institutionally-sponsored messages that promote or encourage a culture of alcohol misuse. *(See Findings 12, 13, and 21.)*

As part of this effort, leaders and other personnel, as appropriate, should receive information and training in the basic principles of a public health model for alcohol and substance abuse prevention. They should utilize these principles when making policy decisions and determining budget priorities. Each campus should also have an up-to-date evidence-based alcohol and other drug policy. The policy should clearly outline what the laws and campus expectations include, setting forth an intervention- and rehabilitation-focused approach rather than a punitive philosophy alone.

Other actions that should be considered include: (a) developing plans for reducing and eliminating alcohol industry sponsorship of university programs and events; (b) expressing public support for the minimum legal drinking age law; and (c) informing faculty, staff, alumni, and parents about the research that supports these positions. Finally, each campus should review its athletic and alumni tailgating culture and consider approaches for reducing the negative impacts that can be associated with high rates of consumption during these events, as well as reconsider the use of game break "passes" that allow patrons the opportunity to leave the stadium at half-time and consume additional alcohol.

Consistent with the Drug Free Schools and Communities Act, the Clery Act, Clery regulations, the 2011 "Dear Colleague" Letter, and the 2014 Q & A Document.

Recommendation 19: Each campus should create a safety-centered mobile phone application for students.
(See Findings 15 and 16.)

The phone application should provide students with easy access to contact information for reporting and safety-related resources, such as campus police, health facilities, and crisis centers, both on- and off-campus.

Consistent with Title IX regulations, the Clery Act, Clery regulations, the Campus SaVE Act, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, VAWA Negotiated Rulemaking Consensus Language, and the First White House Task Force Report.

Recommendation 20: Each campus should implement a multi-faceted primary prevention and awareness campaign for students and employees that focuses on empowering campus community members to take responsibility for their own safety and the safety of others. *(See Findings 8, 14, 17, 19, 22, and 23.)*

The campaign should include information about who to contact in the event of an emergency, bystander intervention techniques to prevent serious incidents from occurring, and information about substance abuse awareness and resources on- and off-campus. The awareness campaign should address resources related to drug and alcohol abuse and serious offenses, such as sexual assault.

Consistent with Title IX regulations, the Clery Act, Clery regulations, the Campus SaVE Act, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, VAWA Negotiated Rulemaking Consensus Language, and the First White House Task Force Report.

Recommendation 21: The University should seek the resources and flexibility necessary to increase salaries for public safety officers and telecommunicators to established law enforcement market rates. *(See Findings 1, 6, 9, and 24.)*

UNC system police officers have a broad range of responsibilities that are unique to higher education which must be performed in addition to their traditional law enforcement responsibilities. Their salaries should reflect these responsibilities.

Consistent with unique requirements of campus police officers in the Clery Act, Clery regulations, the Campus SaVE Act, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, VAWA Negotiated Rulemaking Consensus Language, and the First White House Task Force Report.

Recommendation 22: Establish and fund a Clery compliance officer position at each campus to coordinate Clery Act compliance activities and oversee Campus Security Authorities. *(See Findings 6, 10, and 14.)*

Funding should be sought and allocated to provide for the establishment of a Clery compliance officer position at each campus. The Clery compliance officer will be responsible for collecting and compiling statistics related to Clery crimes, annually identifying and notifying Campus Security Authorities based on their functions instead of titles, training Campus Security Authorities, maintaining anonymous reports, tracking timely warnings, producing the annual security report, and otherwise ensuring Clery compliance. Furthermore, each Clery compliance officer should join a Clery compliance-related professional association, such as the National Association of Clery Compliance Officers and Professionals to stay abreast of good practices.

Consistent with the Clery Act, Clery regulations, the Campus SaVE Act, and VAWA Negotiated Rulemaking Consensus Language.

Recommendation 23: Each campus should establish a Clery Act oversight committee. *(See Findings 10 and 14.)*

Each campus' committee should ensure coordination and compliance with Clery requirements. This committee should meet periodically (e.g., quarterly) and establish timelines, training topics, and regulatory updates, and discuss current issues related to Clery compliance. The chancellor should designate an individual to be the chair of this committee, and the committee should typically include members such as legal counsel, campus police, study abroad administrators, athletics directors, housing administrators, student conduct officials, employee

relations officials, communications officers, and the Title IX coordinator. This committee should be formally charged by the campus for ensuring Clery compliance.

Consistent with the Clery Act, Clery regulations, the Campus SaVE Act, and VAWA Negotiated Rulemaking Consensus Language.

Recommendation 24: Each campus should establish a Title IX response team. *(See Findings 14, 15, 17, 18, 19, and 22.)*

Each campus should establish a committee or team to ensure coordination of and compliance with Title IX requirements. This committee should meet periodically (e.g., quarterly) to communicate about reports, establish protocols, determine training topics, and discuss current issues related to Title IX compliance. The chancellor should designate an individual to serve as chair of this committee, and the committee should typically include members such as legal counsel, campus police, study abroad administrators, housing administrators, student conduct officials, employee relations officials, and communications officers.

Consistent with the Campus SaVE Act, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, VAWA Negotiated Rulemaking Consensus Language, and the First White House Task Force Report.

Recommendation 25: The University should enhance its staff capacity to support campuses by offering compliance assistance, training, and coordination in campus security and safety matters, including Clery, Title IX, Campus SaVE, due process, campus law enforcement, and related areas. *(See Findings 1, 2, 6, 8, 10, 14, 17, 19, 20, 21, 22, and 26.)*

Campus security and student and employee safety is, and will remain, the primary responsibility of the campuses. Each campus needs the resources and personnel sufficient to serve students, meet security and safety needs of all campus community members, and comply with legal requirements. In addition, it is important that UNC General Administration develop the staff structure and resources needed to support the campus security and safety efforts of the campuses, build system capacity, identify and share best practices with other campuses, develop manuals and other materials, coordinate and facilitate trainings, coordinate peer reviews and audits, provide shared services for investigations and hearings, staff and coordinate the UNC system Campus Security Committee (see Recommendation 3) and provide advice, compliance assistance, and other critical resources to campuses. Multiple staff functions should be developed and funded at UNC General Administration to meet these needs.

Consistent with Title IX regulations, the Clery Act, Clery regulations, the Campus SaVE Act, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, VAWA Negotiated Rulemaking Consensus Language, and the First White House Task Force Report.

Recommendation 26: With coordination through General Administration, campuses should work together to develop guidelines and other training materials, a compliance checklist of regulatory requirements associated with campus security and safety, content checklists, manuals, sample template communications, compliance updates, and additional information to support the general efforts of campuses in security and safety. *(See Findings 6, 7, 8, 20, 23, 24, and 25.)*

General materials created should include a standard Campus Security Authority report form for reporting Clery offenses. Additionally, members of the Campus Security Initiative collaborated on a full review of current legal, regulatory, and policy requirements in the areas of campus security and student safety. The results of that review have been captured in a single chart of regulatory requirements and recommendations that should be made available to all campuses (see Appendix E). The chart should be reviewed and updated on an annual basis, and

maintained for easy access and use by all campuses, as it is anticipated that regulatory changes and enforcement guidance will continue to accumulate.

Consistent with Title IX regulations, the Clery Act, Clery regulations, the Campus SaVE Act, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, VAWA Negotiated Rulemaking Consensus Language, and the First White House Task Force Report.

Recommendation 27: The University should assemble and utilize UNC system Clery Act compliance peer review teams and/or external audits in order to evaluate Clery Act compliance on a regular basis. *(See Findings 6, 7, 10, 14, and 25.)*

UNC General Administration should form a team comprised of Clery experts from the constituent institutions that should conduct peer reviews of all of the institutions on a rotating basis. The peer review board should be comprised of three to four members and should review the Clery compliance documents of three or four institutions annually. The membership of the peer review board should be by appointment from General Administration and should rotate on a schedule as determined by General Administration.

Consistent with the Clery Act, Clery regulations, the Campus SaVE Act, and VAWA Negotiated Rulemaking Consensus Language.

Recommendation 28: The University should seek resources necessary to create and fund victim assistant positions within each campus law enforcement agency. *(See Findings 6, 7, and 9.)*

North Carolina General Statute §15A-830, the Crime Victims' Rights Act, requires police departments to provide certain services and information to victims of crimes. Beyond the legal requirements, UNC constituent institutions have established an environment that emphasizes an ethic of care for their students. The victim assistance coordinators would serve as a liaison between court personnel and victims, guide the victims toward resources available from campus and outside entities, and assist investigators in case follow-up actions. In addition, these positions would serve as liaisons with other law enforcement agencies and the court system to identify students who are crime victims outside campus boundaries, which will allow campuses to provide support to those students.

Consistent with the Clery Act, Clery regulations, the Campus SaVE Act, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, and North Carolina General Statute §15A-830.

Recommendation 29: The University should develop a campus climate survey instrument for campuses' use to gather information regarding student attitudes, knowledge and experiences while attending the campus. *(See Findings 3, 8, 12, 13, 17, and 20.)*

Campuses, with coordination from UNC General Administration, should utilize resources provided by the White House Task Force to Protect Students from Sexual Assault in the development of the survey.[34] The survey should be administered in a manner consistent with the recommendations of the White House Task Force, but not less than every three years, and data should be reported to institutional leadership. The information gathered in the survey should include: (1) student knowledge regarding sexual harassment, sexual assault and retaliation; (2) knowledge of how and when to report sex discrimination; (3) information regarding students' experiences with sex discrimination while enrolled at the campus; (4) identification of barriers to reporting; (5) familiarity with campus outreach, education and prevention initiatives; (6) input on how the campus can encourage affected students to report sexual harassment, sexual assault, and retaliation; and (7) input on how the campus can better respond to reports. The survey should be designed so that each campus can add elements to meet particular needs.

Consistent with the First White House Task Force Report.

Recommendation 30: Each campus should acquire Clery Act compliance and reporting software. *(See Findings 3, 6, 7, 10, and 14.)*

Many campuses use computer software to assist in tracking and identifying Clery crimes, but not all campuses do. It is recommended that each campus consider purchasing software that would assist in tracking Clery statistics. Ideally, this software would allow for data collection by both campus police and student affairs personnel, would have capability to feed into the data collection system referenced in Recommendation 4, and would allow for consistent data reporting across the system. If there is sufficient interest among campuses, UNC General Administration should pursue a request for proposals and a master agreement, through which campuses could purchase the software at their option.

Consistent with the Clery Act, Clery regulations, the Campus SaVE Act, and VAWA Negotiated Rulemaking Consensus Language.

Recommendation 31: Each campus must have established protocols for responding to serious offenses against persons, including sexual misconduct, and Clery-reportable crimes. *(See Findings 5, 6, 7, 14, 17, and 19.)*

Clarity of roles, responsibilities, and how information should be shared during a response to a report of a serious offense can engender trust in the process, provide a sense of predictability and consistency, and ultimately reduce the number of complaints filed by reporting parties and responding parties. Each institution's protocols should specify the roles, responsibilities, and decision-making authority of those campus personnel who play a part in the campus' response to a report of a serious offense, such as sexual misconduct, or a Clery-reportable crime. The campus protocol should include clear instructions for how and with whom information, such as a report of a serious offense, should be shared on campus.

Each campus' Clery and Title IX response teams should facilitate this information sharing and create the procedures for coordinated campus responses to serious offenses. Among other items, response teams should identify who will be "on call" as first responders and at what times. This protocol should involve the collection of data relevant to response procedures. UNC General Administration should select and convene knowledgeable campus experts to develop guidelines, checklists, flowcharts, template communications, standardized Campus Security Authority report forms, or other materials to assist in meeting this requirement.

Consistent with Title IX regulations, the Clery Act, Clery regulations, the Campus SaVE Act, VAWA Negotiated Rulemaking Consensus Language, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, and the First White House Task Force Report.

Recommendation 32: Campuses should identify and clearly communicate reporting options, confidential resources, and additional on- and off-campus resources to reporting and responding parties and the greater campus community, ideally in the form of a website. Campuses should clearly communicate confidentiality and privacy considerations related to use of these resources. *(See Findings 2, 6, 8, 11, 15, 16, and 23.)*

This information should be easily available in a central location and should be understandable to students. Each campus should identify a trained confidential victim advocate as one of its confidential resources to provide emergency support immediately after an incident of interpersonal violence. Externally, when possible, campuses should take advantage of community resources that may be helpful to prevention or trauma-informed response efforts with students.

To provide additional support and resources, campuses should formalize relationships with local law enforcement agencies, community organizations, substance abuse treatment facilities, mental health and general healthcare facilities, and advocacy groups. Campuses must make clear that, in addition to reporting incidents of

interpersonal violence to campus officials, students also have the option of reporting these incidents to local law enforcement agencies.

Consistent with the Clery Act, Clery regulations, the Campus SaVE Act, VAWA Negotiated Rulemaking Consensus Language, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, and the First White House Task Force Report.

Recommendation 33: Campus personnel should schedule and participate in regular meetings with their local law enforcement agencies to appropriately share and provide information about particular reports consistent with FERPA. *(See Findings 6, 7, and 15.)*

Campuses should use these regular meetings as a way to build relationships with local law enforcement, including district attorneys, and establish clear and routine channels of communication about serious incidents involving campus community members. For example, although the existence of a parallel criminal investigation does not relieve a campus of its independent duty to investigate a Title IX-related issue, campus administrators may decide, after communication with local law enforcement, to temporarily delay their investigation while local law enforcement officers gather evidence.

Consistent with the Clery Act, Clery regulations, the Campus SaVE Act, VAWA Negotiated Rulemaking Consensus Language, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, and the First White House Task Force Report.

Recommendation 34: The University should develop a basic manual for conducting and documenting investigations of serious matters, including sexual misconduct. *(See Findings 2, 5, 6, 7, 16, 19, 20, and 26.)*

UNC General Administration should convene a working group to develop a standard investigative manual, which may contain timelines, sample or template communication letters from the institution to reporting and responding parties, guidance on appropriate questioning of parties and witnesses, process checklists, and a standard investigative report form. Development of the manual should include consultation with campus law enforcement personnel to ensure that it references and incorporates requirements associated with sexual assault investigations that are or may be conducted by law enforcement agencies.

Consistent with the Clery Act, Clery regulations, the Campus SaVE Act, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, VAWA Negotiated Rulemaking Consensus Language, and the First White House Task Force Report.

Recommendation 35: The University should develop standards and guidelines to coordinate and further enhance training and information-sharing among the public safety departments of the constituent institutions.
(See Findings 6, 7, 8, 9, 15, 20, 23, and 24.) The associate vice president for campus safety and emergency operations and the campus police chiefs, with the approval of the president and input from the chancellors, should develop and recommend the following:

‣ A standard field training program template for campus law enforcement officers;

‣ Community policing training specific to campus law enforcement that focuses on developing relationships with diverse populations;

‣ Standards for campus law enforcement staffing;

‣ Standards for sexual assault investigations;

‣ Methods for community members to submit complaints and commendations;

‣ Guidelines for addressing possible drug and alcohol violations;

‣ A job satisfaction survey for campus law enforcement personnel; and

- An evaluation of the resources and policy changes necessary for each campus law enforcement agency in the UNC system to pursue accreditation by either the Commission on Accreditation of Law Enforcement Agencies (CALEA) or the International Association of Campus Law Enforcement Administrators (IACLEA).

Consistent with the Clery Act, Clery regulations, the Campus SaVE Act, the 2011 "Dear Colleague" Letter, the 2014 Q & A Document, VAWA Negotiated Rulemaking Consensus Language, and the First White House Task Force Report.

Recommendation 36: The University should complete implementation of high priority recommendations of the 2007 Campus Safety Task Force. *(See Findings 1, 2, 6, 7, 9, 12, 13, 15, 20, 21, and 24.)*

These high priority recommendations include:

- Every UNC campus police department should, with sufficient funding, meet baseline proficiency standards by pursuing accreditation by the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) or a comparable association such as the International Association of Campus Law Enforcement Administrators (IACLEA).

- The University should fund competitive pay for campus law enforcement personnel to ensure that campuses can attract and retain qualified law enforcement officers.

- Provide capacity and resources at all campuses to assess and treat mental health issues. Essential resources include accredited counseling centers, experienced and credentialed clinicians and case managers, prompt access to services, and policies that serve to de-stigmatize the treatment of mental health problems and promote culturally-appropriate modes of treatment.

- Build staff capacity and expertise on each campus and at UNC General Administration sufficient to implement campus security efforts, coordinate and lead emergency and disaster prevention, comply with regulatory and legal requirements, engage effectively with external law enforcement and emergency management agencies, lead response and recovery efforts, and administer the Campus Safety Plan, the Emergency Operations Plan, and the Threat Assessment Team.

- Campuses, with coordination through UNC General Administration and proper funding and staff capacity, should continue regular meetings of campus law enforcement and safety personnel that now take place as a result of the 2007 Task Force recommendations, and address existing and emerging topics in emergency operations and campus law enforcement.

- Campuses should develop comprehensive, evidence-based programs to reduce the harm associated with alcohol and drug abuse among students. These efforts should attempt to change the underlying culture of alcohol and substance abuse among students, including efforts to change the culture of alcohol and substance abuse on campus and in the community.

Consistent with the Clery Act, Clery regulations, and the 2014 Q & A Document.

CONCLUSION

Under the leadership of the President and the chancellors, our campuses are already fully engaged in efforts to prevent and respond to security and safety threats. Within the UNC system, students, campus leadership, faculty, and staff are implementing effective prevention and awareness programs, emergency preparedness exercises, alcohol and substance abuse education, data collection systems, and investigatory and disciplinary practices. The Initiative's recommendations build upon that solid foundation.

The challenges associated with campus security will continue to evolve. Ongoing collaboration will be needed to support chancellors and campus officials. We must work as a system to continually assess our efforts, learn from our successes and shortcomings, and improve the security and well-being of our communities.

ENDNOTES

[1] See Appendix A for a list of members of the Campus Security Initiative and a description of the process through which the Initiative developed its findings and recommendations.

[2] The Campus SaVE Act did not ultimately pass in Congress. Section 304 of the Violence Against Women Reauthorization Act of 2013 incorporates many of the provisions of the Campus SaVE Act, however, and is therefore commonly referred to as the Campus SaVE Act.

[3] "Governor McCrory Creates Task Force to Combat Substance Abuse and Underage Drinking." State of North Carolina Governor Pat McCrory Official Homepage. 13 May 2014. Web. <www.governor.state.nc.us/newsroom/press-releases/20140513/governor-mccrory-creates-task-force-combat-substance-abuse-and>.

[4] Truman, Ph.D., Jennifer L., and Michael Planty, Ph.D. "Criminal Victimization, 2011." Department of Justice Statistics, United States Department of Justice, Oct. 2012. Web. <www.bjs.gov/content/pub/pdf/cv11.pdf>.

[5] Data on crimes committed from UNC campuses comes from the U.S. Department of Education's Office of Postsecondary Education's (OPE's) "Campus Safety and Security Data Analysis Cutting Tool," available at www.ope.ed.gov/security. Statewide data comes from the North Carolina Department of Justice's "Annual Summary Report of 2012 Uniform Crime Reporting Data," available at www.ncdoj.gov/getdoc/9d422e2e-5ee4-4b6a-a175-90b948e857a0/2012-Annual-Summary.aspx. The data supplied by the OPE was converted so as to be comparable to the report from the North Carolina Department of Justice.

[6] Smith, Gina Maisto and Leslie Gomez. "Title IX External Audit Report." Pepper Hamilton LLP for the University of Colorado Boulder. 27 Jan. 2014. Web. <www.colorado.edu/sites/default/files/attached-files/CU%20Title%20IX%20summary%20and%20report.pdf>.

[7] Based on 2011 Uniform Crime Reporting, Federal Bureau of Investigation.

[8] See Drug and Alcohol Advisory Group of UNC Campus Security Initiative's "Supporting a Comprehensive Approach In Addressing Alcohol and Other Substance Abuse Issues in the UNC System" issue brief in Appendix H to this report.

[9] "Report to Congress on the Prevention and Reduction of Underage Drinking." Substance Abuse and Mental Health Services Administration, U.S. Department of Health and Human Services (Nov. 2012): 13. (Citing Commission on Substance Abuse at Colleges and Universities, 1994.) Web. <www.stopalcoholabuse.gov/media/ReportToCongress/2012/report_main/report_to_congress_2012.pdf>.

[10] "College Drinking." National Institute on Alcohol Abuse and Alcoholism, National Institute of Health. (Citing the "National Epidemiologic Survey on Alcohol and Related Conditions" by the National Institute on Alcohol Abuse and Alcoholism, 2002.) Web. <www.pubs.niaaa.nih.gov/publications/CollegeFactSheet/CollegeFact.htm>.

[11] "College Drinking." National Institute on Alcohol Abuse and Alcoholism, National Institute of Health. (Citing the "National Epidemiologic Survey on Alcohol and Related Conditions" by the National Institute on Alcohol Abuse and Alcoholism, 2002.) Web. <www.pubs.niaaa.nih.gov/publications/CollegeFactSheet/CollegeFact.htm>.

[12] "Not Alone: The First Report of the White House Task Force to Protect Students from Sexual Assault." The White House. (April 2014). Web. <www.whitehouse.gov/sites/default/files/docs/report_0.pdf>.

[13] Sexual Violence on Campus." U.S. Senate Subcommittee on Financial & Contracting Oversight – Majority Staff. 9 July 2014. Web. http://www.mccaskill.senate.gov/SurveyReportwithAppendix.pdf.

[14] We gratefully acknowledge the assistance of Gina Maisto Smith and Leslie Gomez of Pepper Hamilton, LLP, who provided written summaries of the Clery Act, the Campus SaVE Act and Title IX and authorized their use in this report.

[15] "Report to the President and Secretary of Education Under Section 203(b)(1) of the Department of Education Organization Act." U.S. Department of Education, Office for Civil Rights (2012): 6-8.

[16] Newman, Jonah, and Libby Sander. "Promise Unfulfilled?" Chronicle Of Higher Education, 5 May 2014. Web. <www.chronicle.com/article/Promise-Unfulfilled-/146299/>.

[17] *Cannon v. University of Chicago*, 441 U.S. 677 (1979).

[18] "Student Sexual Assault: Weathering the Perfect Storm." EduRisk Risk Research Bulletin by United Educators. (2014). Web. <www.ue.org/Libraries/Corporate/Student_Sexual_Assault_Weathering_the_Perfect_Storm.sflb.ashx>.

[19] The first White House Task Force report is available at www.whitehouse.gov/sites/default/files/docs/report_0.pdf. The Task Force website is located at NotAlone.gov.

[20] "U.S. Department of Education Releases List of Higher Education Institutions with Open Title IX Sexual Violence Investigations." U.S. Department of Education Press Release. 1 May 2014. Web. <http://www.ed.gov/news/press-releases/us-department-education-releases-list-higher-education-institutions-open-title-i>. As of July 2014, there were 66 institutions listed on the White House Task Force website as being under investigation by the OCR.

[21] "U.S. Department of Education Releases List of Higher Education Institutions with Open Title IX Sexual Violence Investigations." U.S. Department of Education Press Release. 1 May 2014. Web. <http://www.ed.gov/news/press-releases/us-department-education-releases-list-higher-education-institutions-open-title-i>.

[22] E.g., *Goss v. Lopez,* 419 U.S. 565 (1975); Smith v. The Rector and Visitors of the Univ. of Virginia, 115 F. Supp. 2nd 680, 685 (2000).

[23] *Gorman v. University of Rhode Island,* 837 F.2d 7, 12 (1st Cir. 1988) (citing Mathews v. Eldridge, 424 U.S. 319, 334 (1976).).

[24] *Mathews v. Eldridge,* 424 U.S. 319, 333 (1976) (quoting Armstrong v. Manzo, 380 U.S. 545, 552 (1965).

[25] *Grannis v. Ordean*, 234 U.S. 385, 395 (1914).

[26] "College Drinking." National Institute on Alcohol Abuse and Alcoholism, National Institute of Health. (Citing the "National Epidemiologic Survey on Alcohol and Related Conditions" by the National Institute on Alcohol Abuse and Alcoholism, 2002.) Web. <www.pubs.niaaa.nih.gov/publications/CollegeFactSheet/CollegeFact.htm>.

[27] See the Drug and Alcohol Advisory Group of UNC Campus Security Initiative's "Supporting a Comprehensive Approach In Addressing Alcohol and Other Substance Abuse Issues in the UNC System" issue brief in Appendix H to this report.

[28] "Supporting a Comprehensive Approach In Addressing Alcohol and Other Substance Abuse Issues in the UNC System": 4. (Citing Abbey, Antonia. "Alcohol-Related Sexual Assault: A Common Problem among College Students." Journal of Studies on Alcohol (2002): 118-128.)

[29] "Supporting a Comprehensive Approach In Addressing Alcohol and Other Substance Abuse Issues in the UNC System": 3.

[30] "Supporting a Comprehensive Approach In Addressing Alcohol and Other Substance Abuse Issues in the UNC System": 8.

[31] "Supporting a Comprehensive Approach In Addressing Alcohol and Other Substance Abuse Issues in the UNC System": 8-9.

[32] See Appendix I for a flow chart that provides an example of a campus protocol for responding to a Title IX-related report.

[33] For more information, see www.appcares.appstate.edu.

[34] "Not Alone: The First Report of the White House Task Force to Protect Students from Sexual Assault." The White House (April 2014). Web. <www.whitehouse.gov/sites/default/files/docs/report_0.pdf>.

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APPENDICES

APPENDIX A: MEMBERS AND PROCESS OF THE CAMPUS SECURITY INITIATIVE

President Ross designated Chancellor Randy Woodson of North Carolina State University and Chancellor Harold Martin of North Carolina A&T State University to chair the Campus Security Initiative.

Workgroup co-leaders

Marilyn Sheerer
*Provost and Senior Vice Chancellor for Academic and
    Student Affairs*
East Carolina University

Joshua Malcolm
General Counsel
University of North Carolina at Pembroke

Jack Moorman
Police Chief
North Carolina State University

Melody Pierce
Vice Chancellor for Student Affairs
North Carolina A&T State University

Jamie Herring
Police Chief
University of North Carolina at Greensboro

Bill Haggard
Vice Chancellor for Student Affairs
University of North Carolina at Asheville

Winston Crisp
Vice Chancellor for Student Affairs
University of North Carolina at Chapel Hill

Campus Security Initiative members

The members of the Campus Security Initiative include provosts, attorneys, police chiefs, students, Title IX officers, professors, vice chancellors for student affairs, health professionals, athletics directors, and other professionals from across the UNC campuses.

J.J. Brown
*Dean of Students and Associate Vice Chancellor for
    Student Development*
Appalachian State University

Charles Cairns
Professor and Chair of Emergency Medicine
University of North Carolina at Chapel Hill

Deb Cheesebro
Chief of Police
University of North Carolina School of the Arts

Howard Kallem
Title IX Compliance Coordinator
University of North Carolina at Chapel Hill

Jonathan Kappler
Director of State Government Relations
University of North Carolina General Administration

Jeanne Madorin
*Director of Employee Relations, Training, and
    Compliance*
University of North Carolina at Charlotte

Edward McLean
Director of Athletics
Fayetteville State University

Michael Mullen
*Vice Chancellor and Dean for Academic and Student
   Affairs*
North Carolina State University

Mario Paparozzi
Professor, Sociology and Criminal Justice
University of North Carolina at Pembroke

Silvia Ramos
*Equal Employment Opportunity/Affirmative Action
   Officer*
Winston-Salem State University

Tresa Saxton
Director, Student Health Services
University of North Carolina at Greensboro

Kara Simmons
Associate University Counsel
University of North Carolina at Chapel Hill

David Spano
*Associate Vice Chancellor for Health Programs and
   Services and Director, Counseling Center*
University of North Carolina at Charlotte

Nathan Tilley
Student
University of North Carolina at Chapel Hill

Brenda Allen
Provost and Vice Chancellor for Academic Affairs
Winston-Salem State University

Marilyn Chamberlin
Associate Professor
Western Carolina University

Glenn Newell
Police Chief
North Carolina A&T State University

Donna Gooden Payne
University Attorney
East Carolina University

Lynne Reeder
Director of the UNCW Counseling Center
University of North Carolina at Wilmington

Josiah Sampson
Biology Instructor
Elizabeth City State University

Randy Eaton
Director of Athletics
Western Carolina University

David Green
Professor of Law
North Carolina Central University

Stephen Leonard
Associate Professor of Political Science
University of North Carolina at Chapel Hill

Carolyn Moore
Director of Counseling
North Carolina Central University

Cameron Muir
Student
Appalachian State University

Ew Quimbaya-Winship
Deputy Title IX Coordinator
University of North Carolina at Chapel Hill

Keith Tingley
Director of Greek Life
East Carolina University

William Tricomi
Associate University Counsel
University of North Carolina at Chapel Hill

Katrin Wesner
Director of Student Health Center
University of North Carolina at Wilmington

Cindy Wallace
Vice Chancellor for Student Development
Appalachian State University

Virginia Hardy
Vice Chancellor for Student Affairs
East Carolina University

Patricia Leonard
Vice Chancellor for Student Affairs
University of North Carolina at Wilmington

Arthur Jackson
Vice Chancellor for Student Affairs
University of North Carolina at Charlotte

UNC General Administration Staff

Thomas C. Shanahan
Vice President and General Counsel

Karrie Dixon
Vice President for Academic and Student Success

Brent Herron
Associate Vice President for Safety and Emergency Operations

Michael Delafield
Assistant Vice President for Legal Affairs

Carrie Johnston
Staff Attorney

Kandace Farrar
College Access Coordinator, College Access Challenge Grant

Eric L. Johnson
Communications Advisor

Brandon Robinson
Communications and Legal Specialist

Katy Lucci
Presidential Intern

PROCESS OF THE CAMPUS SECURITY INITIATIVE

The Campus Security Initiative convened over an eight-month period between October 2013 and May 2014, with members focused on three main questions.

‣ First, what policies, practices, and procedures do our campuses have in place related to public safety operations, the collection and reporting of crime statistics, and responses to violent offenses against persons, including sexual assault?

‣ Second, what are the most effective practices currently in place at our own campuses and at other universities across the country, and how can we expand or adapt those practices to serve the UNC community?

‣ Finally, what can the University system do, from our dorm rooms to our board rooms, to improve public safety, ensure accurate collection and reporting of crime statistics, promote a more responsible approach to student alcohol consumption, and strengthen our response to violent offenses against persons, including sexual assault?

With respect to each of these questions, members considered issues associated with the abuse of alcohol and substance abuse.

The Initiative held its first meeting with all three work groups and the Drug and Alcohol Advisory Group on October 1, 2013 at the William and Ida Friday Center for Continuing Education in Chapel Hill. Between October 2013 and February 2014, each of the three work groups met approximately once a month at different locations across the state. All meetings were publicly noticed and open for all citizens to attend. Each of the three work groups also split into subgroups to perform specific tasks or focus on subtopics within the larger group's focus area.

In early December 2013, the Initiative hosted a public forum at NC State University's Hunt Library in Raleigh. At that event, more than a hundred Initiative members, faculty, staff, students, parents, and citizens from across the state had the opportunity to join discussions and contribute to the Campus Security Initiative. Initiative members used guidance and insight from the forum discussion to inform their further work and eventual recommendations. (See Appendix L for a summary of the discussion that occurred at the public forum on December 2, 2013.)

In mid-January, the entire Initiative gathered again at UNC General Administration in Chapel Hill for a meeting, which marked the midpoint of the Initiative's work. At this meeting, Initiative members heard presentations from across the system about current campus practices that might be scalable system-wide. Initiative members also heard a presentation by Dr. Jacob Lohr, Distinguished Professor of Pediatrics at the UNC School of Medicine, about his research on alcohol's link to serious injuries in young adults. Afterward, leaders from each work group and the Drug and Alcohol Advisory Group shared initial draft observations and recommendations. Initiative members used much of the meeting to identify the strengths and weaknesses of the draft recommendations, noting and debating necessary changes.

The entire Initiative held an additional meeting in early May to review the combined work group recommendations. The Drug and Alcohol Advisory Group presented findings and recommendations related to student high-risk alcohol and drug use for inclusion in the Initiative's final report. Initiative members assessed gaps in the recommendations and suggested further information for inclusion in the findings and recommendations. Members also prioritized the recommendations and determined that campuses and UNC General Administration must begin work immediately to implement policy revisions, educational programming, and many other recommendations.

To answer President Ross's initial charge and develop system-wide findings and recommendations, the work groups gathered data and information from an expansive roster of sources, including expert presenters who

attended Initiative meetings, a public forum, and several system-wide surveys. Initiative members heard presentations from campus police chiefs, Clery compliance coordinators, public health experts, community leaders, Title IX coordinators, attorneys, student affairs staff, student disciplinary hearing panel members, and student leaders.

The Drug and Alcohol Advisory Group, in coordination with one of the work groups, administered a system-wide survey to identify the current practices, strengths, and needs of UNC campuses in the areas of alcohol and drug abuse prevention and treatment. The survey also collected information about campuses' current practices and procedures related to sexual violence and harassment. (See Appendix K for a summary of the results of the Drug and Alcohol Advisory Group's system-wide survey.)

Finally, work groups and individual Initiative members, alongside General Administration staff, reviewed a wealth of policy information, reports, academic research, congressional testimony, survey results, and news reports relating to issues of campus security and sexual assault. Documents of particular importance in the drafting of this report are cited throughout and collected in the report's appendix.

APPENDIX B: Recommendations, Estimated Cost of Implementation, and Tentative Timeline For Implementation			
	Target for Implementation	**Estimated Recurring Cost**	**Estimated Nonrecurring Cost**
Recommendation 1: Adopt a University system policy requiring a periodic (no less than annual) report and presentation to the boards of trustees and the Board of Governors with relevant data and information concerning campus security, student safety, sexual assault, alcohol and drug use, risk management and associated institutional policies. (*See Findings 3 and 4.*)	Fall 2014		
Recommendation 2: The University should adopt a system policy on sexual harassment and sexual violence. (*See Findings 2 and 5.*)	Spring 2015		
Recommendation 3: Establish a UNC system-wide Campus Security Committee composed of campus police, attorneys, Clery compliance and Title IX staff, student affairs leadership, faculty, students, employees with substance abuse expertise, community service providers and public agency specialists, and others as may be appropriate. (*See Findings 1, 6, 7, 14, 17, 19, 21, 22, 24, 25, and 26.*)	Spring 2015	$25,000	
Recommendation 4: Develop a data collection protocol and process for campuses to collect campus security information from each constituent institution in a way that is most useful to law enforcement, campus student affairs, campus administrators, boards of trustees, the Board of Governors and the president. (*See Finding 3.*)	Fall 2015	$50,000	$500,000 development costs
Recommendation 5: Students should not serve on hearing panels in cases involving sexual violence. (*See Findings 17, 18, and 19.*)	Fall 2015		
Recommendation 6: Reports or complaints involving serious offenses, including sexual misconduct, should be investigated by individuals with appropriate professional training and investigative experience. (*See Findings 14, 17, 18, and 19.*)	Fall 2015	$1,190,000 (14 positions at $85,000)	$50,000 for recruitment and initial training costs
Recommendation 7: Students should be provided clear notice of the right to representation by attorney or non-attorney advocates during conduct or disciplinary proceedings. (*See Findings 5 and 11.*)	Fall 2014		
Recommendation 8: Campuses should establish clear and consistent responsibilities, skills, and minimum qualifications of Title IX coordinators. (*See Findings 2, 6, 14, 17, 18, 19, 20, and 24.*)	Spring 2015	$2,000,000 (coordinator for each campus)	
Recommendation 9: Campuses should collaborate in the development of University system regulations or guidance for adoption by the president that address the training that must be provided to all students and employees, Campus Security Authorities, responsible employees, Title IX coordinators, Clery compliance officers, and investigators and adjudicators of serious offenses in accordance with Title IX, the Clery Act, the Campus SaVE Act, and due process requirements. (*See Findings 8, 10, 14, 17, 18, 19, 20, 22, 24, 25, and 26.*)	Summer 2015		

APPENDIX B: Recommendations, Estimated Cost of Implementation, and Tentative Timeline For Implementation			
	Target for Implementation	**Estimated Recurring Cost**	**Estimated Nonrecurring Cost**
Recommendation 10: The University should evaluate and, if feasible, issue a system-wide request for proposals for basic on-line training content, which campuses could then access at their option through a master agreement. *(See Findings 25 and 26.)*	Spring 2015	$500,000 per year (estimated)	$25,000
Recommendation 11: Individuals who serve on hearing panels or as hearing officers to adjudicate cases involving allegations of serious offenses, including Title IX-related offenses, must have appropriate levels of experience and training to serve in these roles. *(See Findings 6, 11, 17, 18, and 19.)*	Fall 2014	$500,000 for hearing officers	
Recommendation 12: With appropriate staff capacity, UNC General Administration should coordinate and convene system-wide annual training and collaboration opportunities for staff working in campus security and safety to address campus security/emergency operations issues, Clery, Title IX, Campus SaVE, due process, alcohol/substance abuse and other federal and state requirements. *(See Findings 6, 7, 12, 14, 20, 22, and 23.)*	Summer 2015	$1,800,000	$100,000
Recommendation 13: Each campus police department, with coordination by UNC General Administration, should provide basic campus law enforcement officer training to newly-hired officers and advanced sexual assault and interpersonal violence investigation training for police investigators. *(See Findings 9, 16, 24, and 25.)*	Spring 2015	See Recommendation 12.	See Recommendation 12.
Recommendation 14: Each campus should form a committee composed of personnel from multiple departments to meet regularly to develop and implement strategies to address alcohol and other substance abuse by students through a public health model approach. *(See Findings 1, 2, 4, and 6.)*	Fall 2014		
Recommendation 15: Each campus should have access to at least one dedicated trained and licensed substance abuse counselor. *(See Findings 5, 12, 13, and 21.)*	Fall 2015	17 positions - $1,275,000	$50,000 for recruitment and initial training costs
Recommendation 16: Each campus should implement a Good Samaritan policy to encourage students to report serious incidents to campus officials. *(See Findings 8, 16, and 21.)*	Spring 2015		
Recommendation 17: Each campus should clearly communicate to students and employees the on- and off-campus resources available for individuals struggling with substance abuse, including alcohol abuse. *(See Findings 4, 11, 12, 13, and 21.)*	Spring 2015		
Recommendation 18: University leadership, including governing boards, senior administrators and faculty, should commit to eliminating institutionally-sponsored messages that promote or encourage a culture of alcohol misuse. *(See Findings 12, 13, and 21.)*	Spring 2015		
Recommendation 19: Each campus should create a safety-centered mobile phone application for students. *(See Findings 15 and 16.)*	Spring 2015	Potential fiscal impact currently unknown.	

APPENDIX B: Recommendations, Estimated Cost of Implementation, and Tentative Timeline For Implementation			
	Target for Implementation	**Estimated Recurring Cost**	**Estimated Nonrecurring Cost**
Recommendation 20: Each campus should implement a multi-faceted primary prevention and awareness campaign for students and employees that focuses on empowering campus community members to take responsibility for their own safety and the safety of others. *(See Findings 8, 14, 17, 19, 22, and 23.)*	Spring 2015	See Recommendation 12.	
Recommendation 21: The University should seek the resources and flexibility necessary to increase salaries for public safety officers and telecommunicators to established law enforcement market rates. *(See Findings 1, 6, 9, and 24.)*	2015 or 2016, depending on funding	$3 million	
Recommendation 22: Establish and fund a Clery compliance officer position at each campus to coordinate Clery Act compliance activities and oversee Campus Security Authorities. *(See Findings 6, 10, and 14.)*	Fall 2015	16 positions - $1,520,000	$50,000 for recruitment and initial training costs
Recommendation 23: Each campus should establish a Clery Act oversight committee. *(See Findings 10 and 14.)*	Fall 2014		
Recommendation 24: Each campus should establish a Title IX response team. *(See Findings 14, 15, 17, 18, 19, and 22.)*	Fall 2014		
Recommendation 25: The University should enhance its staff capacity to support campuses by offering compliance assistance, training, and coordination in campus security and safety matters, including Clery, Title IX, Campus SaVE, due process, campus law enforcement, and related areas. *(See Findings 1, 2, 6, 8, 10, 14, 17, 19, 20, 21, 22, and 26.)*	Spring 2015	See Recommendation 12.	
Recommendation 26: With coordination through General Administration, campuses should work together to develop guidelines and other training materials, a compliance checklist of regulatory requirements associated with campus security and safety, content checklists, manuals, sample template communications, compliance updates, and additional information to support the general efforts of campuses in security and safety. *(See Findings 6, 7, 8, 20, 23, 24, and 25.)*	Spring 2015	See Recommendation 12.	
Recommendation 27: The University should assemble and utilize UNC system Clery Act compliance peer review teams and/or external audits in order to evaluate Clery Act compliance on a regular basis**.** *(See Findings 6, 7, 10, 14, and 25.)*	Fall 2015	See Recommendation 12	
Recommendation 28: The University should seek resources necessary to create and fund victim assistant positions within each campus law enforcement agency. *(See Findings 6, 7, and 9.)*	Fall 2015	16 positions - $875,879	$50,000 for recruitment and initial training costs

APPENDIX B: Recommendations, Estimated Cost of Implementation, and Tentative Timeline For Implementation			
	Target for Implementation	Estimated Recurring Cost	Estimated Nonrecurring Cost
Recommendation 29: The University should develop a campus climate survey instrument for campuses' use to gather information regarding student attitudes, knowledge and experiences while attending the campus. (*See Findings 3, 8, 12, 13, 17, and 20.*)	Spring 2015	$20,000	$50,000
Recommendation 30: Each campus should acquire Clery Act compliance and reporting software. (*See Findings 3, 6, 7, 10, and 14.*)	Fall 2015	See Recommendation 12.	$250,000
Recommendation 31: Each campus must have established protocols for responding to serious offenses against persons, including sexual misconduct, and Clery-reportable crimes. (*See Findings 5, 6, 7, 14, 17, and 19.*)	Spring 2015		
Recommendation 32: Campuses should identify and clearly communicate reporting options, confidential resources, and additional on- and off-campus resources to reporting and responding parties and the greater campus community, ideally in the form of a website. Campuses should clearly communicate confidentiality and privacy considerations related to use of these resources. (*See Findings 2, 6, 8, 11, 15, 16, and 23.*)	Spring 2015		
Recommendation 33: Campus personnel should schedule and participate in regular meetings with their local law enforcement agencies to appropriately share and provide information about particular reports consistent with FERPA. (*See Findings 6, 7, and 15.*)	Fall 2014		
Recommendation 34: The University should develop a basic manual for conducting and documenting investigations of serious matters, including sexual misconduct. (*See Findings 2, 5, 6, 7, 16, 19, 20, and 26.*)	Spring 2015		
Recommendation 35: The University should develop standards and guidelines to coordinate and further enhance training and information-sharing among the public safety departments of the constituent institutions. (*See Findings 6, 7, 8, 9, 15, 20, 23, and 24.*)	Fall 2015		
Recommendation 36: The University should complete implementation of high priority recommendations of the 2007 Campus Safety Task Force.	Continuing	TBD	TBD

Appendix C: Actions Associated with UNC Campus Security Initiative Recommendations				
Recommendation	**Amend or Develop New Policy, Procedures, Protocols**	**Add Staff, Resources**	**Enhance Collaborat-ion / Add Training**	**Develop Reporting, Data Collection, and Communications Approaches**
Recommendation 1: Adopt a University system policy requiring periodic reports to the boards of trustees and the Board of Governors with data and information concerning campus security and student safety.	X			X
Recommendation 2: Adopt a University system policy on sexual harassment and sexual violence.	X			
Recommendation 3: Establish a UNC system-wide Campus Security Committee.			X	
Recommendation 4: Develop a data collection protocol and process for campuses to collect security information in a way that is most useful to campus units, boards of trustees, the Board of Governors, and the president.	X	X	X	X
Recommendation 5: Students should not serve on hearing panels in cases involving sexual violence.	X			
Recommendation 6: Reports involving serious offenses, including sexual violence, should be investigated by individuals with appropriate training and experience.	X	X	X	
Recommendation 7: Provide students clear notice of the right to representation by attorney or non-attorney advocates during conduct proceedings.	X			X
Recommendation 8: Campuses should establish responsibilities, skills, and minimum qualifications of Title IX coordinators.	X	X	X	
Recommendation 9: Campuses should collaborate in the development of University system regulations or guidance for adoption by the president that address the Clery and Title IX training that must be provided to various campus constituencies.	X	X	X	X
Recommendation 10: The University should, if feasible, issue a system-wide request for proposals for basic on-line training content.			X	
Recommendation 11: Individuals who hear cases involving allegations of serious offenses, including sexual violence, must have appropriate levels of experience and training.	X	X	X	
Recommendation 12: With appropriate staff capacity, UNC General Administration should coordinate and convene system-wide annual training and collaboration opportunities for staff working in campus security and safety.		X	X	
Recommendation 13: Provide basic campus law enforcement officer training to newly-hired officers and advanced sexual assault and interpersonal violence investigation training for police investigators.			X	

Appendix C: Actions Associated with UNC Campus Security Initiative Recommendations				
Recommendation	**Amend or Develop New Policy, Procedures, Protocols**	**Add Staff, Resources**	**Enhance Collaborat-ion / Add Training**	**Develop Reporting, Data Collection, and Communications Approaches**
Recommendation 14: Each campus should form a multi-departmental committee to develop strategies to address alcohol and other substance abuse by students through a public health model approach.			X	X
Recommendation 15: Each campus should have access to at least one dedicated trained and licensed substance abuse counselor.		X		
Recommendation 16: Each campus should implement a Good Samaritan policy to encourage students to report serious incidents to campus officials.	X			X
Recommendation 17: Each campus should clearly communicate to students and employees the on- and off-campus resources available for individuals struggling with substance abuse.				X
Recommendation 18: University leadership should commit to eliminating institutionally-sponsored messages that encourage a culture of alcohol use.				X
Recommendation 19: Each campus should create a safety-centered mobile phone application for students.		X		X
Recommendation 20: Each campus should implement a multi-faceted primary prevention and awareness campaign for students and employees.			X	X
Recommendation 21: Increase salaries for public safety officers and telecommunicators to established law enforcement market rates.		X		
Recommendation 22: Establish and fund a Clery compliance officer position at each campus.		X	X	
Recommendation 23: Each campus should establish a Clery Act oversight committee.			X	
Recommendation 24: Each campus should establish a Title IX response team.			X	
Recommendation 25: The University should enhance its staff capacity to support campuses by offering compliance assistance, training, and coordination in campus security and safety matters.		X	X	
Recommendation 26: With coordination through General Administration, campuses should work together to develop guidelines and other training materials, a compliance checklist of regulatory requirements associated with campus security and safety, content checklists, manuals, sample template communications, compliance updates, etc. to support the general efforts of campuses in campus security and safety.	X		X	

Appendix C: Actions Associated with UNC Campus Security Initiative Recommendations				
Recommendation	**Amend or Develop New Policy, Procedures, Protocols**	**Add Staff, Resources**	**Enhance Collaboration / Add Training**	**Develop Reporting, Data Collection, and Communications Approaches**
Recommendation 27: The University should assemble and utilize UNC system Clery Act compliance peer review teams and/or external audits.		X	X	
Recommendation 28: Create and fund victim assistant positions within each campus law enforcement agency.		X		X
Recommendation 29: Develop a campus climate survey.		X	X	X
Recommendation 30: Each campus should acquire Clery Act compliance and reporting software.		X	X	X
Recommendation 31: Each campus must have established protocols for responding to serious offenses against persons, including sexual misconduct, and Clery-reportable crimes.	X		X	
Recommendation 32: Campuses should identify and clearly communicate reporting options, confidential resources, and additional on- and off-campus resources. Campuses should clearly communicate confidentiality and privacy considerations related to using these resources.				X
Recommendation 33: Campus personnel should schedule and participate in regular meetings with their local law enforcement agencies.			X	
Recommendation 34: The University should develop a basic manual for conducting and documenting investigations.	X			
Recommendation 35: The University should develop standards and guidelines to coordinate and further enhance training and information-sharing among the public safety departments of the constituent institutions.	X	X	X	
Recommendation 36: The University should complete implementation of high priority recommendations of the 2007 Campus Safety Task Force.		X	X	

Appendix D: Themes, Findings, and Recommendations		
Themes	**Findings**	**Recommendations**
Governance and System Capacity	**Finding 1:** The security of UNC campuses and the safety of all community members must remain among the foremost concerns for the president, the chancellors, the UNC Board of Governors, and campus trustees.	3, 14, 21, 25, 36
	Finding 2: Higher education institutions operate under complex and overlapping legal and regulatory requirements related to campus security and student safety, and these requirements reflect a renewed national focus on increased enforcement.	2, 8, 14, 25, 32, 34, 36
	Finding 3: University officials need timely and accurate information and data relating to campus security and student safety and well-being to inform their efforts.	1, 4, 29, 30
	Finding 4: Campus security, student safety, alcohol and drug use in the campus community, campus climate, and associated risk management issues and policies need to be reviewed by the Board of Governors and the boards of trustees on at least an annual basis.	1, 14, 17
	Finding 5: University policies and procedures related to student conduct and discipline — including serious offenses such as sexual assault and issues associated with alcohol and drug use -- should be regularly reviewed and revised to reflect current legal and regulatory requirements and provide clearer guidance to campuses.	2, 7, 15, 31, 34
	Finding 6: Strong and well-coordinated efforts by UNC campuses to prevent and address serious offenses and comply with federal laws and regulations require significant and worthwhile resource investments.	3, 8, 11, 12, 14, 21, 22, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36
	Finding 7: The regulatory climate will continue to change. Campuses will face a continuing need to plan for and allocate significant resources to legal and regulatory compliance activities associated with campus security and safety efforts.	3, 12, 26, 27, 28, 30, 31, 33, 34, 35
	Finding 8: In addition to essential resources, access to system-wide policies, guidelines, checklists, manuals, and other materials can help further develop and enhance how campuses address campus security and student and employee safety issues and provide training, education, and outreach.	9, 16, 20, 25, 26, 29, 32, 35
	Finding 9: Effective campus policing depends on having officers, telecommunicators, and support staff with the skills, training, and resources to meet the unique needs of the campus environment.	13, 21, 28, 35, 36
	Finding 10: The nature and complexity of Clery Act reporting coupled with the requirements of the Campus SaVE Act now require the dedicated attention of at least one employee at each campus, particularly given the serious consequences associated with failure to report as required.	9, 22, 23, 25, 27, 30
Campus Engagement on Security and Safety Issues	**Finding 11:** Student conduct codes and campus conduct systems are important components of efforts by UNC institutions to provide a safe educational environment and encourage responsible behavior.	7, 11, 17, 32
	Finding 12: Alcohol and other substance abuse by students contributes to serious incidents that affect their well-being.	12, 15, 17, 18, 29, 36
	Finding 13: A variety of individual, environmental, and cultural factors influence students' decisions to engage in high-risk drinking and substance abuse.	15, 17, 18, 29, 36

Appendix D: Themes, Findings, and Recommendations

Themes	Findings	Recommendations
	Finding 14: The responsibilities associated with the Clery Act, Campus SaVE Act, Title IX, due process requirements, and general student safety require a team-based approach at each campus.	3, 6, 8, 9, 12, 20, 22, 23, 24, 25, 27, 30, 31
	Finding 15: Campuses benefit from building strong relationships with local law enforcement agencies, district attorneys' offices, health centers, and organizations.	19, 24, 32, 33, 35, 36
	Finding 16: Examples of innovative training and outreach efforts abound within the University of North Carolina system.	13, 16, 19, 32, 34
Prompt, Thorough, and Impartial Investigation and Adjudication	**Finding 17:** Federal law imposes specific requirements for investigating and adjudicating sexual assault, domestic violence, dating violence, and stalking.	3, 5, 6, 8, 9, 11, 20, 24, 25, 29, 31
	Finding 18: Given the complex dynamics associated with sexual assault and similar types of interpersonal violence, students should not be involved in adjudicating such cases. Personnel with significant training and experience should hear these cases.	5, 6, 8, 9, 11, 24
	Finding 19: Campuses need assistance from the University to ensure that all campuses have the capacity to promptly, thoroughly, and impartially investigate and adjudicate serious offenses.	3, 5, 6, 8, 9, 11, 20, 24, 25, 31, 34
	Finding 20: Many campuses need access to additional professional and administrative staff, investigators, adjudicators, training, capacity, and expertise in order to respond to campus security and student safety needs, particularly with respect to serious offenses like sexual assault.	8, 9, 12, 25, 26, 29, 34, 35, 36
Education, Intervention and Training	**Finding 21:** UNC campuses must continue to address the link between alcohol and other substance abuse and serious offenses against persons through a comprehensive public health approach by addressing both individual student needs and identifying greater institutional and cultural changes that are needed.	3, 15, 16, 17, 18, 25, 36
	Finding 22: While federal laws, regulations, and guidance focus heavily on campus processes for responding to serious offenses, they also place comparable emphasis on prevention, awareness and intervention efforts.	3, 9, 12, 20, 24, 25
	Finding 23: Thoughtful, well-designed training curricula and outreach efforts form an important part of the campus culture. They can help create a climate in which students and employees are aware of and attuned to safety issues, including issues associated with sexual violence.	12, 20, 26, 32, 35
	Finding 24: System-wide emergency preparedness efforts and campus safety operations coordination, while successful, has been limited due to a lack of funding. Additional resources are needed to build capacity and effectiveness.	3, 8, 9, 13, 21, 26, 35, 36
	Finding 25: There is an opportunity to develop and systematize basic training standards across the UNC system for campus constituencies.	3, 9, 10, 13, 26, 27
	Finding 26: While some campuses have the resources to fund and create their own training and educational programs for their campus communities, other campuses could benefit from shared resources and programming ideas.	3, 9, 10, 25, 34

(subject to change based on additional federal requirements)

	REQUIREMENT	SOURCE
	Clery Act	
1	Collect the following information with respect to each campus' crime statistics and campus security policies, and prepare, publish and distribute an annual security report through appropriate publications or mailings to all current students and employees and any applicant for enrollment or employment upon request. The report must contain at least the following information with respect to the institution's campus security policies and campus crime statistics: - A statement of current campus policies regarding procedures and facilities for students and others to report criminal actions or other emergencies occurring on campus as well as policies concerning the institution's response to such reports - A statement of current policies concerning security and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities - A statement of current policies concerning campus law enforcement, including: - The law enforcement authority of campus security personnel - The working relationship of campus security personnel with state and local law enforcement agencies, including whether the institution has agreements such as written memoranda of understanding for the investigation of alleged criminal offenses with such agencies - Policies that encourage accurate and prompt reporting of all crimes to the campus police and appropriate law enforcement agencies when the victim of such crime elects or is unable to make such a report - A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others - A description of programs designed to inform students and employees about the prevention of crimes - Statistics concerning the occurrence on campus, in or on non-campus buildings or property and on public property during the most recent calendar year and the two preceding calendar years for which data are available, as reported to campus security authorities or local police agencies: - Of murder, sex offenses (forcible or non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, manslaughter, arson, arrests or persons referred for campus disciplinary action for liquor law violations, drug-related violations and weapons possession - Of larceny-theft, simple assault, intimidation, destruction, damage or vandalism of property and other crimes involving bodily injury to any person in which the victim is intentionally selected because of the actual or perceived race, gender, religion, national origin, sexual orientation, gender identity, ethnicity or disability (data shall be collected and reported according to category of prejudice) - Of domestic violence, dating violence and stalking incidents - A statement of policy concerning the monitoring and recording through local police agencies of criminal activity at institutionally recognized off-campus student organizations, including those with off-campus housing facilities - A statement of policy regarding the possession, use and sale of alcoholic beverages and enforcement of state underage drinking laws, a statement of policy regarding the possession, use and sale of illegal drugs and the enforcement of federal and state drug laws and a description of any drug or alcohol abuse education programs as required under section 1011i of this title - A statement advising the campus community where law enforcement agency information provided by a state under section 14071(j) of Title 42 concerning registered sex offenders may be obtained, such as the law enforcement office of the institution, a local law enforcement agency with jurisdiction for the campus or a computer network address - A statement of current campus policies regarding immediate emergency response and evacuation procedures, including the use of electronic and cellular communication (if appropriate), which shall include procedures to: - Notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an on-campus threat to the health or safety of students or staff (unless issuing a notification will compromise efforts to contain the emergency) - Publicize emergency response and evacuation procedures on an annual basis to students and staff - Test emergency response and evacuation procedures on an annual basis	20 U.S.C. § 1092(f)(1)(A)-(J)
2	Make timely reports to the campus community on crimes considered to be a threat to other students and employees described in paragraph (1)(F) that are reported to campus security or local law police agencies. Such reports shall be provided to students and employees in a manner that is timely, that withholds the names of victims as confidential and that will aid in the prevention of similar occurrences.	20 U.S.C. § 1092(f)(3)

3	Make, keep and maintain a daily log, written in a form that can be easily understood, of all crimes reported to such police or security department, including the nature, date, time and general location of each crime and the disposition of the complaint, if known.	20 U.S.C. § 1092(f)(4)(A)
	Concerning the box above: • All entries pursuant to the box above shall be open to public inspection within two business days of the initial report to the department or a campus security authority. • If new information about an entry into a log becomes available to a police or security department, it shall be recorded in the log within two business days. • If there is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection or result in the destruction of evidence, such information **may** be withheld until that damage is no longer likely to occur from its release.	20 U.S.C. § 1092(f)(4)(B)
4	Annually submit to the U.S. Department of Education a copy of the statistics required to be made available under paragraph (1)(F).	20 U.S.C. § 1092(f)(5)
5	Develop and distribute as part of the report described in paragraph (1) a statement of policy regarding: • Such institution's programs to prevent domestic violence, dating violence, sexual assault and stalking • The procedures that such institution will follow once an incident of domestic violence, dating violence, sexual assault or stalking has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding arising from such a report	20 U.S.C. § 1092(f)(8)(A)

The policy described in the above box shall address the following areas:
• Primary prevention and awareness education programs for all incoming students and new employees to promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking that include the following:
  ▪ A statement that the institution of higher education prohibits the offenses of domestic violence, dating violence, sexual assault and stalking
  ▪ The definition of domestic violence, dating violence, sexual assault and stalking in the applicable jurisdiction
  ▪ The definition of consent, in reference to sexual activity, in the applicable jurisdiction
  ▪ Safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault or stalking against a person other than such individual
  ▪ Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks
• Ongoing prevention and awareness campaigns for students and faculty
• Possible sanctions or protective measures that such institution may impose following a final determination of an institutional disciplinary procedure regarding rape, acquaintance rape, domestic violence, dating violence, sexual assault or stalking
• Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault or stalking has occurred, including:
  ▪ Information in writing about the importance of preserving evidence as may be necessary to prove criminal domestic violence, dating violence, sexual assault or stalking or about obtaining a protection order
  ▪ The person to whom the alleged offense should be reported
  ▪ Options regarding law enforcement and campus authorities, including notification of the victim's option to:
    o Notify proper law enforcement authorities, including on-campus and local police
    o Be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses
    o Decline to notify such authorities
    o Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, restraining orders or similar lawful orders issued by a criminal, civil or tribal court
• Procedures for institutional disciplinary action in cases of alleged domestic violence, dating violence, sexual assault or stalking, which shall include a clear statement that:
  ▪ Such proceeding shall provide a prompt, fair and impartial investigation and resolution, as well as be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability
  ▪ The accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice
  ▪ Both the accuser and the accused shall be simultaneously informed, in writing, of:
    o The outcome of any institutional disciplinary proceeding that arises from an allegation of domestic violence, dating violence, sexual assault or stalking
    o The institution's procedures for the accused and the victim to appeal the results of the institutional disciplinary proceeding
    o Any change to the results that occurs prior to the time that such results become final
    o When such results become final
• Information about how the institution will protect the confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law
• Written notification of students and employees about existing counseling, health, mental health, victim advocacy, legal assistance and other services available for victims both on-campus and in the community
• Written notification of victims about options for and available assistance in changing academic, living, transportation and working situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement
	20 U.S.C. § 1092(f)(8)(B)

Provide a written explanation of the student or employee's rights and options to a student or employee who reports to an institution of higher education that the student or employee has been a victim of domestic violence, dating violence, sexual assault or stalking	20 U.S.C. § 1092(f)(8)(C)

6	For purposes of reporting the statistics with respect to crimes described in paragraph (1)(F), distinguish, by means of separate categories, any criminal offenses that occur: • On campus • In or on a non-campus building or property • On public property • In dormitories or other residential facilities for students on campus	20 U.S.C. § 1092(f)(12)
7	(No officer, employee or agent of an institution)... may retaliate, intimidate, threaten, coerce or otherwise discriminate against any individual for exercising their rights or responsibilities under the Clery Act.	20 U.S.C. § 1092(f)(17)
	Federal Clery Act Regulations	

1	Publish an annual security report that contains, at minimum:
	• Crime statistics (acc. to paragraph (c) of Sec. 668.46)
	• A statement of current campus policies regarding procedures for students and others to report criminal actions or other emergencies occurring on campus. Must include institution's policies regarding its response to such reports, including:
	  ▪ Policies for making timely warning reports to members of the campus community regarding the occurrence of crimes described in paragraph (c)(1) of this section
	  ▪ Policies for preparing the annual disclosure of crime statistics
	  ▪ A list of the titles of each person or organization to whom students and employees should report the criminal offenses described in paragraph (c)(1) of this section for the purpose of making timely warning reports and the annual statistical disclosure. This statement must also disclose whether the institution has any policies or procedures that allow victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics, and, if so, a description of those policies and procedures.
	• A statement of current policies concerning security of and access to campus facilities, including campus residences, and security considerations used in the maintenance of those facilities
	• A statement of current policies concerning campus law enforcement that:
	  ▪ Addresses the enforcement authority of security personnel, including their relationship with state and local police agencies and whether those security personnel have the authority to arrest individuals
	  ▪ Encourages accurate and prompt reporting of all crimes to the campus police and appropriate police agencies
	  ▪ Describes any procedures that encourage pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics
	• A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage them to be responsible for their own security and the security of others
	• A description of programs designed to inform students and employees about the prevention of crimes
	• A statement of policy concerning the monitoring and recording through local police agencies of student criminal activity at institutionally recognized off-campus locations of student organizations, including student organizations with off-campus housing facilities
	• A statement of policy regarding the possession, use and sale of alcoholic beverages and enforcement of state underage drinking laws
	• A statement of policy regarding the possession, use and sale of illegal drugs and enforcement of federal and state drug laws
	• A description of any drug or alcohol-abuse education programs as required under section 120(a) through (d) of the HEA. For the purpose of meeting this requirement, an institution may cross-reference the materials the institution uses to comply with section 120(a) through (d) of the HEA
	• A statement of policy regarding the institution's campus sexual assault programs to prevent sex offenses and procedures to follow when a sex offense occurs. The statement must include:
	  ▪ A description of educational programs to promote the awareness of rape, acquaintance rape and other forcible and non-forcible sex offenses
	  ▪ Procedures students should follow if a sex offense occurs, including procedures concerning who should be contacted, the importance of preserving evidence for the proof of a criminal offense and the person to whom the alleged offense should be reported
	  ▪ Information on a student's option to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that institutional personnel will assist the student in notifying these authorities if the student requests the assistance of these personnel
	  ▪ Notification to students of existing on- and off-campus counseling, mental health or other student services for victims of sex offenses
	  ▪ Notification to students that the institution will change a victim's academic and living situations after an alleged sex offense and the options for those changes, if they are requested by the victim and reasonably available
	  ▪ Procedures for campus disciplinary action in cases of an alleged sex offense, including a clear statement that:
	    o The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding
	    o Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense (this does NOT violate FERPA)
	  ▪ Sanctions the institution may impose following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape or other forcible or non-forcible sex offenses
	• A statement advising members of the campus community where they can obtain law enforcement agency information provided by a state under section 170101(j) of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14071(j)) concerning registered sex offenders, such as the law enforcement office of the institution, a local law enforcement agency with jurisdiction for the campus or a computer network address
	• A statement of policy regarding emergency response and evacuation procedures as described in paragraph (g) of this section
	  A statement of policy regarding missing student notification procedures as described in paragraph (h) of this section
		34 C.F.R. § 668.46 (b)(1)-(14)

2	Report crime statistics for the three most recent calendar years concerning the occurrence on campus, in or on non-campus buildings or property and on public property of the following crimes that are reported to local police agencies or to a campus security authority:
	   • Criminal homicide:
	       ▪ Murder and non-negligent manslaughter
	       ▪ Negligent manslaughter
	   • Sex offenses:
	       ▪ Forcible sex offenses
	       ▪ Non-forcible sex offenses
	   • Robbery
	   • Aggravated assault
	   • Burglary
	   • Motor vehicle theft
	   • Arson
	   • Arrests for liquor law violations, drug law violations and illegal weapons possessions
	   • Persons not included in paragraph (c)(1)(viii)(A) of this section, who were referred for campus disciplinary action for liquor law violations, drug law violations and illegal weapons possession
	
	Record a crime statistic in its annual security report for the calendar year in which the crime was reported to a campus security authority
	
	Report, by category of prejudice, the following crimes reported to local police agencies or to a campus security authority that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity or disability:
	   • Any crime pursuant to paragraph (c)(1)(i) through (vii) of this section
	   • The crimes of larceny-theft, simple assault, intimidation and destruction/damage/vandalism of property
	   • Any other crime involving bodily injury
	
	Provide a geographic breakdown of the statistics reported under paragraphs (c)(1) and (3) of this section according to the following categories:
	   • On campus
	   • Of the crimes in paragraph (c)(4)(i) of this section, the number of crimes that took place in dormitories or other residential facilities for students on campus
	   • In or on a non-campus building or property
	   • On public property
	
	Not include the identification of the victim or the person accused of committing the crime (regarding the statistics required under paragraphs (c)(1) and (3))
	
	Not be required to report statistics under paragraphs (c)(1) and (3) of this section for crimes reported to a pastoral or professional counselor
	
	Must compile the crime statistics required under paragraphs (c)(1) and (3) of this section using the definitions of crimes provided in Appendix A to this subpart and the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Hate Crime Data Collection Guidelines and Training Guide for Hate Crime Data Collection. (For guidance, institutions must use either the UCR Reporting Handbook or the UCR Reporting Handbook: NIBRS EDITION, "except that in determining how to report crimes committed in a multiple-offense situation an institution must use the UCR Reporting Handbook.")
	
	"[A]n institution must make a reasonable, good faith effort to obtain the required statistics and may rely on the information supplied by a local or state police agency. If the institution makes such a reasonable, good faith effort, it is not responsible for the failure of the local or state police agency to supply the required statistics." (This applies to statistical reporting requirements under paragraphs (c)(1) through (4).)
		34 C.F.R. § 668.46(c)

3	". . . comply with the requirements of this section for each separate campus."	34 C.F.R. § 668.46(d)

4	Report to the campus community, in a manner that is timely and will aid in the prevention of similar crimes, on crimes that are: - Described in paragraph (c)(1) and (3) of this section - Reported to campus security authorities as identified under the institution's statement of current campus policies pursuant to paragraph (b)(2) of this section or local police agencies - Considered by the institution to represent a threat to students and employees Follow its emergency notification procedures if there is an immediate threat to the health or safety of students or employees occurring on campus, as described in paragraph (g)(1) of this section Not be required to issue a timely warning based on the same circumstances [if it follows emergency notification procedures initially]; however, the institution must provide adequate follow-up information to the community as needed	34 C.F.R. § 668.46(e)
5	Maintain a written, easily understood daily crime log that records, by the date the crime was reported, any crime that occurred on campus, on a non-campus building or property, on public property or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or the campus security department. This log must include: - The nature, date, time and general location of each crime - The disposition of the complaint, if known Make an entry or an addition to an entry to the log within two business days, as defined under paragraph (a) of this section, of the report of the information to the campus police or the campus security department, unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim Make the crime log for the most recent 60-day period open to public inspection during normal business hours Make any portion of the log older than 60 days available within two business days of a request for public inspection	34 C.F.R. § 668.46(f)
6	Include a statement of policy regarding the emergency response and evacuation procedures in the annual security report. This statement must include: - The procedures the institution will use to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus - A description of the process the institution will use to: - Confirm that there is a significant emergency or dangerous situation as described in paragraph (g)(1) of this section - Determine the appropriate segment or segments of the campus community to receive a notification - Determine the content of the notification - Initiate the notification system - A statement that the institution will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency - A list of the titles of the person or persons or organization or organizations responsible for carrying out the actions described in paragraph (g)(2) of this section - The institution's procedures for disseminating emergency information to the larger community - The institution's procedures to test the emergency response and evacuation procedures on at least an annual basis, including: - Tests that may be announced or unannounced - Publicizing its emergency response and evacuation procedures in conjunction with at least one test per calendar year Document, for each test, a description of the exercise, the date, time and whether it was announced or unannounced.	34 C.F.R. § 668.46(g)

7	Must include a statement of policy regarding missing student notification procedures for students who reside in on-campus student housing facilities [if the institution provides any on-campus housing] in its annual security report. This statement must: • Indicate a list of titles of the persons or organizations to which students, employees or other individuals should report that a student has been missing for 24 hours • Require that any missing student report must be referred immediately to the institution's police or campus security department, or, in the absence of an institutional police or campus security department, to the local law enforcement agency that has jurisdiction in the area • Contain an option for each student to identify a contact person or persons whom the institution shall notify within 24 hours of the determination that the student is missing, if the student has been determined missing by the institutional police or campus security department, or the local law enforcement agency • Advise students that their contact information will be registered confidentially, that this information will be accessible only to authorized campus officials and that it may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation • Advise students that if they are under 18 years of age and not emancipated, the institution must notify a custodial parent or guardian within 24 hours of the determination that the student is missing in addition to notifying any additional contact person designated by the student • Advise students that the institution will notify the local law enforcement agency within 24 hours of the determination that the student is missing unless the local law enforcement agency was the entity that made the determination that the student is missing Include the following actions in its procedures when a student who resides in an on-campus student housing facility is determined to have been missing for 24 hours: • If the student has designated a contact person, notifying that contact person within 24 hours that the student is missing • If the student is under 18 years of age and is not emancipated, notifying the student's custodial parent or guardian and any other designated contact person within 24 hours that the student is missing • Inform the local law enforcement agency that has jurisdiction in the area within 24 hours that the student is missing regardless of whether the student has identified a contact person, is above the age of 18 or is an emancipated minor	34 C.F.R. § 668.46 (h)

Section 304 of the Violence Against Women Act (SaVE Act)

1	Include in its annual security report (ASR) a statement of current policies concerning campus law enforcement, including policies which encourage accurate and prompt reporting of all crimes to the campus police and the appropriate law enforcement agencies, **when the victim of such crime elects or is unable to make such a report.**	SaVE Act (a)(1)(A), to amend 20 U.S.C. § 1092(f)(1)(C)(iii) (SaVE Act language that takes effect in March 2014 is in bold.)
2	Include in its ASR statistics concerning the occurrence on campus, in or on non-campus buildings or property and on public property during the most recent calendar year and during the two preceding calendar years for which data are available the crimes described in sub-clauses (I) through (VIII) of clause (i), of larceny-theft, simple assault, intimidation, destruction, damage or vandalism of property and other crimes involving bodily injury to any person in which the victim is intentionally selected because of the actual or perceived race, gender, religion, **national origin, sexual orientation, gender identity**, ethnicity or disability that are reported to campus security authorities (CSAs) or local police agencies (which data shall be collected and reported according to category and prejudice) **and of domestic violence, dating violence and stalking incidents that were reported to CSAs or local police agencies.**	SaVE Act (a)(1)(B), to amend 20 U.S.C. § 1092(f)(1)(F)(ii)
3	Make timely reports to the campus community on crimes considered to be a threat to other students and employees described in paragraph (1)(F) that are reported to campus security or local police agencies. Such reports shall be provided to students and employees in a manner that is timely, **that withholds the names of victims as confidential** and that will aid in the prevention of similar occurrences.	SaVE Act (a)(2), to amend 20 U.S.C. § 1092(f)(3)
4	For purposes of Clery subsection 6(A), define "dating violence," "domestic violence" and "stalking" as they are defined in section 40002(a) of the Violence Against Women Act of 1994 (42 USC 13925(a)).	SaVE Act (a)(3)(B)(i), to amend 20 U.S.C. § 1092(f)
5	For purposes of Clery subsection 6(A), define "sexual assault" as an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the FBI.	SaVE Act (a)(3)(C), to amend 20 U.S.C. § 1092(f)(6)(A)

6	Compile the statistics in clauses (i) and (ii) of paragraph (1)(F) of the Clery Act in accordance with the definitions used in the uniform crime reporting system of the Department of Justice and the FBI and the modifications in such definitions as implemented pursuant to the Hate Crimes Statistics Act. **For the offenses of domestic violence, dating violence and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(a) of the VAWA of 1994 (42 USC 13925(a)).** Such statistics shall not identify victims of crimes or persons accused of crimes.	SaVE Act (a)(4), to amend 20 U.S.C. § 1092(f) (7)

7	Develop and distribute as part of the ASR a statement of policy regarding:
	• Programs to prevent domestic violence, dating violence, sexual assault and stalking
	• Procedures the institution will follow once an incident of domestic violence, dating violence, sexual assault or stalking has been reported, including a statement of the standard of evidence that will be used during any institutional conduct proceeding
	
	The policy shall address the following areas:
	• Education programs to promote awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault and stalking, which shall include:
	  ▪ Prevention and awareness programs for all incoming students and new employees, including:
	    o A statement that the institution prohibits domestic violence, dating violence, sexual assault and stalking
	    o Definition of domestic violence, dating violence, sexual assault and stalking in the applicable jurisdiction
	    o Definition of consent for sexual activity in the applicable jurisdiction
	    o Options for bystander intervention
	    o Information on risk reduction to recognize warning signs of abusive behavior and how to avoid potential attacks
	    o Information described in 1092(f)(8)(B)(ii)-(vii), which includes the institution's procedures for handling reports and for disciplinary action
	  ▪ Ongoing prevention and awareness campaigns for students and faculty, including information described in 1092(f)(8)(B)(I)(aa)-(ff)
	• Possible sanctions or protective measures that may be imposed for rape, acquaintance rape, domestic violence, dating violence, sexual assault or stalking
	• Procedures victims should follow if a sex offense, domestic violence, dating violence, sexual assault or stalking has occurred, including information in writing about:
	  ▪ The importance of preserving evidence as necessary for proof of criminal domestic violence, dating violence, sexual assault or stalking, or in obtaining a protective order
	  ▪ The person to whom the alleged offense should be reported
	  ▪ Options regarding law enforcement and campus authorities, including the victim's option to notify proper law enforcement authorities, including on-campus and local police, be assisted by campus authorities in notifying law enforcement and decline to notify such authorities
	  ▪ The rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, restraining orders or similar lawful orders issued by a criminal, civil or tribal court
	• Procedures for disciplinary action in cases of alleged domestic violence, dating violence, sexual assault or stalking, which shall include a clear statement that:
	  ▪ Such proceedings shall provide a prompt, fair and impartial investigation and resolution and be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability
	  ▪ The accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied by an advisor of their choice
	  ▪ Both accuser and accused shall be simultaneously informed in writing of:
	    o The outcome of any disciplinary proceeding involving alleged domestic violence, dating violence, sexual assault or stalking
	    o Appeal procedures for the accused and the victim
	    o Any change to the results that occurs prior to the time that the results become final
	    o When such results become final
	  ▪ Information about how the institution will protect confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law
	  ▪ Written notification to victims about options for and assistance in changing academic, living, transportation and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement
	
	Provide to any student or employee who reports that he/she has been a victim of domestic violence, dating violence, sexual assault or stalking, whether occurred on or off-campus, with a written explanation of the student or employee's rights and options, as described in 1092(f)(8)(B)(ii)-(vii)
		SaVE Act (a)(5), to amend 20 U.S.C. § 1092(f) (8)

6		

	Proposed Violence Against Women Reauthorization Act of 2013 Regulatory Requirements (based on 2014 negotiated rulemaking consensus language)	

1	Note the definition of "dating violence" for the purposes of this section: "Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim."
	
	(1) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.
	(2) For the purpose of this definition:
	    a) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
	    b) Dating violence does not include acts covered under the definition of domestic violence.
	(3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting."
		34 C.F.R. § 668.46(a) (Definitions: *Dating Violence*, §§(1)-(3))

2	Note the definition of "domestic violence":
	
	(1) A felony or misdemeanor crime of violence committed:
	    a) By a current or former spouse or intimate partner of the victim
	    b) By a person with whom the victim shares a child in common
	    c) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner
	    d) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred
	    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
	
	(2) For the purposes of complying with the requirements of this section and section 668.41, "any incident meeting this definition [of domestic violence] is considered a crime for the purposes of Clery Act reporting."
		34 C.F.R. § 668.46(a) (Definitions: *Domestic Violence*, §§(1), (2))

3	Note the definition of "hate crime" for purposes of this section: "A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin and disability."	34 C.F.R. § 668.46(a) (Definitions: *Hate Crime*)

4	Note the definition of "programs to prevent dating violence, domestic violence, sexual assault and stalking" for purposes of this section:
	
	(1) Comprehensive, intentional and integrated programming, initiatives, strategies and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:
	    a) Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs and informed by research or assessed for value, effectiveness or outcome
	    b) Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.
	(2) Programs to prevent dating violence, domestic violence, sexual assault and stalking include both primary prevention and awareness programs directed at incoming students and new employees and ongoing prevention and awareness campaigns directed at students and employees, as defined in paragraph (j)(2).
		34 C.F.R. § 668.46(a) (Definitions: *Programs to prevent dating violence*, §§1,2)

5	Note the definition of "sexual assault" for purposes of this section: "An offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI's UCR program and included in Appendix A of this subpart."	34 C.F.R. § 668.46(a) (Definitions: *Sexual Assault*)

6	Note the definition of "stalking" for purposes of this section:
	
	"(1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
	    a) Fear for the person's safety or the safety of others
	    b) Suffer substantial emotional distress
	(2) For the purpose of this definition:
	    a) 'Course of conduct' means two or more acts, including but not limited to acts in which the stalker directly, indirectly or through third parties by any action, method, device or means follows, monitors, observes, surveils, threatens or communicates to or about a person, or interferes with a person's property.
	    b) 'Substantial emotional distress' means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
	    c) 'Reasonable person' means a reasonable person under similar circumstances and with similar identities to the victim [as opposed to 'the victim's circumstance'].
	(3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting."
		34 C.F.R. § 668.46(a) (Definitions: *Stalking*, §§1-3)

7	Prepare an annual security report that contains, at a minimum, the following information: A statement of policy regarding the institution's programs to prevent dating violence, domestic violence, sexual assault and stalking and of procedures that the institution will follow when one of these crimes is reported. The statement must include:
	
	(1) A description of the institution's educational programs and <u>campaigns</u> to promote the awareness of dating violence, domestic violence, sexual assault and stalking, as required by paragraph (j) of this section
	(2) Procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred, including written information about:
	    a) The importance of preserving evidence that may <u>assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order</u>
	    b) How and to whom the alleged offense should be reported
	    c) Options about the involvement of law enforcement and campus authorities, including notification of the victim's option to:
	        (i) Notify proper law enforcement authorities, including on-campus and local police
	        (ii) Be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses
	        (iii) Decline to notify such authorities
	    d) Where applicable, the rights of victims and the institution's responsibilities for orders of protection, no contact orders, restraining orders or similar lawful orders issued by a criminal, civil or tribal court or by the institution
	 (3) Information about how the institution will protect the confidentiality of victims <u>and other necessary parties,</u> including how <u>the institution will</u>:
	    a) <u>Complete</u> publicly available record-keeping <u>and, for purposes of Clery Act reporting and disclosure, without the inclusion of identifying information about the victim, as defined in 42 U.S.C. 1395(a)(20)</u>
	    b) <u>Maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures</u>
	(4) A statement that the institution will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services available for victims, both within the institution and in the community
	(5) A statement that the institution will provide written notification to victims about options for and available assistance in changing academic, living, transportation and working situations. The institution must make such accommodations if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.
		34 C.F.R. § 668.46 (b)-(b)(11)(D)(v)

8	Report to the department and disclose in its annual security report statistics for the three most recent calendar years concerning the number of each of the following crimes that occurred on or within its Clery Geography and that are reported to local police agencies or to a campus security authority:
	(1) Primary crimes, including:
	    a) Criminal homicide:
	        (i) Murder and non-negligent manslaughter
	        (ii) Negligent manslaughter
	    b) Sex offenses:
	        (i) Rape
	        (ii) Fondling
	        (iii) Incest
	        (iv) Statutory rape
	    c) Robbery
	    d) Aggravated assault
	    e) Burglary
	    f) Motor vehicle theft
	    g) Arson
		34 C.F.R. § 668.46 (c)(1)-(c)(1)(D)

9	Include in its crime statistics all crimes reported to a campus security authority for purposes of Clery Act reporting. Clery Act reporting does not require initiating an investigation or disclosing identifying information about the victim, as defined in 42 U.S.C. 1395(a)(20). "(ii) An institution may not withhold, or subsequently remove, a reported crime from its crime statistics based on a decision by a court, coroner, jury, prosecutor or other similar non-campus official."	34 C.F.R. § 668.46 (c)(2)-(c)(2)(ii)

10	Record a crime statistic only for the calendar year in which the course of conduct was first reported to a local police agency or to a campus security authority, when the institution is recording reports of stalking that include reports of activities in more than one calendar year. <u>If the course of conduct continues in a subsequent year, it must be recorded for that year.</u>
	
	(ii) An institution must record each report of stalking as occurring at only the first location within the institution's Clery geography in which:
	    a) <u>A perpetrator engaged in the stalking course of conduct, or</u>
	    b) <u>A victim first became aware of the stalking</u>
		34 C.F.R. § 668.46(c)(6)-(c)(6)(ii)(B)

11	(1) Report, in a manner that is timely and that withholds as confidential the names and other identifying information of victims, and that will aid in the prevention of similar crimes, to the campus community on crimes that are:
	    a) Described in paragraph (c)(1) of this section
	    b) Reported to campus security authorities as identified under the institution's statement of current campus policies pursuant to paragraph (b)(2) of this section or local police agencies
	    c) Considered by the institution to represent a threat to students and employees.
	(2) An institution is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor
	(3) If there is an immediate threat to the health or safety of students or employees occurring on campus, as described in paragraph (g)(1) of this section, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.
		34 C.F.R. § 668.46(e)-(e)(ii)(3)

12	Include in its annual security report a statement of policy that addresses the institution's programs to prevent dating violence, domestic violence, sexual assault and stalking.
	(1) The statement must include a description of the institution's primary prevention <u>and awareness</u> programs for all incoming students and new employees, which must include:
	    a) A statement that the institution prohibits the crimes of dating violence, domestic violence, sexual assault and stalking
	    b) The definition of "dating violence," "domestic violence," "sexual assault" and "stalking" in the applicable jurisdiction
	    c) The definition of "consent," in reference to sexual activity, in the applicable jurisdiction
	    d) A description of safe and positive options for bystander intervention
	    e) Information on risk reduction
	    f) The information described in paragraphs (b)(11) and (k)(2)
	    g) A description of the institution's ongoing prevention and awareness campaigns for students and employees, including information described in paragraph (j)(1)(i)(A) through (j)(1)(i)(F)
	(2) For the purposes of this paragraph:
	    a) "Awareness programs" means community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety and reduce perpetration
	    b) "Bystander intervention" means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene <u>when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes</u> recognizing situations of potential harm, <u>understanding institutional structures and cultural conditions that facilitate violence,</u> overcoming barriers to intervening, identifying safe and effective intervention options and taking action to intervene.
	    c) "Ongoing prevention and awareness campaigns" means programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault and stalking, using a range of strategies with audiences throughout the institution and including information described in paragraph (j)(1)(i)(A) through (j)(1)(i)(F).
	    d) "Primary prevention programs" means programming, initiatives and strategies informed by research <u>or assessed for value, effectiveness, or outcome</u> that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur 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.
	    e) "Risk reduction" means options designed to decrease perpetration and bystander inaction and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
	(3) An institution's programs to prevent dating violence, domestic violence, sexual assault and stalking must include, at a minimum, the information described in paragraph (j)(1) of this section."
		34 C.F.R. § 668.46 (j)-(j)(3)

13	Include in its annual security report a clear statement of policy that addresses the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault or stalking and that: (1)	34 C.F.R. § 668.46 (k)-(l)

13 Include in its annual security report a clear statement of policy that addresses the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault or stalking and that:

(1)

    a) Describes each type of disciplinary proceeding used by the institution, the steps, anticipated timelines, and decision-making process for each type of disciplinary proceeding and how the institution determines which type of proceeding to use based on the circumstances of an allegation of dating violence, domestic violence, sexual assault or stalking

    b) Describes the standard of evidence that will be used during any institutional disciplinary proceeding arising from an allegation of dating violence, domestic violence, sexual assault or stalking

    c) Lists all of the possible sanctions that the institution may impose following the results of any institutional disciplinary proceeding for an allegation of dating violence, domestic violence, sexual assault or stalking

    d) Describes the range of protective measures that the institution may offer following an allegation of dating violence, domestic violence, sexual assault or stalking;

(2) Provides that the proceedings will:

    a) Include a prompt, fair and impartial process from the initial investigation to the final result

    b) Be conducted by officials who at a minimum receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability

    c) Provide the accuser and the accused with the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice

    d) Not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding; however, the institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties

    e) Require simultaneous notification, in writing, to both the accuser and the accused, of:

        (i) The result of any institutional disciplinary proceeding that arises from an allegation of dating violence, domestic violence, sexual assault or stalking

        (ii) The institution's procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding, if such procedures are available

        (iii) Any change to the result

        (iv) When such results become final

(3) For the purposes of this paragraph a prompt, fair and impartial proceeding is:

    a) Completed within reasonably prompt timeframes designated by an institution's policy, including a process that allows for the extension of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay

    b) Conducted in a manner that:

        (i) Is consistent with the institution's policies and transparent to the accuser and accused

        (ii) Includes timely notice of meetings at which the accuser or accused, or both, may be present

        (iii) Provides timely access to the accuser, the accused and appropriate officials to any information that will be used after the fact-finding investigation but during informal and formal disciplinary meetings and hearings

    c) Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused

        (i) "Advisor" means any individual who provides the accuser or accused support, guidance or advice.

        (ii) "Proceeding" means all activities related to a non-criminal resolution of an institutional disciplinary complaint, including but not limited to fact-finding investigations, formal or informal meetings and hearings.

        (iii) "Result" means any initial, interim and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding 20 USC 1232g, the result must also include the rationale for the result and the sanctions.

(4) Compliance with paragraph (k) of this section does not constitute a violation of the Family Educational Rights and Privacy Act (20 U.S.C. 1232g).

14	Note that the sex offense definitions come from the Uniform Crime Reporting Program.	Appendix A to subpart D of Part 668

Title IX of the Education Amendments of 1972

1	Not discriminate on the basis of sex in education programs or activities.	20 U.S.C. § 1681

	Federal Title IX Regulations	
1	Designate at least one employee to coordinate its efforts to comply with and carry out the institution's responsibilities under Title IX. The institution must notify all its students and employees of the name, office address and telephone number of the employee or employees appointed.	34 C.F.R. § 106.8
2	Implement specific and continuing steps to notify applicants for admission and employment, students, employees, sources of referral of applicants for admission and employment and all professional organizations holding professional agreements with the recipient, that it does not discriminate on the basis of sex in education programs or activities.	34 C.F.R. § 106.9
3	Adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints.	34 C.F.R. § 106.8
	U.S. Department of Education April 4, 2011 Dear Colleague Letter	
1	If it knows or reasonably should know about student-on-student harassment that creates a hostile environment, take immediate action to eliminate the harassment, prevent its recurrence and address its effects. A law enforcement investigation does not relieve the school of its independent Title IX obligation to investigate the conduct. The campus' inquiry must in all cases be prompt, thorough and impartial. In cases involving potential criminal conduct, campus personnel must determine, consistent with state and local law, whether appropriate law enforcement or other authorities should be notified.	April 4, 2011 Dear Colleague Letter, pg. 4
2	Publish a notice of nondiscrimination and adopt and publish grievance procedures.	April 4, 2011 Dear Colleague Letter, pg. 4
3	Ensure their employees are trained so they know to report harassment to appropriate school officials and so employees with the authority to address harassment know how to respond properly. Training for employees should include practical information about how to identify and report sexual harassment and violence. OCR recommends that this training be provided to any employees likely to witness or receive reports of sexual harassment and violence, including teachers, school law enforcement unit employees, school administrators, school counselors, general counsels, health personnel and resident advisors.	April 4, 2011 Dear Colleague Letter, pg. 4
4	If a student files a complaint with the school, regardless of where the conduct occurred, the school must process the complaint in accordance with its established procedures.	April 4, 2011 Dear Colleague Letter, pg. 4
5	Designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX.	April 4, 2011 Dear Colleague Letter, pg. 6
6	Adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee sex discrimination complaints. Grievance procedures must apply to sex discrimination complaints filed by students against school employees, other students or third parties.	April 4, 2011 Dear Colleague Letter, pg. 6
7	Publish a notice of nondiscrimination stating that the recipient does not discriminate on the basis of sex in its education programs and activities, and that Title IX requires it not to discriminate in such a manner. The notice must state that inquiries concerning the application of Title IX may be referred to the recipient's Title IX coordinator or to OCR. It should include the name or title, office address, telephone number and e-mail address for the recipient's designated Title IX coordinator. The notice must be widely distributed to all students, employees, applicants for admission and employment and other relevant persons.	April 4, 2011 Dear Colleague Letter, pg. 6
8	Ensure its policy makes students aware of what kind of conduct constitutes sexual harassment, including sexual violence, and that such conduct is prohibited sex discrimination.	April 4, 2011 Dear Colleague Letter, pg. 7
9	Ensure that employees designated to serve as Title IX coordinators have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the recipient's grievance procedures operate.	April 4, 2011 Dear Colleague Letter, pg. 7
10	Notify complainant of the right to end the informal process at any time and begin the formal stage of the complaint process.	April 4, 2011 Dear Colleague Letter, pg. 8
11	Not use mediation, even on a voluntary basis, in cases involving allegations of sexual assault.	April 4, 2011 Dear Colleague Letter, pg. 8
12	Ensure grievance procedures apply to complaints alleging harassment carried out by employees, other students or third parties.	April 4, 2011 Dear Colleague Letter, pg. 9
13	Ensure adequate, reliable and impartial investigation of complaints, including the opportunity for both parties to present witnesses and other evidence.	April 4, 2011 Dear Colleague Letter, pg. 9

14	Have designated and reasonably prompt time frames for the major stages of the complaint process.	April 4, 2011 Dear Colleague Letter, pg. 9
15	Provide notice to parties of the outcome of the complaint.	April 4, 2011 Dear Colleague Letter, pg. 9
16	Provide assurance that the school will take steps to prevent recurrence of any harassment and to correct its discriminatory effects on the complainant and others, if appropriate.	April 4, 2011 Dear Colleague Letter, pg. 9
17	Not wait for the conclusion of a criminal investigation or criminal proceeding to begin their own Title IX investigation and, if needed, must take immediate steps to protect the student in the educational setting.	April 4, 2011 Dear Colleague Letter, pg. 10
18	Ensure that any agreement or Memorandum of Understanding (MOU) with a local police department allows the school to meet its Title IX obligation to resolve complaints promptly and equitably. Although a school may need to delay temporarily the fact-finding portion of a Title IX investigation while the police are gathering evidence, once notified that the police department has completed its gathering of evidence (not the ultimate outcome of the investigation or the filing of any charges), the school must promptly resume and complete its fact-finding for the Title IX investigation. Moreover, nothing in an MOU or the criminal investigation itself should prevent a school from notifying complainants of their Title IX rights and the school's grievance procedures or from taking interim steps to ensure the safety and well-being of the complainant and the school community while the law enforcement agency's fact-gathering is in progress.	April 4, 2011 Dear Colleague Letter, pg. 10
19	Use a preponderance of the evidence standard to evaluate complaints of sexual harassment or violence.	April 4, 2011 Dear Colleague Letter, pg. 11
20	Throughout a school's Title IX investigation, including at any hearing, provide parties with an equal opportunity to present relevant witnesses and other evidence.	April 4, 2011 Dear Colleague Letter, pg. 11
21	Afford the complainant and the alleged perpetrator similar and timely access to any information that will be used at the hearing.	April 4, 2011 Dear Colleague Letter, pg. 11
22	If it chooses to allow the parties to have their lawyers participate in the proceedings, it must do so equally for both parties.	April 4, 2011 Dear Colleague Letter, pg. 12
23	Maintain documentation of all proceedings, which may include written findings of facts, transcripts or audio recordings.	April 4, 2011 Dear Colleague Letter, pg. 12
24	Ensure that all persons involved in implementing a recipient's grievance procedures (e.g., Title IX coordinators, investigators and adjudicators) have training or experience in handling complaints of sexual harassment and sexual violence and in the recipient's grievance procedures. The training also should include applicable confidentiality requirements. In sexual violence cases, the fact-finder and decision-maker also should have adequate training or knowledge regarding sexual violence.	April 4, 2011 Dear Colleague Letter, pg. 12
25	Notify parties, in writing, about the outcome of both the complaint and any appeal, i.e., whether harassment was found to have occurred.	April 4, 2011 Dear Colleague Letter, pg. 13
26	Take steps to protect the complainant as necessary, including taking interim steps before the final outcome of the investigation. The school should undertake these steps promptly once it has notice of a sexual harassment or violence allegation.	April 4, 2011 Dear Colleague Letter, pg. 15
27	Have policies and procedures in place to protect against retaliatory harassment. At a minimum, schools must ensure that complainants and their parents, if appropriate, know how to report any subsequent problems and should follow-up with complainants to determine whether any retaliation or new incidents of harassment have occurred.	April 4, 2011 Dear Colleague Letter, pg. 16
U.S. Department of Education 2014 Questions and Answers on Title IX and Sexual Violence		
1	Take immediate and appropriate steps to investigate or otherwise determine what occurred when it knows or reasonably should know of possible sexual violence. If an investigation reveals that sexual violence created a hostile environment, the school must then take prompt and effective steps reasonably calculated to end the sexual violence, eliminate the hostile environment, prevent its recurrence, and, as appropriate, remedy its effects.	2014 Questions and Answers on Title IX and Sexual Violence (2014 FAQ), A-5

2	Protect the complainant and ensure his or her safety as necessary, including by taking interim steps before the final outcome of any investigation.	2014 FAQ, A-5
3	Remedy the effects of sexual violence that could reasonably have been prevented had the school responded promptly and appropriately to allegations of sexual violence.	2014 FAQ, A-5
4	Respond appropriately to sexual violence complaints the same irrespective of the sex or sexes of the parties involved. The actual or perceived sexual orientation or gender identity of the parties does not change an institution's obligations.	2014 FAQ, B-2
5	Ensure that any school reporting forms, information or training about sexual violence be provided in a manner that is accessible to students and employees with disabilities and to students who are English language learners.	2014 FAQ, B-3, B-4
6	When an alleged perpetrator is not affiliated with the institution, the institution must still take steps to provided appropriate remedies for the complainant and, where appropriate, the broader school population.	2014 FAQ, B-5
7	Disseminate a notice of non-discrimination, designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title IX and adopt and publish grievance procedures providing for the prompt and equitable resolution of student and employee sex discrimination complaints.	2014 FAQ, C-1
8	Notify all of its students and employees of the name or title, office address, telephone number and e-mail address of the school's designated Title IX coordinator.	2014 FAQ, C-2
9	Ensure that its Title IX coordinator has knowledge of the requirements of Title IX, of the institution's own policies and procedures on sex discrimination and of all complaints raising Title IX issues throughout the school.	2014 FAQ, C-3
10	Have procedures for responding to complaints of sexual violence with the following elements: • Notice to students and employees of the grievance procedures, including where complaints may be filed • Application of the grievance procedures to complaints filed by students alleging sexual violence carried out by employees, other students or third parties • Provisions for adequate, reliable and impartial investigation of complaints, including the opportunity for both the complainant and alleged perpetrator to present witnesses and evidence • Designated and reasonably prompt time frames for the major stages of the complaint process • Written notice to the complainant and alleged perpetrator of the outcome of the complaint • Assurance that the school will take steps to prevent recurrence of any sexual violence and remedy discriminatory effects on the complainant and others, if appropriate	2014 FAQ, C-5
11	Ensure that responsible employees under Title IX report incidents of sexual violence to the Title IX coordinator or other appropriate school designee. Responsible employees must report all relevant details about the alleged sexual violence that the student or another person has shared and that the school will need to determine what occurred and to resolve the situation.	2014 FAQ, D-1, D-3
12	Make clear to all of its employees and students which staff members are responsible employees so that students can make informed decisions about whether to disclose information to those employees.	2014 FAQ, D-2
13	If an institution knows or reasonably should know of possible retaliation by other students or third parties, including threats, intimidation, coercion or discrimination, it must take immediate and appropriate steps to investigate or otherwise determine what occurred.	2014 FAQ, E-1
14	The investigation must include the following components: • Throughout the investigation, the parties must have an equal opportunity to present relevant witnesses and other evidence. • Use a preponderance of the evidence standard in any Title IX proceedings, including any fact-finding and hearings. • If the institution permits one party to have lawyers or other advisors at any stage of the proceedings, it must do so equally for both parties. Any institution-imposed restrictions on the ability of lawyers or other advisors to speak or otherwise participate in the proceedings must also apply equally. • If the institution permits one party to submit third-party expert testimony, it must do so equally for both parties. • If the school provides for an appeal, it must do so equally for both parties. • Both parties must be notified, in writing, of the outcome of both the complaint and any appeal.	2014 FAQ, F-1
15	Process all complaints of sexual violence, regardless of where the conduct occurred, to determine whether the conduct occurred in the context of an education program or activity or had continuing effects on campus or in an off-campus education program or activity.	2014 FAQ, F-4
16	If an institution allows one party to be present for the entire hearing, it must do so equally for both parties.	2014 FAQ, F-5
17	Not require a complainant to be present at the hearing as a prerequisite to proceed with the hearing.	2014 FAQ, F-5
18	If an institution allows one party to cross-examine witnesses, it must do so equally for both parties.	2014 FAQ, F-6
19	When an institution has determined that is can respect a complainant's request for confidentiality and therefore may not be able to respond fully to an allegation of sexual violence and initiate formal action against an alleged perpetrator, the institution must take immediate action to protect the complainant while keeping the identity of the complainant confidential.	2014 FAQ, G-1

20	If an institution determines that it needs to offer counseling to the complainant as part of its Title IX obligation to take steps to protect the complainant while the investigation is ongoing, it must not require the complainant to pay for this service.	2014 FAQ, G-3
21	Inform the complainant as to whether or not it found the alleged conduct occurred, any individual remedies offered to the complainant or any sanctions imposed on the perpetrator that directly relate to the complainant and other steps the institution has taken to eliminate the hostile environment, if the institution finds one to exist, and prevent recurrence.	2014 FAQ, H-3
22	All persons involved in implementing a school's grievance procedures must have training or experience in handling sexual violence complaints and in the operation of the school's grievance procedures.	2014 FAQ, J-3

Campus Sex Crimes Prevention Act (§ 1601 of the Victims of Trafficking and Violence Protection Act of 2000)

1	Issue a statement advising the campus community on where information concerning registered sex offenders can be obtained. Notification may be accomplished by adding the statement to the Annual Security Report required by the Clery Act.	42 U.S.C. 14071

Drug Free Schools and Communities Act Amendments of 1989 (Amendments to the Higher Education Act of 1965)

1	Adopt and implement a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees.	20 U.S.C. § 1011i(a)
2	Annually distribute to students and employees the institution's standards of conduct with respect to illegal drugs and alcohol; a description of the applicable legal sanctions and health risks; and availability of drug and alcohol counseling available to employees and students. Must also include a statement on sanctions the institution will impose for violation of the standards of conduct.	20 U.S.C. § 1011i(a)(1)

Higher Education Opportunity Act (2008 Amendments to the Higher Education Act of 1965)

1	Determine and include in its biennial review the number of drug- and alcohol-related violations and fatalities that have occurred on the institution's campus or as part of the institution's activities and that are reported to campus officials.	20 U.S.C. § 1011i(a)(2)(B)
2	As part of its biennial review, determine the program's effectiveness and implement changes to the program if needed.	20 U.S.C. § 1011i(a)(2)(A)
3	Report and make public an annual fire safety report.	20 U.S.C. § 1092(a)(1)(T)

Federal Occupational Safety and Health Act of 1970 Regulations

1	Have a written emergency action plan kept in the workplace and available for employee review upon request.	29 C.F.R. § 1910.38

UNC Policy Manual 700.4.1 – Minimum Substantive & Procedural Standards for Student Disciplinary Proceedings

1	Adopt a code of student conduct applicable to all students.	UNC Policy Manual 700.4.1(IV)(a)
2	Define prohibited conduct.	700.4.1(IV)(b)
3	Specify the types of sanctions that may be imposed for each category of prohibited conduct.	700.4.1(IV)(c)
4	Conduct a periodic review of the code of conduct.	700.4.1(IV)
5	Establish systems for identifying possible violations of the code of student conduct, both minor and serious.	700.4.1(V)(A)(1) and (VI)(A)(1)
6	Investigate incidents of misconduct that are potentially serious for purposes of determining whether a charge should be pursued.	700.4.1(V)(A)(1) and (VI)(A)(1)
7	Establish appropriate procedures according to which University officials (responsible employees) receive and consider reports of violations, refer reports for investigation, consider results of investigations and bring formal charges under the code of conduct.	700.4.1(V)(A)(1) and (VI)(A)(1)
8	If the designated university official determines to bring a formal charge, thereby initiating a disciplinary proceeding, the charge shall be referred to a hearing official. The campus shall provide notice in writing of the formal charges, the facts upon which they are based, and, if expulsion is a possible sanction, outline the consequences of expulsion with respect to other UNC campuses.	700.4.1(VI)(A)(3) and 700.4.1(V)(A)(2)
9	The hearing on a formal charge of a serious violation may be scheduled no sooner than 10 calendar days after the accused student receives notice of the formal charge, and the student must always receive at least five days advance notice of the hearing.	700.4.1(VI)(A)(3)
10	The campus shall provide the accused student the option to waive the hearing on the formal charge and accept a sanction proposed by designated university official.	700.4.1(VI)(A)(5)

11	Where the accused student elects to waive the hearing and accept a sanction, the university official shall determine that the waiver and acceptance is voluntary and that the charge and sanction have factual support. The waiver and acceptance shall be in writing and signed by the accused student and the university official.	700.4.1(VI)(A)(5)
12	Prior to the hearing, the campus shall ensure that the accused student is able to review the written evidence and receives a list of witnesses.	700.4.1(VI)(A)(6)
13	The campus shall assure that students have the capability to present their evidence and defenses at the hearing.	700.4.1(VI)(A)(8)
14	The campus shall ensure that students are aware that they may be represented by attorneys or non-attorney advocates who may fully participate in the hearing in the same manner that the student can participate.	700.4.1(VI)(A)(8)
15	The hearing shall be closed to the public.	700.4.1(VI)(A)(9)
16	The campus shall prepare a transcript "or other verbatim record" of the hearing.	700.4.1(VI)(A)(10)
17	A designated university official shall present sufficient witness testimony and/or documentary evidence to establish the violation.	700.4.1(VI)(A)(11); see also 700.4.1(V)(A)(4)
18	The constituent institution shall ensure that the student has the opportunity to question evidence, either directly or through the hearing official.	700.4.1(VI)(11); see also 700.4.1(V)(A)(4)
19	The constituent institution shall give the student the opportunity to present any witness or documentary evidence that he offers, provided that the evidence is relevant to the charge or other evidence presented and does not otherwise infringe the rights of other students.	700.4.1(VI)(A)(12)
20	At the conclusion of the evidence, the hearing official shall determine whether the designated university official has demonstrated by a preponderance of the evidence that the student committed the offense charged. This determination shall be based solely on the evidence presented at the hearing. The committee or official will also determine the appropriate sanction within the ranges specified in accordance with Section IV.	700.4.1(VI)(A)(13)
21	The decision may be final or it may be a recommendation for a final decision by a designated university official. The final administrative decision must be reached within a specified amount of time, not to exceed 45 calendar days after the hearing is completed. The final administrative decision must be transmitted in writing to the student within ten calendar days of the date the decision is made and must contain a brief summary of the evidence upon which the decision is based.	700.4.1(VI)(A)(14)
22	The final decision shall be made by _____ (vice chancellor or delegate). At least one level of institutional appeal must be provided. Further appeals shall be governed by The Code.	700.4.1(VI)(A)(15 through 18)
23	There shall be sufficient evidence supporting the decision and the sanction.	700.4.1(B)

The 2007 Campus Safety Task Force adopted 40 recommendations designed to address threats to campus safety, including campuses' individual capacities to prevent crime, improve responsiveness to student mental health needs, improve infrastructure, and respond to emergencies. In 2008, the University submitted a budget request to the General Assembly seeking $11.7 million in recurring funds and $17.5 million in non-recurring funds based on a thorough review and assessment of the funds necessary to fully implement each of the recommendations. The General Assembly responded by appropriating $6 million in recurring funding and $9 million in non-recurring funds for these purposes. The University expected to return to the General Assembly with additional requests in following years as campuses built their capacity to respond to major security threats, meet the needs of law enforcement and emergency management, and provide essential services and intervention programs.

The University began using the funds appropriated by the General Assembly for the 2008-2009 fiscal year to make significant progress in partially implementing the recommendations of the 2007 Task Force. The University hired an Associate Vice President for Campus Safety and Emergency Operations who immediately began work on implementing the top-priority recommendations in the 2007 report. Campuses began to acquire resources to better protect against natural and man-made threats, such as active shooters, severe weather, fires, persons deemed to be a risk to themselves or others, and other types of incidents occurring on campus that may be dangerous to the campus community or impact day-to-day operations. The funds provided by the 2008 General Assembly also enabled the campuses to begin adding much-needed mental health professionals, police officers, case managers and other security personnel to their staffs. Nonrecurring funds were used to make strides to provide emergency notification systems, sirens, surveillance cameras, emergency communications systems, interoperable radios, and training in threat assessment and incidence command.

As the University was in the process of implementing the Task Force recommendations in early 2009, the full impacts of the recession began to materialize. State government agencies received instructions from the Office of the Governor to place a hold on all spending. Campuses took steps to prepare for the budgetary challenges presented by the economic downturn. Mandatory cuts and austerity measures resulted in the loss of some of the positions funded by the General Assembly's 2008 appropriation. These cuts also halted plans for certain campus security- and safety-related projects. A few campuses were unable to complete some projects, such as the installation of police department communications equipment, outdoor siren systems, and camera and access control systems for securing residence halls and parking decks. After re-prioritizing needs, the University devoted resources to conducting active shooter drills and other emergency exercises at campuses; training campus personnel in behavior threat assessment and emergency operations; and meeting a variety of other needs.

After 2009, the Board of Governors and the president have continued to prioritize requests for security funding to assist the UNC campuses in addressing public safety, mental health, emergency management, and physical security needs. The University continues to conduct exercises focusing on responses to man-made events and natural disasters (active shooters, storms, etc.). Campuses continue to conduct behavioral threat assessments, and some campuses have been able to identify some funding to hire mental health professionals, case managers and others, as strongly recommended by the 2007 Task Force. Since 2008, however, the University has not received appropriations of the funds needed to implement the 2007 Task Force recommendations or to make up for the funds that were curtailed in early 2009. As a result, some of the top-priority recommendations from the 2007 Task Force remain incomplete and form essential parts of the recommendations of the Campus Security Initiative, including the following:

1) The 2007 Task Force recommended that every UNC campus police department meet baseline proficiency standards by pursuing accreditation by the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) or a comparable association such as IACLEA. This is a resource-intensive endeavor, requiring the commitment of suitable funding and the maintenance of adequate facilities.

2) The 2007 Task Force recommended that the University review, adjust, and fund competitive pay for campus law enforcement personnel to ensure that campuses can attract and retain qualified campus law enforcement officers. This recommendation has not been fulfilled, and is adopted by the Campus Security Initiative.

3) The 2007 Task Force described the need for all campuses to have the capacity and resources necessary to provide assessment and treatment of mental health issues on campus. Essential resources include counseling centers that meet appropriate standards of accreditation, staff members who are experienced and credentialed clinicians, case managers, and policies to ensure prompt access to services, de-stigmatize help-seeking, and offer culturally-appropriate modes of treatment. Campuses have been unable to fully implement this recommendation, and significant needs remain on several campuses, particularly with respect to the need for alcohol and substance abuse counseling, training, and intervention.

4) The 2007 Task Force described the need for each campus and General Administration to have the staff capacity and expertise to implement campus security efforts, coordinate and lead safety and disaster prevention, comply with regulatory and legal requirements, engage with external law enforcement and emergency management agencies, engage in activities necessary to ensure preparedness, lead response and recovery efforts, and administer the Campus Safety Plan, the Emergency Operations Plan and the Threat Assessment Team. While the University has made progress in this area, significant resource needs remain. Campuses and General Administration continue to need staff and resources necessary to train University officials and prepare for and address security threats. The University has received little or no additional funding for these needs since 2009.

5) UNC General Administration has been hosting regular meetings of campus law enforcement and safety personnel to include an annual review of Clery Act compliance and updates, as recommended by the 2007 Task Force. The Campus Security Initiative has recommended several additional areas of essential coordination, training, and compliance assistance.

6) The 2007 Task Force recommended that every campus develop a comprehensive program to reduce harm associated with alcohol and drug abuse among students. These programs are to be grounded in research and reflect attempts to change the culture of alcohol and substance abuse on campus and in the community. While campuses have made significant strides in this area, the Campus Security Initiative has made several recommendations designed to enhance the University's engagement on issues associated with alcohol and substance abuse.

The work of the 2007 Task Force resulted in significant progress in meeting security and safety needs within the University community. Although the University has attempted to implement each of the recommendations, its efforts have been slowed significantly by the effects of the recession. (See table showing implementation progress of 2007 Campus Safety Task Force recommendations in Appendix G.)   As reflected in the top-priority recommendations from the Campus Security Initiative, and the findings and other recommendations discussed in this report, the University should pursue the resources needed to continue progress on addressing significant campus threats.

	2007 Campus Safety Task Force Recommendation	**Implemented?**
1	"All campuses shall have in place a trained threat assessment team that at a minimum includes representatives from the counseling center, campus police, academic affairs, residence life and the office of the Dean of Students or an equivalent officer. UNC General Administration should sponsor University-wide training for teams from all constituent institutions."	YES
2	"All campuses shall have in place a protocol for identifying and responding to students who potentially pose a threat to themselves or others. One aspect of this is for each campus to have a case worker who can work with students identified to be of serious concern to determine if those students are following through on recommended referrals."	YES, the protocols are in place; however, not all campuses have utilized campus caseworkers due to resource issues.
3	"All campuses shall develop a comprehensive program to educate faculty, staff and students about how best to recognize signs and known indicators of violence, suicide and mental illness and collaborate with institutional resources available to assist with these situations."	YES
4	"Faculty and staff need to know how to find campus resources for psychological problems and issues."	YES
5	"All campuses shall educate community members on issues related to privacy of educational and medical/psychological records, including clarification of policies related to FERPA, HIPAA and state laws."	YES
6	"Campus administrators and health professionals should be provided accurate information about the laws governing information sharing."	YES
7	All campuses should develop a policy for the involuntary withdrawal of students who demonstrate through their behavior that they potentially pose a threat to others but who may not have otherwise violated the campus Code of Conduct.	YES
8	"Each chancellor shall review the campus administrative structure to assure that the campus has adequate expertise to implement campus safety efforts and adequate coordination of and accountability for safety and disaster prevention, preparedness, response and recovery efforts, including the administration of the Campus Safety Plan, the Emergency Operations Plan and the Threat Assessment Team."	Standards met on several but not all campuses.
9	"Each campus should have and keep current an all-hazards, risk-based Emergency Operations Plan (EOP)."	YES
10	"Every UNC campus police department should meet baseline proficiency standards. Minimal standards include: written 'all hazard' plan for responding to critical incidents such as natural and man-made disasters, civil disturbances, mass arrests, bomb threats, hostage/barricaded persons situations, acts of terrorism and other unusual incidents. The plan should follow the standard Incident Command System Protocol."	YES
11	"Each campus should assure key personnel are trained in Incident Command."	YES. A continual work in progress.
12	"All campuses must conduct scheduled table top exercises at least two times per year."	YES However, the actual number of exercises per campus is contingent upon funding

13	"Each UNC campus must adopt an emergency notification and communication-goal statement and adopt best practices that ensure the effective dissemination of emergency and crisis information to targeted populations in an organized and timely fashion. In support of this recommendation each UNC campus must: • Identify the technical limitations of their notification and communication strategy and regularly test notification and communication systems • Implement programs to regularly update campus constituents about emergency notification and communication practices • Establish systems to be able track and communicate with affiliated faculty, students and staff who may disperse during or after a campus emergency. • In addition, families should be encouraged to establish a family communications plan."	YES. A continual work in progress.
14	"UNC General Administration should host a 'summit' meeting of campus police chiefs on a regularly scheduled basis to include an annual review of Clery Act changes."	YES
15	"The campus police chiefs should convene to discuss pertinent safety issues."	YES
16	"Each campus must develop a written plan to provide for safety in student housing. Campuses within UNC provide different kinds of dormitory security depending upon the location, size and type of the facility. One size of security does not fit all. Rather, each campus needs to examine its current safety systems in light of the patterns of crime on that campus and the safety threats facing its particular dormitories and then make an educated and thoughtful choice about what changes, additions and improvements need to be made."	YES. There's ongoing progress on each of the campuses because it's a fluid situation that requires periodic reassessments.
17	"Each campus should develop a written plan for communicating emergency procedures to all students, faculty and staff."	YES
18	(Recommendation omitted)	NA
19	"UNC should develop a University-wide consensus and issue uniform guidelines concerning the use of criminal background checks for employees and concerning requirements of self-reporting of crimes by faculty, staff and students."	INCOMPLETE
20	"A campus safety resource and information website should be created and housed on the General Administration server."	YES Website completed for campus police chiefs and emergency management coordinators.
21	"Parents should be given information annually about how to become 'tax qualified' for purposes of access to their student's education records."	INCOMPLETE
22	"University mental health professionals should be encouraged to consider involving parents in the student's treatment more often, either with the student's consent or when otherwise legally permissible, but only when, in the professional's judgment, such involvement would do more good than harm."	INCOMPLETE. A continual work in progress.
23	"The Board of Governors should seek the addition to Chapter 116 of the General Statutes of language: (a) permitting University health and mental health professionals to share information about a troubled student with others whose knowledge would decrease the risk of harm when, in the professional's judgment, there is a substantial risk of harm to the health or safety of the student or another individual. (b) providing qualified immunity from liability and protection from discipline by licensing bodies when the health and mental health professional shares such information in the exercise of his/her professional judgment and in good faith.'"	(a) ADDRESSED. A continual work in progress. (b) Addressed, but not implemented due to potential conflict between proposed legal changes and professional standards of conduct set by mental health professional licensing boards on the subject of confidentiality.

24	"Every UNC Campus police department should meet baseline proficiency standards. Minimal standards include: 'A. Accreditation by the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) or a comparable association such as IACLEA.'"	Addressed, but not fully implemented due to facilities and budget-related limitations. Six departments currently accredited; four in the process of accreditation.
25	"The building reserve model that allocates operating & maintenance monies for campus police officers needs to be adjusted to accommodate actual starting salaries of campus police."	INCOMPLETE
26	"All campuses shall provide adequate resources for assessment and treatment of mental health issues on campus. These resources shall include counseling centers that meet appropriate standards of accreditation, including staff members who are experienced and credentialed clinicians and whose policies ensure prompt access to services, de-stigmatize help-seeking and offer culturally-appropriate modes of treatment."	INCOMPLETE
27	"All campuses should assure that all students have adequate health insurance and that campus-provided student health insurance has adequate coverage for supplemental mental health services."	All students (except NCSSM) are enrolled in UNC student health insurance plan if they do not provide proof of other insurance. UNC plan provides mental health coverage.
28	"Campuses shall have in place Memoranda of Understanding with local health and mental health agencies, particularly local psychiatric hospitals and other mental health facilities, to ensure continuity of care and adequate communication between agencies."	Implemented by some campuses; for others this is still a work in progress.
29	"Each campus shall have in place a protocol for and commit resources to working with faculty and staff who potentially pose a threat to themselves or others and also should implement measures to minimize workplace violence."	ONGOING. Not all campuses have established a behavioral assessment team focusing on faculty/staff. On some campuses this is viewed as more of a personnel issue to be handled by the campus HR department along with the Office of State Human Resources. Workplace violence training has been made available to all campuses.
30	"A single University-wide theme and logo should be provided to safety efforts, initiatives and materials produced across UNC. Campuses should be allowed to develop their own materials or modify the logo to reflect campus colors, mascots, etc."	NO
31	"Every campus shall develop a comprehensive program to reduce harm associated with alcohol and drug abuse among students. These programs shall be grounded in research and reflect attempts to change the culture of alcohol and substance abuse on campus and in the community."	ONGOING

32	"All UNC campuses should have a written Memorandum of Agreement/Memorandum of Understanding (MOA/MOU) with each local emergency agency that could possibly be involved with an emergency response to the campus. Currently, each campus has an MOU with the police department in the municipality where the university is located. Some campuses have more extensive agreements with other agencies in their area."	All campuses have this, to the extent possible, but it is impractical for each campus to do this with each and every outside jurisdiction, law enforcement or first-responder agency.
33	"Every UNC campus police department should meet baseline proficiency standards. Minimal standards include having mutual aid agreements with local area law enforcement agencies. Each police department should have a multi-jurisdictional training plan that is exercised on a regular basis."	YES
34	"Campus construction and renovation budgets should include the cost of procuring and installing building security systems, and building operating budgets must provide ongoing funding for operation and maintenance of security systems and devices."	ONGOING. This is contingent upon available funding.
35	"Every UNC Campus Police Department should meet baseline proficiency standards. Minimal standards include: C. Conduct a workload assessment at least every three years and present their findings to their local administration. Staffing for university police departments should be based upon documented workload assessments. D. Conduct, at least every three years, a campus community attitude survey on safety and their police department."	INCOMPLETE
36	"Having an interoperable radio system that is capable to communicating with all area responders. VIPER is a communications system which is being implemented across the state and will give users interoperable capabilities with any other Local Emergency Responders (LER) in the area. This coverage is currently available in areas in and around all of our universities except ASU, NCSA, WCU and WSSU. Costs to become a member of the VIPER network are only limited to the expense of a radio which can access the system."	ONGOING. All campuses have the ability to communicate with first responders, but limitations on VIPER coverage exist due to infrastructure and lack of funding.
37	"The North Carolina Association of Campus Law Enforcement Administrators (NCACLEA) should work with the North Carolina Justice Academy (NCJA) to develop a campus law enforcement training course as well as an effective method of delivering the training."	INCOMPLETE
38	"All residence hall advisors should be trained concerning their role and responsibilities if they become aware of the presence of illegal drugs or drug dealing in a residence hall. Training courses for campus police should include a unit on effective and legal techniques for detecting and confiscating illegal drugs on campus, and in particular, in dormitories."	ONGOING
39	"Each campus should encourage safety in privately owned and operated student dormitory-style housing."	YES
40	"Crime Prevention through Environmental Design (CPTED) techniques should be utilized in the design of new buildings. UNC General Administration should establish a standard set of building design security guidelines for new construction and significant building renovations."	NO

Supporting a Comprehensive Approach in Addressing
Alcohol and Other Substance Abuse Issues in the UNC System

White Paper | Spring 2014

Introduction

High-risk drinking and substance abuse issues plague nearly every college and university campus across the United States and create problems across a range of areas of critical importance to higher education communities. The pervasive culture of high-risk drinking and other substance abuse on our campuses is debilitating to campus security efforts and damaging to students' mental and physical health.[1] It negatively affects a host of safety-related issues, including encouraging other high-risk behaviors that lead to accidents, assaults, serious injuries and even fatalities in our student population.[2] High-risk drinking and other substance abuse impact academic performance and exacerbate retention problems, are a financial drain on university resources and otherwise negatively affect institutional reputation.[3] Dr. Judith Ramaley, the former President of the University of Vermont, summed it up by saying:

> Underage drinking and excessive drinking have negative effects on everything we're trying to do as a university. It compromises the educational environment, the safety of our students, quality of life on campus, town/gown relationships and our reputation.

This white paper combines statistical analysis from peer-reviewed scholarly research (often referred to as 'national' findings) with the first-hand experience and work of University of North Carolina system universities (often referred to as 'local' findings) already engaged in extensive efforts to successfully deal with the problem. It seeks to show that strategies to address these problems must recognize the cultural context surrounding the issue and must include a comprehensive environmental approach to be successful.[4] Finally, it will provide an overview of current efforts and best practices and will recommend ways to increase and improve these efforts across the entire university system.

Scope of the problem

We know that patterns of high-risk drinking behaviors for many students begin before their matriculation to college.[5] Many students arriving on university campuses exhibit high-risk drinking habits that developed before the students even graduated from high school. National research indicates that approximately 45 percent of high school students have consumed multiple alcoholic beverages in one sitting (i.e., binge drinking) during their high school experience. Various national and local data comparisons indicate that between 10 and 15 percent of new college students began experimenting during the summer between their senior year of high school and matriculation to their first semester in college. This tells us that many students arrive on our campuses having already experimented with alcohol and other substances, and in some cases, having already developed regular consumption habits.[6]

To measure ongoing rates of campus alcohol, marijuana and other substance use, most UNC campuses use one or both current standard national health risk/substance use and perception surveys, including the American College Health Association's 'National College Health Survey' (www.achancha.org) or Southern Illinois University's CORE Alcohol and Drug Survey (www.core.siu.edu). Below are some national statistics from these surveys.

Overall annual rates of campus alcohol use

The pervasive nature of these issues stems in part from the sheer number of students that consume alcohol and the amount of alcohol they may consume in one sitting. According to the National Institute of Health, an average of 77.2 percent of college-aged students consumes alcohol at some point during the academic year. This simply means that on average, 77 percent of our campus students may drink, though some more regularly than others. If we extrapolate this national statistic onto the UNC system's total enrollment of 220,121, it suggests that approximately 170,000 of our students may engage in alcohol consumption at some point during the year. If we also use the general assumption that around three quarters of any campus student population is under the age of 21 at any given time, we can assume that about 127,000 of our underage students might be consuming at some point each year.

Last 30 day prevalence rates of campus alcohol use

Aggregate data from U.S. colleges that use the National College Health Assessment (NCHA) indicates an average rate of 63 percent of students having consumed some amount of alcohol in the past 30 days, as noted in the 'last 30-day use **Figure 1** chart below. Utilizing these numbers in relation to all system schools, we can roughly estimate that of the 220,121 students enrolled on UNC campuses, approximately 138,676 of them consumed alcohol in the 30 days prior to that assessment last fall.

Figure 1: National College Health Assessment aggregate self-reported 30-day prevalence

Alcohol	Actual Use		
Percent (%)	Male	Female	Total
Never used	23.0	22.6	22.8
Used, but not in the last 30 days	13.8	15.2	14.7
Used 1-9 days	45.4	49.7	48.1
Used 10-29 days	15.9	12.0	13.3
Used all 30 days	1.8	0.5	1.0
Any use within the last 30 days	63.2	62.2	62.5

High-risk rates of campus alcohol use

National aggregate survey data from the 'binge drinking' **Figure 2** chart below indicate that of college students who report regular alcohol consumption, around 43.6 percent reported drinking five or more drinks in one sitting the last time they drank. A comparison of these percentages to the 170,000 (of 220,000 enrolled) UNC students who indicate previous year alcohol use suggests that on average across the various campuses, around 73,000 UNC students would report binge drinking the last time they "partied."

Figure 2: National College Health Assessment aggregate self-reported binge drinking

Reported number of drinks consumed the last time students "partied" or socialized. Only students reporting one or more drinks were included.

Number of drinks*	Percent (%)	Male	Female	Total
4 or fewer		42.2	64.0	56.4
5		10.6	12.3	11.7
6		9.1	8.1	8.5
7 or more		38.2	15.6	23.4
Mean		6.43	4.18	4.98
Median		5.00	4.00	4.00
Std Dev		5.10	3.24	4.20

* Students reporting 0 drinks were excluded.

Additionally, the **Figure 3** chart below indicates average estimated rates of use of marijuana on our campuses, an amount that has increased over recent years – perhaps as the social acceptability of marijuana use has increased with our current generations of students.[7]

Figure 3: National College Health Assessment aggregate self-reported marijuana use

Marijuana	Actual Use		
Percent (%)	Male	Female	Total
Never used	57.0	64.5	62.0
Used, but not in the last 30 days	20.2	19.6	19.8
Used 1-9 days	11.9	10.8	11.1
Used 10-29 days	5.7	3.2	4.0
Used all 30 days	5.2	2.0	3.1
Any use within the last 30 days	22.7	15.9	18.3

For example, the above figure of 18.3 percent suggests that of our 220,000 current students, more than 40,000 of them may have used marijuana at least once in the last 30 days.

It is important to be very clear, however, that these are national aggregate numbers used to reflect the general averages across the system, and they do not reflect the actual numbers on each campus. Some campuses will have lower while others will have higher reported alcohol and marijuana use rates. Across our system, we have five historically black colleges and universities and one historical woman's college (i.e., UNCG, where the women outnumber men 2:1) as well as both large and small campuses, both rural and suburban campuses and both technical and arts-based campuses. Each type of campus has different cultures and rates of use.

Impact of high-risk drinking and other substance abuse

High-risk drinking and substance abuse create significant problems for our students and institutions of higher education. This use causes students to engage in risky behavior that leads to fatalities, assaults and serious injuries, in addition to damaging student performance and retention rates.[8] Binge drinking on college campuses is a public health issue not only because of the impact it has on the individual consuming the alcohol, but because of the behavioral problems and dangers individuals cause as a result of their alcohol consumption.[9] National data indicates the following statistics regarding negative impacts from collegiate substance abuse:

Alcohol and college students
Researchers estimate that each year:

- 1,825 college students between the ages of 18 and 24 die from alcohol-related unintentional injuries, including motor vehicle crashes.[10]

- 599,000 students between the ages of 18 and 24 experience unintentional injury while under the influence of alcohol (NIAAA).

- 696,000 students between the ages of 18 and 24 are assaulted by another student who has been drinking.[11]

- 97,000 students between the ages of 18 and 24 are victims of alcohol-related sexual assault or date rape.[12]

Additionally, in the past 10 years, alcohol use has contributed to multiple UNC student serious injuries and deaths resulting from falls, head trauma, alcohol poisoning, and car accidents.

The **Figure 4** chart below shows the levels of self-reported negative consequences from students in our system who report drinking alcohol:

Figure 4: National College Health Assessment aggregate self-reported negative outcomes:

College students who drank alcohol reported experiencing the following in the last 12 months when drinking alcohol:*

Percent (%)	Male	Female	Total
Did something you later regretted	36.7	36.1	36.3
Forgot where you were or what you did	34.3	31.1	32.2
Got in trouble with the police	6.0	2.9	4.0
Someone had sex with me without my consent	1.4	2.4	2.1
Had sex with someone without their consent	0.8	0.5	0.7
Had unprotected sex	23.7	19.7	21.1
Physically injured yourself	17.6	15.3	16.1
Physically injured another person	4.5	1.7	2.7
Seriously considered suicide	2.7	2.2	2.4
Reported one or more of the above	56.4	52.5	53.8

Students responding "N/A, don't drink" were excluded from this analysis.

These statistics translate to approximately 80,000 students having made a choice under the influence of alcohol they later regretted. More than 70,000 students experienced blackouts due to excessive alcohol consumption, more than 46,000 had unprotected sex while drinking, more than 4,600 report having sex without giving their consent and an additional 1,500 report having sex with someone without gaining their consent. These are significant numbers, especially when considering the potential for impact on individual students, the campus community, the reputation of each school and the retention and liability issues for the system as a whole.

Other general data related to consequences of high-risk alcohol use

Sexual assault and other forms of violence

- There is a high correlation between binge drinking and sexual assault. Nationally, 95 percent of all violent crimes and 90 percent of sexual assaults that occur in college campus communities reportedly involve alcohol by one or both involved parties.[13] 97 percent of alcohol-related sexual assaults are perpetrated by an individual the victim knew.[14] On a college campus, other enrolled students are often the perpetrators.

- There are several behavioral and environmental factors that contribute to this high correlation. Researchers predominantly cite several explanations for the very close association between alcohol and sexual assault.[15]

   o Binge drinking has been shown to make aggressors more aggressive and inhibits other students/the potential victims from recognizing the signs of their own risk to be on the receiving end of the aggression.[16]

   o Alcohol disinhibits behavior because of its pharmacologic effects on information processing.[17] "The cues that usually inhibit sexually aggressive behavior such as a sense of morality, empathy

for the victim and concern for future consequences are likely to be less salient than feelings of anger, frustration, sexual arousal and entitlement."[18]

Academic consequences

- College students that engage in high-risk drinking and other substance use often suffer academically as a result of their excessive use. High-risk drinking and substance abuse negatively impact college student performance in the classroom and study habits outside the classroom. [19]

- 25 percent of college students report academic consequences to their drinking. Drinking and other substance use impairs learning, memory, abstract thinking, problem solving and perceptual motor skills and can leave students feeling ill after consumption.[20]

- The drinking habits of college students create academic consequences that include missing class, falling behind in class, performing poorly on assignments, papers and exams and earning lower overall grades.[21]

- High-risk drinking in college does not just impact student performance while enrolled in classes, but also impacts on how the student will perform in the workforce in the future. Students that binge drink in college are more likely to drop out of college, work in less prestigious jobs and experience alcohol dependence 10 years later.[22]

Consequences of marijuana use

- Marijuana is overwhelmingly the most prevalent drug other than alcohol used by students on our campuses. Contrary to the popular myths that marijuana "just helps you relax," there can be numerous and very serious negative consequences to using marijuana.[23]

- College students who regularly smoke marijuana experience distorted judgment, drained motivation and feelings of anxiety.[24]

- Marijuana also affects coordination, reaction time and the body's ability to fight infections, and it is addictive. This makes driving, riding a bike and other activities while under the influence especially dangerous.[25]

- As the result of incomplete information about the product they are purchasing, college students can end up with marijuana that is laced with substances such as PCP, formaldehyde or crack cocaine without their knowledge.[26]

- Marijuana makes cognitive tasks that require "sustained attention and concentration" extremely difficult, thus hindering a student's ability to academically perform.[27]

- Students who use marijuana and drink alcohol are more likely to binge drink on a regular basis. [28]

- A recent study about casual marijuana use links changes in the areas of the brain that regulate emotion and motivation for those who smoke between one and seven joints a week. The hypothesis is that these changes in the brain may be an early sign of what later becomes a lack of motivation.

Prescription drug abuse

- College students are increasingly abusing prescription drugs in several classes including stimulants, sedatives/anxiolytics, sleeping medications and opioid analgesics.[29]

- For some students, an introduction to prescription stimulant or opiate use could later lead to a progression into street-available substances such as cocaine and heroin.

The negative impacts of all these trends not only affect the individual students and the community at large but have real financial and reputational impacts on the institutions themselves. We know an institution with approximately 30,000 students stands to lose 250 or more students through either dropout or suspension related to substance abuse issues every year. With a standard tuition cost of $15,500 a year, that will cost a university close to $4 million in enrollment dollars. The reduced retention rates impact each university's rank and standings as well. And finally, with 25 percent of students reporting academic impacts related to alcohol and other substance use, we know that campus GPA rates will also suffer. This does not include the financial and communal impact of second hand effects such as noise (study and sleep intrusion) or trash and vandalism issues. Immeasurable in all of this is the school's "word-of-mouth" reputation, passed from one student to another. If a school develops a reputation as a party school, it may deter more serious students from applying or accepting admission.

As well, nationally 8 to 10 percent of the population will move through the stages of experimenting, into consistent and appropriate use, then on to abuse and to eventual clinical substance dependence. In 2012, 23.1 million persons aged 12 and older needed treatment for an illicit drug or alcohol use problem. Of all admissions for treatment during 2012, 46 percent of the college-aged patients were admitted specifically for an alcohol-use disorder. One out of five (18.6 percent) young adults aged 18 to 25 is estimated to suffer from substance use disorder, and college students are the fastest growing segment seeking treatment, increasing 143 percent in the past decade compared to the overall national population increase of 14 percent (ONDCP, 2012).

The changing nature of substance abuse

In the past 20 years, the culture of drinking and other substance use on college campuses has changed in many different ways. Statistics show that the number of students who consume alcohol has remained relatively consistent. However, it is the manner in which students are consuming alcohol that has changed.[30] In addition, the increased availability of other substances combined with a slightly greater social tolerance leaves many of our students at greater risk for experimenting with and becoming dependent on something beyond alcohol alone.

The culture of pre-gaming

- Two thirds of college drinkers engage in what has become an integral part of the college drinking tradition, "pre-gaming." Pre-gaming is a practice in which students consume large quantities of alcohol very quickly in a compressed amount of time before going to bars, parties and sporting events. [31]

- As a result, students are consuming more alcohol at increased rates earlier in the evening, then continuing to drink over a longer period of time. [32]

- Students that pre-game are significantly more susceptible to harmful consequences because of their greater consumption of alcohol and higher blood alcohol content. The drinking games that are often associated with pre-gaming activities can quickly result in dangerously high blood alcohol content.[33]

- Students pre-game for a variety of reasons, but the primary reason is to become intoxicated quickly. Students also pre-game for social enhancement ("It makes going out more fun."), for tension reduction ("It reduces anxiety."), to save money ("Drinks at bars are expensive.") and for logistical reasons ("I'm underage and I don't have an ID.").[34] On average, students consume three to five drinks per pre-game.[35]

- While there are many reasons that college students choose to binge drink, 42 percent of women and 55 percent of men list "getting drunk" as one of their main motivational factors in heavily consuming alcohol.[36]

Celebration drinking

- Another generalized trend we see on many campuses is the phenomenon of "celebration drinking." Celebration drinking is the term that researchers use to describe the days of the year in which students consume larger quantities of alcohol than a typical evening of drinking.[37]

- "Researchers found that when students are drinking in celebration of an event, quantities of alcohol consumption are greater than a typical night of drinking."[38]

- Celebration drinking is not just associated with winning athletic events, though we do know that at universities with large Division I athletic programs, students (and alumni) consume larger quantities of alcohol on high-profile game days than on typical nights of drinking.[39]

- Celebration drinking often becomes problematic for universities as "fan aggression and riots, stampedes, fights and fatal beatings caused by rowdy spectators" occur in and around campus communities.[40]

- However, celebration drinking can be associated with anything else along a continuum of personal, academic or campus achievements, or even calendar related events such as holidays, including Halloween.[41] "Even students who remained abstinent (from consuming alcohol) a majority of the semester reported high levels of consumption during the weeks of Thanksgiving, Christmas, New Year's Eve and Spring Break, which emphasizes the significance of temporal influence on drinking behavior."[42]

- One disturbing trend we see is the 21st birthday celebration.[43] Every year, students die celebrating their 21st birthday related to the practice of trying to consume 21 shots in a short amount of time.[44]

- About half of student drinkers celebrating their 21st birthday exceeded their prior maximum number of drinks, and 12 percent reported consuming 21 or more drinks (21 shots at 1.5 ounces per glass would be more than a fifth of liquor).[45]

Marketing and access

- We know that alcohol today is being prepared and packaged in a manner that appeals to youth. From energy drinks with alcohol that enable students to drink more for longer periods of time, to sweet tasting liquors that mask the flavor of the alcohol, the options are riskier than ever before and may often lead to more alcohol poisoning incidents among college students. A leading study out of Harvard, "The Marketing of Alcohol to College Students: The Role of Low Prices and Special Promotions" (Meichun Kuo, ScD, Henry Wechsler, PhD, Patty Greenberg, MA, Hang Lee, PhD) speaks to the impact that certain types of marketing can have on the young adult population in relation to increased alcohol norms and expectations.

Campus and culture factors that influence student substance use at colleges and universities

Beyond the simple desire to "get drunk," there are numerous other influences that factor into a student's decision to use or abuse alcohol and other substances. They range from far-reaching national catalysts such as movies, music and even Facebook posts from other friends/peers, to more localized factors such as the size of a campus, the location (regional, urban/rural), the number of alcohol establishments nearby, whether the school is private

or public, whether the school is predominately white or historically black, the influence of big athletics and of a strong fraternity and sorority community, the academic rigor, whether there are early morning and Friday classes, whether the school has clear policies, the consistency of enforcement from campus and town officials and even the permissiveness of parents as it relates to the topic.[46] Added to these factors are the (mis)perceptions and disparities between what students may think their peers are doing and what they actually report doing. Anecdotal evidence tells us that historically white suburban schools with high bar densities within walking distance have higher fake ID rates, while smaller rural schools may have higher DWI rates, and that historically black colleges and universities may have a culture that avoids over consumption of alcohol but has higher reported incidents of marijuana use. [47]

Research indicates that marketing and promotion of alcohol on university campuses is another significant influence on the development and maintenance of drinking norms on college campuses. A number of studies demonstrate the relationship between promotion of alcohol/alcohol paraphernalia and high-risk drinking. Programs that advertise events using alcohol as their central theme, that provide free alcohol to students, that utilize alcohol industry sponsorships in exchange for alcohol promotion and that permit and encourage the sale of alcohol posters and/or paraphernalia, as well as bookstores that sell alcohol paraphernalia and/or that promote them in highly visible areas (such as entrance display cases), all may contribute to the perception of drinking as the norm on college campuses.

In addition to these many localized environmental factors, we also know that many students, parents and alumni, as well as some faculty and staff, believe that easy access to and heavy use of alcohol is simply a "rite of passage." [48] This perspective often creates a community acceptance of extreme alcohol and other drug use that can then lead to an excuse for violence and other acting out. Students see the images of alcohol consumption that create connections between alcohol consumption and lowered inhibitions and heightened sexual desire, sexual performance, risk taking and aggression.[49] These images create cultural expectations for alcohol consumption. "Alcohol provides a time out from normal rules, thereby providing an excuse for disinhibited behavior." [50] From a safety and security perspective, this is an unacceptable influence on our campuses.

In fact, easy access to alcohol (through either peer/parental purchase, the increased online availability of convincing fake IDs or the growing amount of unmonitored social fraternity/student organization or off-campus house parties) has contributed to the growing issue of underage use and overconsumption by many students.

Approaches — then and now

All of these environmental and cultural factors are issues that should be considered and addressed in an effort to make a meaningful and lasting impact on any campus alcohol and drug use trends. Traditional models of addressing collegiate high risk drinking and other substance abuse have primarily focused on two intervention levels: education focused solely on the harms of misuse and a medical model assumption that those students who still misuse alcohol and other substances in spite of the education must theoretically be clinically substance dependent and therefore need a standard 30-day inpatient treatment modality to address their behaviors. This approach directs efforts towards the individual student only, often via a case-by-case method and is often not effective in changing the individual or the greater campus environmental culture that influences student decisions and behaviors in subtle and not-so-subtle ways.

In more recent years, greater research into the causes and effects of collegiate high-risk drinking and other substance abuse has begun to make clear that individual approaches and education alone are not sufficient to change behaviors, on either an individual or communal level. Current evidence-based models show that a broader, more comprehensive, population-based approach that considers and addresses the impacts of environmental and cultural factors is the best practice for addressing collegiate substance abuse issues.[51] When considering the issues of underage and high-risk drinking, we should no longer focus on just the student, but use

the community change public health model to look at the many external or 'environmental/cultural' factors that affect a student's decision to drink.

In other words, continuing to blame the student, alone, for the issues of underage and heavy use is like *"blaming a fish for dying in a polluted stream."*

Because of what we know regarding drinking and other substance use patterns among college and university students and the wide variety of influencing factors, as well as the most current national evidence-based recommendations for addressing college drinking culture, we need to move beyond the historical medical model of addressing one student at a time, into a broader population-based model that looks at cultural and environmental factors and addresses each of them as well. Focusing on individual student behavior and conduct is not enough to catalyze the cultural shift that must occur to keep our students safe and healthy. This approach is important for the individual student and the community at large, because we know the dangers of binge drinking go beyond the binge drinkers themselves.[52]

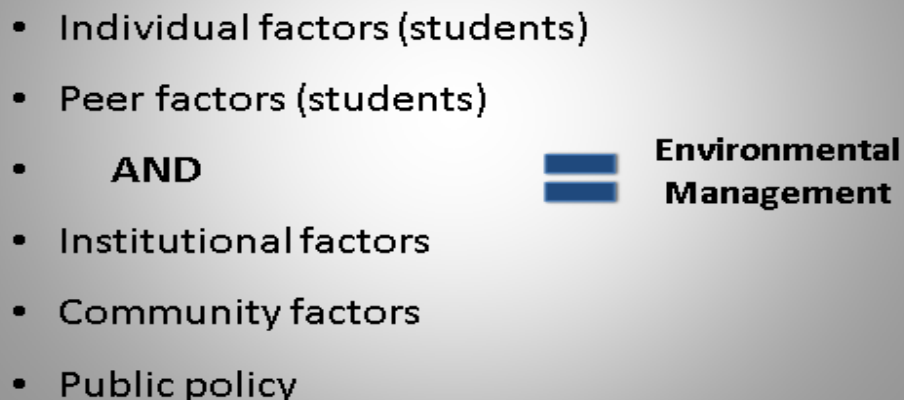**Evidence-based solutions: a public-health model**

A public-health model is an approach that addresses health or social problems of a community in a comprehensive way. It considers human factors, characteristics of the source of harm and environmental factors, identifying causes and suggesting possible ways to intervene. This process is called a 'social ecological framework.'

The components of a broad-based public health, social ecological approach look at strategies to affect community change and include the implementation of efforts that move away from just focusing on the individual, to examining factors from the greater campus and community. This includes examination of policies, physical spaces, consequences and enforcement, reducing barriers to making good decisions, providing ongoing support, increasing skill levels and providing up-to-date factual information and resources.
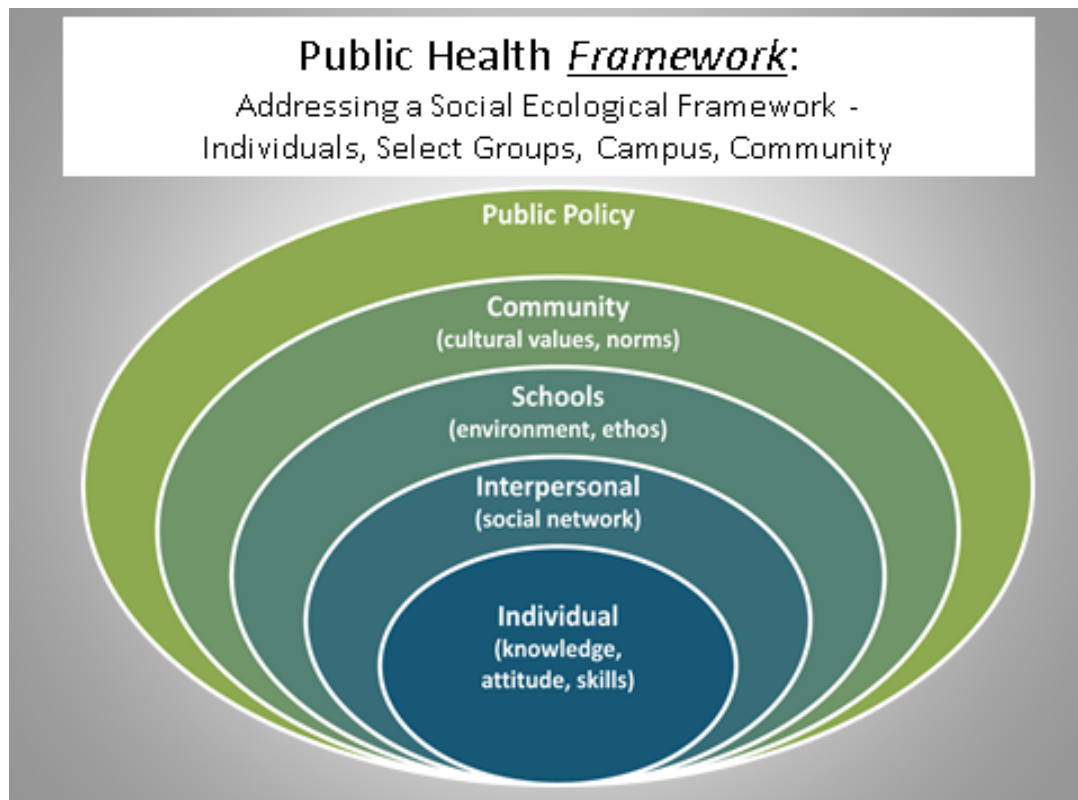
If a student's decision to drink may be affected by multiple influencing factors, internal and external, then it should follow that a student's decision not to drink, or at least to drink in a less risky manner, can equally be influenced by multiple internal and external factors.

The public-health theory and visual model that best represents this comprehensive approach is often depicted in the following chart, reflecting that all areas must be addressed for effective prevention:

Public Health _Framework_:
Addressing a Social Ecological Framework -
Individuals, Select Groups, Campus, Community

Public Policy

Community
(cultural values, norms)

Schools
(environment, ethos)

Interpersonal
(social network)

Individual
(knowledge, attitude, skills)

Leading public-health environmental management research and recommendations

A number of leading higher education and substance abuse prevention agencies highlight the benefits of a broad-based public-health model approach. Below are a few of the national evidence-based organizations that utilize and recommend this public health, social ecological framework approach:

- National Institute on Alcohol Abuse & Alcoholism

    o _A Call to Action: Changing the Culture of Drinking at U.S. Colleges,_ 2002

- Higher Education Center for Alcohol & Violence Prevention

    o _Environmental Management: An Approach to Alcohol & Other Drug Prevention,_ 2002

    o Surgeon General's Report on college drinking and culture

- American College Health Association

    o _Standards of Practice for Health Promotion in Higher Education_, 2012

    o _Healthy Campus 2020_ goals

- Council for Advancement of Standards in Higher Education

- - *Professional Standards for Higher Education*, 2012

    - Provides general standards of practice for higher education professionals

    - Includes program specific standards, including alcohol, tobacco and other drug programs, which were revised in May 2013

- National Association for Student Affairs Professionals (NASPA)

    - Provides "good practice" guidelines for student affairs professionals in the areas of AOD prevention efforts

- Wake Forest Medical Center

    - Longitudinal Study, "SPARC," on College Drinking Culture and Model Prevention Efforts

        - Includes 10 colleges, eight of which are part of UNC system

UNC system schools' progress to date

Most of the UNC system schools already utilize variations of a public health evidence-based approach to deal with high-risk drinking and substance abuse. While the methods and programs vary depending upon campus differences, available resources, experience and the knowledge base of some of our student health, counseling, wellness or other prevention staff, efforts have been made to utilize this best practice approach wherever possible. Examples of various efforts already in place across the system to date include:

Education and prevention programs

- Mandatory alcohol and other drug education programs for first-year students, as well as academic and co-curricular alcohol and other drug classes.

- Education and prevention programs for first-year and upper-class students that include knowledge campaigns and activities designed to replace drinking and drug use, as well as interactive programs designed especially to communicate with students in ways that resonate.

- Comprehensive online training and education programs that assist students in learning prevention skills and strategies for making responsible decisions around drinking, reducing alcohol associated risks, having healthy relationships and understanding the importance of consent.

- Significant training and program expectations for RAs and other student peer leaders through housing departments and other student affairs units.

- Social norms campaigns that include both general and targeted social norms. These campaigns often include social media messages using popular platforms (Twitter, Facebook, etc.) to promote increased awareness and understanding of actual peer practices versus the frequent misperception of higher rates of use.

- Collaboration from various campus offices — such as student unions, campus recreation departments, residence life, Greek life, athletics, libraries and other resources — to examine hours of operation and extent of programs offered to give students a consistent variety of alternative activities to choose from.

- Live feedback interventions with target populations, such as fraternity and sorority chapters, athletic teams and sports clubs.

- Town/gown coalition taskforces to ensure a fully comprehensive and consistent approach when addressing issues related to alcohol and other drug access and abuse.

- Prevention programs with community youth and future students using programs led by trained college mentors at regional middle schools, high-schools and community programs as part of university service missions.

- Increased enforcement during high-risk times as well as consistent enforcement at all other times.

- Alcohol medical amnesty policies, which are designed to reduce the harmful consequences caused by the abuse of alcohol. The policies encourage students to seek medical help when needed by removing the fear of punishment when faced with a high-risk alcohol emergency.

Intervention programs that go into effect once a student has a drug or alcohol offense

- Sanctioned referrals to wellness centers for substance use assessments and educational programs utilizing Brief Alcohol Screening and Intervention for College Students (BASICS) to provide one-on-one motivational interviewing, intervention and education based on harm reduction.

- Community service, reflective essays and other mandatory activities designed to encourage learning from mistakes.

- Counseling centers offer individual and group therapy to address substance use and abuse that often co-occurs with other mental health concerns, such as anxiety, depression, eating disorders and relationship concerns.

- Campus-based interactive awareness and skills development classes for campus conduct and even court-mandated students, which help students explore critical thinking and decision-making processes as well as impulse control and mindfulness techniques.

- Referral to off-campus court-mandated alcohol education programs and resources as appropriate.

- Strong collaboration between conduct and wellness/intervention services, as well as referrals to referral agencies, and the release of information forms as needed to ensure students comply and do not fall through the cracks.

Recovery programs available both on and off campus

- Most campuses offer referrals to community treatment. These include access to mental health professionals, hospital access and 24-hour action helplines.

- A number of campuses offer a Collegiate Recovery Community (CRC), which addresses issues associated with transitioning from active addiction to recovery and provides an affirming environment in which students can find peer support while attaining a college education.

- Most campuses have Alcoholics Anonymous and Narcotics Anonymous groups either on campus or within easy access just off campus. Universities also refer students to health programs in their communities.

Recommendations for moving forward

Most of the system schools are already aware of what approaches and best practices are necessary, and many have the support and leadership of their vice chancellors of student affairs. However, some campuses lack essential resources and full knowledge and buy-in from senior leadership including their chancellor, provost and other senior officers, as well as other key campus constituents and departments including faculty councils, athletics, public safety and alumni services to make the progress necessary to experience cultural change and a sufficient impact on this topic. The vice chancellors of student affairs make the following recommendations for a system-wide approach with appropriate commitment from senior leaders:

- The system president, in consultation with the chancellors, should emphasize a commitment to addressing these issues with the highest attention and prioritization. We recommend that all campus senior leadership be trained in the basic principles of a public-health model for prevention so they are able to keep these principles in mind when making policy decisions and budget priorities. When evaluating the success of high-level campus leadership, its attention to this issue should be considered.

- There should be a centralized and coordinated effort, with collaboration from knowledgeable professionals at each campus, regarding the issue of alcohol and other drug prevention and intervention efforts by trained and knowledgeable staff that can lead other partners across the campus and community in a coordinated effort.

- No one office should be tasked with addressing this issue in a vacuum. Senior leadership should ensure that all key players from any campus are at the table working with the coordinating person/department/ division. Examples may include but not be limited to:

  o Admissions, advising, academics/faculty, athletics, campus police, community police if available, conduct, counseling, local courts if available, cultural centers, housing and residential life, fraternity & sorority life, new student and parents offices, off-campus services, student health/health promotion/wellness offices, student government, student organization leaders, student activities/ student life staff, senior leadership such as chancellors/provost, and town/gown representatives as appropriate.

- Each school should have an up-to-date evidence-based alcohol and other drug policy that outlines clearly what the laws and campus expectations include, lending itself to an intervention- and rehabilitative-focused approach rather than a punitive philosophy alone.

- Each system school should work to ensure their local police, campus police, residence life, student organization/activity office and conduct offices practice enforcement in a consistent manner, as evidence indicates that swift and sure responses serve well as deterrents to future incidents.

- Each school should develop a plan for reducing and potentially eliminating alcohol industry sponsorship of university programs and events.

- Each school should publicly support the minimum legal drinking age (MLDA) law and educate faculty, staff, alumni and parents about the research behind it.

- Senior leadership should support and participate in the development and sustainability of a high-level town/gown task force to explore this issue further and work together to effectively address this issue. A recent 10-year longitudinal study out of the Wake Forest Medical School, entitled SPARC, included ten North Carolina schools (seven were UNC-system schools) and presents evidence-based approaches for this work.

- Stakeholders should operate with an understanding that using an evidence-based public-health model approach is the current best practice and that policies, regulations, guidelines and initiatives need to recognize that campuses must design interventions in ways that account for their size, location and student demographics. General Administration should direct each campus to examine the continuum of services, from prevention, to interventions, to counseling and/or treatment referrals, to recovery and resiliency support for students who struggle with dependency.

- The University system should request and allocate funding and resources for each school to have qualified and specialized staff and resources addressing this issue and should acknowledge that at most campuses, it will require more than one full-time staff member to be successful.

- Support should be provided so that most campuses can have at least one dedicated, trained and licensed substance abuse counselor or mental health professional with significant experience with substance disorders to provide assessments, interventions and referrals as needed.

- Support should be provided for additional resources for ongoing comprehensive active education/ prevention programs.

- Support should be provided for software to conduct online training for students, faculty and staff. Perhaps a system-wide contract with a specific company, such as Everfi's AlcoholEdu model, for which a group discount might be negotiated, would be appropriate.

- Each campus should provide educational programs for parents designed either campus by campus, based on best practice resources, or through a centralized system-wide resource.

- Each campus should complete a thorough review of its athletic and alumni tailgating culture and consider best practice approaches for reducing the negative impacts that can be associated with high rates of consumption during these events, as well as reconsider the use of game break 'passes,' which allow patrons an opportunity to leave the stadium at half-time and quickly consume additional alcohol.

- Each campus should increase awareness of signs and symptoms of addiction and work to de-stigmatize getting help and clarify what inpatient and outpatient treatment and long-term recovery involve.

- Each campus should develop resources to help students and their families understand what treatment options and resources may be available to them and communicate that the university will support their efforts to seek help.

- Each campus should develop a strategy to determine when students are ready to return to campus after taking time to seek treatment and have a case management system to track and support students in recovery.

Conclusion

There is no question that high-risk drinking and other substance abuse create substantial problems for the health and well-being of our campuses and students. Every university in the system is currently engaged in numerous and varied efforts to address these issues. A public-health environmental approach, which attends not only to individual students, but also to the social, cultural and environmental factors of each community, is necessary to successfully make progress. By providing strong institutional support from senior administration and a commitment to certain resources and by continuously making this an issue of importance for all of our campus communities, we can and should make significant progress towards a healthier and more successful university community.[53]

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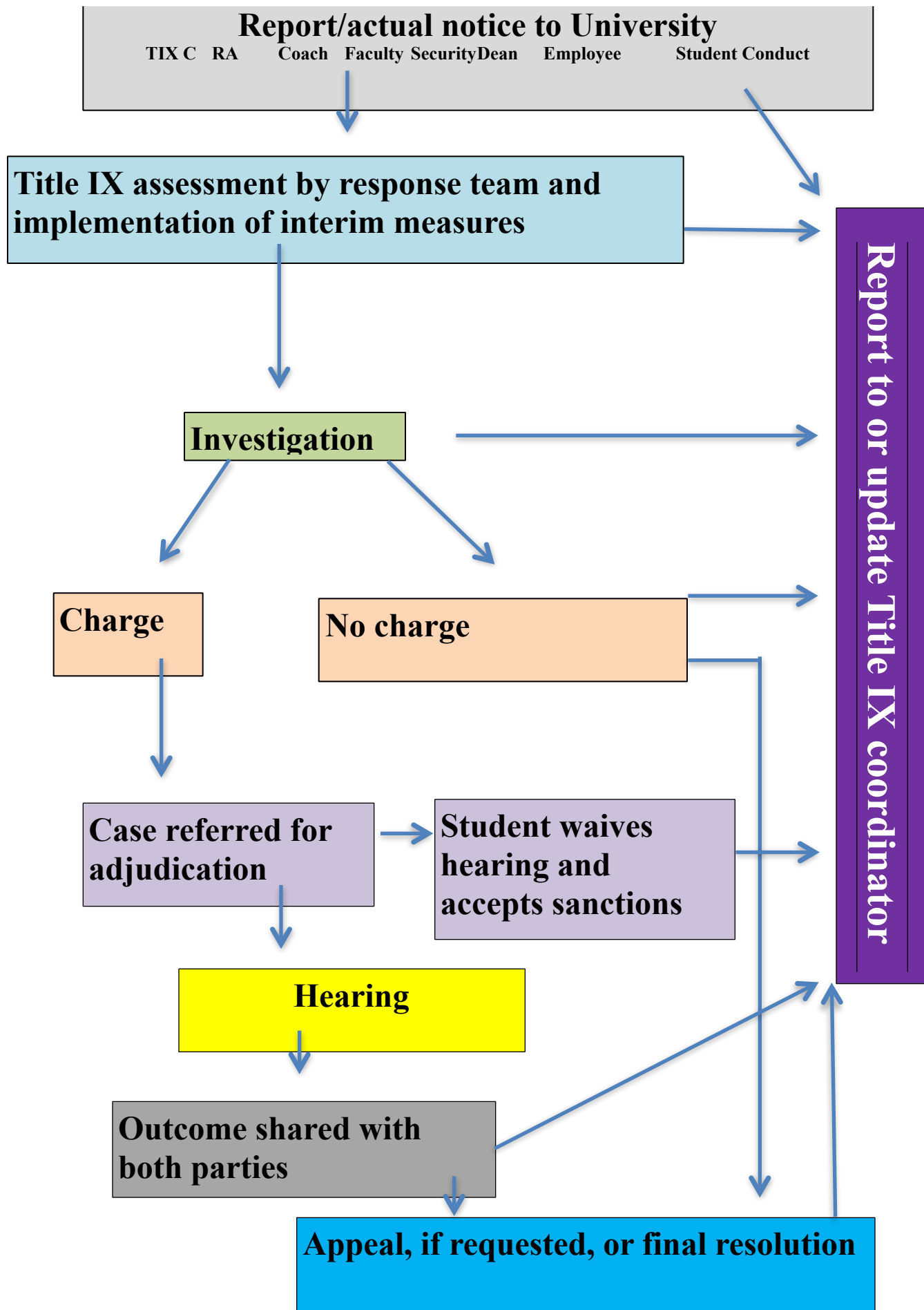
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Report/actual notice to University

TIX C   RA   Coach   Faculty SecurityDean   Employee   Student Conduct

Title IX assessment by response team and implementation of interim measures

Report to or update Title IX coordinator

Investigation

Charge

No charge

Case referred for adjudication

Student waives hearing and accepts sanctions

Hearing

Outcome shared with both parties

Appeal, if requested, or final resolution

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Inventory of Campus Alcohol and Drug and Title IX-Related Prevention and Response Resources: Executive Summary

I. Objective Questions

1. Please list the alcohol and drug education trainings you currently offer. Please state whether these programs are online, in-person or both in parentheses.

▸ 14 of our 17 campuses offer both in-person and online alcohol and drug education training.

▸ Two campuses reported offering only online training (FSU, NCA&T).

▸ Two campuses reported offering only in-person training (UNCSA, NCSSM-looking into purchasing software for online training).

▸ The specifics of each training, who is trained, what is considered training (event with an educational component, traditional classroom workshop), how many times the training occurs varies among campuses.

2. Are any of the programs listed above mandatory? Please state which, if any, programs are mandatory and how the requirement is enforced.

▸ Eight campuses require for all first year students and or students under the age of 21, either an online tutorial or a class. This mandatory requirement is enforced by holds placed on student accounts if the required training is not completed in a timely manner.

▸ Eight of our campuses mandate training for students that have been referred. Four have mandatory training for Resident Advisors. One requires training for students that want to live on campus.

▸ One of our campuses requires this type of training during orientation sessions. Other campuses reported a "soft-mandate" for these orientation sessions. While on paper it is stated that this type of training is required, four of our campuses recognize that attendance is not enforced. UNCC only requires training for students that have been referred to the educational program.

▸ Campuses use a variety of enforcement mechanisms. Some campuses require all students to complete online training in order to register for classes, or in order to live on campus. Other campuses incorporate drugs and alcohol into a health class that is required to graduate. UNCC only requires program completion for students that are judicial offenders.

3. How do you assess the effectiveness of your drug and alcohol training programs?

▸ Eight of our campuses issue pre-tests and post-tests to evaluate student learning outcomes. One of our campuses gives what they call reflection questions after training sessions.

▸ Five of our campuses conduct surveys. The types of surveys range from surveys of an individual's that participated in a workshop to campus-wide surveys about overall drug and alcohol use.

▸ Three campuses issue program evaluations. Four assess effectiveness based on the number of drug and alcohol offenses (including referrals and citations).

▸ Three campuses have a committee or task force that evaluates the effectiveness of programs based on several metrics.

▸ One of our campuses does not assess the effectiveness of their training programs.

4. If your drug and alcohol trainings include software programs, please provide any information you have on the cost structure.

▸ Seven campuses use AlcoholEdu. The cost structure for AlcoholEdu is determined by the number of students using the software. AlcoholEdu is $2 per student. The varying sizes of our campuses resulted in varying costs of the software for each individual campus.

▸ Two campuses use Alcoholwise, which costs $7 per student, and an additional $1 per module.

▸ One campus uses MyStudentBody, which costs $5000 annually.

▸ Three campuses do not use software in their drug and alcohol trainings.

5. What, if any, software programs do you currently use to train your faculty and staff on issues such as sexual assault and alcohol and drug use among students?

▸ 10 campuses do not use any software to train faculty and staff on these issues.

▸ One campus uses AlcoholEdu with a sexual assault component.

▸ Two campuses use the HAVEN online software from Everfi

▸ One campus uses 3rd Millennium Classrooms and "Prime for Life" software

6. If you use such software programs, please provide any information you can on the cost structure.

▸ HAVEN software costs $6,000 per year

▸ The sexual assault and alcohol addition to AlcoholEdu costs $8,500

▸ 3rd Millennium Classrooms cost between $15,000 and $17,000 and "Prime for Life" software that is free with a certified instructor and workbooks cost $25 per student

7. Does your university have a certified drug and alcohol counselor?

▸ Six of our campuses have a certified drug and alcohol counselor

▸ Three of our campuses have an individual that spends at least 20% of their time acting as a drug and alcohol counselor

▸ Eight of our campuses do not have a certified drug and alcohol counselor, included in those eight are two of our largest institutions.

8. Does your university have a learning community related to drug and alcohol use?

▸ Six of our campuses have a learning community related to drug and alcohol use

▸ Ten of our campuses do not

▸ NCSSM has a student body of all minors, their entire campus is drug and alcohol free

9. What trainings/education programs do you offer for off-campus students?

▸ Fourteen campuses offer the same trainings and education programs for on campus and off campus students.

▸ The Vice Chancellors again emphasized the importance of reaching out to high-risk groups, which they see as first-year students, Greek communities, athletic teams, and sports clubs.

▸ Three campuses do not offer programs for off-campus students. One of those campuses, NCSSM, has all students residing on campus.

10. Does your university use Maxient student conduct software? If not, what do you use, and how much does it cost?

‣ Ten campus use Maxient student conduct software.

‣ UNCW uses a system that was created by UNC Information Technology Systems, they do not pay to use it. FSU and UNCSA also use in-house systems.

‣ NCA&T uses Judicial Action Student Conduct Software that costs $3800.

‣ NCCU uses Simplicity, which costs $5197.50 annually.

‣ UNCG uses Advocate, $8000 start-up fee with an $10,300 annual maintenance fee.

‣ NCSSM uses a code of conduct function within Focus 6.0 Student Information System that costs $5000 annually.

11. Does your university use Titanium in your counseling center? If not, what do you use, and how much does it cost?

‣ Eight campuses use Titanium.

‣ Nine campuses do not use Titanium. Of those nine campuses, three do not use software in their counseling center.

‣ Five campuses use MEDICAT software, which initially cost $45,000.

‣ UNC-CH uses eCW for Counseling and Campus Health records.

‣ NCSSM uses a function within Focus 6.0.

12. Does your university use Kognito for any of your trainings? If so, please elaborate.

‣ Four campuses use Kognito. ASU specifically used Kognito with their SAMHSA Suicide Prevention Grant.

‣ Thirteen campuses do not use Kognito. Several campuses implied that they did use Kognito at one time, but do not currently because they do not have the resources.

13. Does your campus have a policy requiring all freshman to reside on campus?

‣ Eight campuses require first year students to live on campus.

‣ Nine campuses do not have a policy requiring all first year students to live on campus.

14. Please list the sexual assault education and prevention trainings that you currently offer. Please state whether these programs are online, in-person or both

‣ Nine of our 17 campuses offer both in-person and online alcohol and drug education training.

‣ One campus reported offering only online training.

‣ Seven campuses reported offering only in-person training.

‣ The specifics of each training, who is trained, what is considered training (event with an educational component, traditional classroom workshop), how many times the training occurs varies among campuses.

15. Please indicate which groups currently receive sexual assault response education and prevention trainings you currently offer. (Please be as specific as possible by indicating specific type of audience. For example, students can be undergraduate, transfer, graduate, study abroad, etc.)

- Campuses vary widely in the specific groups that receive training, the type of training those groups receive, whether or not training is required, and the degree to which training mandates are enforced.

- Most campuses require first year students to complete training during orientation.

- Three campuses require all faculty and staff members to complete training.

- Thirteen campuses require students to complete training during orientation. One of those thirteen campuses requires students to complete online training in addition to the in-person orientation training.

- Campuses vary in the manner in which specific student groups are targeted for required training.

- Nine campuses require residential advisors to complete this type of training. Most training sessions are conducted in person.

- Several of our campuses are very intentional in targeting specific student groups for this type of training. These groups typically include Greek organizations, athletes, and student government.

- Four campuses require all new fraternity and sorority pledges to complete training.

- Most of our campuses offer training for student groups on request, but very few require training for specific student groups.

- Six universities offer training specifically for athletes and coaches. Of those six, four require all athletes to complete this type of training.

16. Please list the Clery Act training programs you currently offer. Please also indicate the groups that receive that training.

- UNCA uses a Campus Security Authority Online Training Program using the web-based PowerDMS Training system. This is an online training program that has specific courses for all campus CSA's, a refresher course, and an extended course for CSA's regarding arrests and judicial referrals.

- On four of our campuses, athletic coaches receive Clery Act training.

- Five campuses require all Campus Security Authorities to complete Clery Act training.

- One campus reported specifically training Greek advisors, however two other campuses reported training "all student affairs staff" which would include Greek advisors.

- Six campuses require all housing staff to complete Clery Act training.

17. How do you assess the effectiveness of your sexual assault education and prevention programs?

- Four of our campuses do not assess the effectiveness of their training programs.

- Eight of our campuses conduct surveys. The types of surveys range from surveys of an individual's that participated in a workshop to campus-wide surveys about overall drug and alcohol use.

- Three of our campuses issue pre-tests and post-tests to evaluate student learning outcomes.

- One or our campuses gives what they call reflection questions after training sessions.

- Three campuses issue program evaluations.

18. If your sexual assault education and prevention trainings include software programs, please provide any information you have on cost structure.

- Twelve campuses do not use software programs for sexual assault education and prevention trainings.

- ECSU uses Haven which costs $3000 per year.

- UNCA and WCU use AlcoholWise, $8 per student.

- UNC-CH uses the AlcoholEdu module, $2 per student.

19. What substance abuse programs does your campus offer?

▸ Ten campuses offer substance abuse training, including residence programming.

▸ Four campuses offer Brief Alcohol Screening and Intervention for College Students (BASICS).

▸ Nine campuses offer counseling and recovery programs.

20. If you had a wish list for additional campus resources related to drug and alcohol use and/or sexual assault, what 2-3 things would be at the top?

▸ Fifteen campuses asked for additional resources to fund personnel positions. Campuses asked for staff to fill varying positions such as a certified drug and alcohol counselor, graduate assistants to conduct BASICS, sexual assault response and training, and a full time Title IX investigator.

▸ Sixteen campuses asked for additional resources for ongoing comprehensive active education/prevention programs.

▸ Twelve campuses asked for additional resources for software to conduct online training for students, faculty, and staff.

21. Please identify specific constituent groups you feel would benefit from additional training in these areas

▸ All seventeen campuses reported that all students, parents, faculty, and staff could benefit from additional training. The specific constituent groups that were mentioned were Greek organizations (seven campuses), and student athletes (eight campuses).

23. Does your campus track the individual drug associated with drug-related citations and/or referrals?

▸ Fifteen campuses keep track of the individual drug. Those campuses either have the Office of the Dean of Students or Student Conduct keep track of that information, or the information is entered into Maxient.

▸ Two campuses do not keep track of this information.

24. Does your campus treat beer and wine differently than liquor in citations and referrals? If so, please specify the different treatment.

▸ All seventeen campuses treat beer and wine the same way in citations and referrals.

25. Who decides whether to investigate a Title IX complaint on your campus? Please list the person's role/position and indicate if this individual has other non-Title-IX-related job responsibilities.

▸ On seven campuses (ASU, ECU, FSU, NCA&T, UNCG, UNCP, and UNCSA), an individual that works as the Title IX Coordinator decides whether to make a formal charge against a student in a Title IX case.

▸ On seven campuses (NCCU, NCSU, UNCA, UNC-CH, UNCC, UNCW, and NCSSM), a small group that consists of the Title IX Coordinator and another administrator in Student Affairs decides whether to make a formal charge against a student.

26. What are the qualifications of Title IX investigators on your campus?

▸ Twelve campuses require specialized training for their Title IX investigators. The required trainings included Title IX investigator workshops, NACUA training, Title IX Coordinator Certification, AXITA training, human resources training for sexual harassment, and Wicklander investigator and interviewing training.

- Five campuses have investigators with two or more years of experience in investigating complaints in higher education or related experience in equal employment opportunity.

- Three campuses have Title IX investigators with law or master's degrees.

- Four campuses do not have a formal job description, or do not have Title IX investigators on their campus.

27. What types of allegations are investigated through the Title IX process at your campus?

- Seventeen campuses investigate sexual assault and sexual harassment allegations through their Title IX process.

- Ten campuses investigate sexual misconduct (which includes sexual exploitation, sexual contact without consent, sexual intercourse without consent, and retaliation for allegations of sexual misconduct) allegations though their Title IX process.

- Eight campuses investigate allegations of sex discrimination through the Title IX process.

- Two campuses investigate stalking.

- It appears as if campuses have different definitions for sexual assault, sexual misconduct, and sexual harassment.

- One campus specifically includes relationship and domestic violence.

28. How do complaints/respondents participate in a Title IX investigation on your campus?

- Ten campuses interview complainants and respondents as part of the investigation. Complainants and respondents also provide written statements.

- On four campuses, complainants have input at each stage of the Title IX process in addition to opportunities to provide information, witnesses, and other evidence.

29. Who sees the Title IX investigation report when it is complete?

- The campuses vary in who sees the Title IX investigation reports. The five campuses that have a dedicated, full-time Title IX coordinator show the Title IX investigation report to the Title IX administrator, the Vice Chancellor for Student Affairs, and the Office of University Council.

- The Office of University Counsel sees the Title IX investigation reports on eight campuses.

- Three campuses show their University Police Department the Title IX investigation report.

- The Dean of Students (or equivalent position) sees the Title IX investigation report on five campuses.

- Three campuses show the report to their Director of Human Resources or Human Resources Affirmative Action Officer.

- Two campuses show the report to the complainant and the respondent.

30. To whom is the Title IX investigation report delivered? Is the Title IX investigation report available to all parties? If yes, is any information redacted?

- On eight campuses, the Title IX investigation report is delivered to the Title IX Officer, the Dean of Students, the Vice Chancellor for Student Affairs or Provost.

- Two campuses deliver the Title IX investigation report to the Chancellor.

- Eight deliver the report to the Office of University Counsel.

- Three deliver the report to the Director of Human Resources.

31. Who on your campus decides whether to make a formal charge against a student in a Title IX case?

▶ On all but two campuses, a group of individuals makes the decision whether to make a formal charge against a student in a Title IX case.

▶ On ten campuses, Dean of Students (or equivalent position) is part of the deciding group.

▶ On seven campuses, the Title IX Officer is part of the deciding group.

▶ On five campuses, University Police are part of the deciding group.

▶ On five campuses, the Vice Chancellor for Student Affairs is part of the deciding group.

▶ On three campuses, University Counsel is part of the deciding group.

32. What does a formal charge consist of on your campus? Please indicate what information is included in a formal charge.

▶ On fourteen of our campuses, a formal charge consists of the violation of the Student Code of Conduct and minimum sanctions against the accused.

▶ Of the fourteen campuses that provided information to answer this question, all of them included the incident information, date and time of hearing, as well as information regarding the student's rights and options for resolution of charges.

▶ Only one campus includes an arrest warrant and referral to the local police and District Attorney's office.

33. How does your campus communicate a formal charge to an accused student?

▶ Twelve campuses communicate via email, through a written letter, or both.

▶ One campus communicates a formal charge to an accused student in person.

▶ Six communicate through a letter and an in person notification.

34. Can a student appeal a campus decision not to charge the accused with a Title IX offense?

▶ Eight campuses allow students to appeal a campus decision to not charge the accused with a Title IX offense.

▶ Six campuses do not allow students to appeal a campus decision to not charge the accused with a Title IX offense.

II. Subjective Questions

1. What system-wide strategies could be employed to address training needs and requirements for campus responses to sexual assault and other offenses against persons?

▶ Eleven campuses suggested that UNC GA conduct trainings at the system level on the following topics:
  ▶ Title IX
  ▶ Investigator training
  ▶ State and federal law
  ▶ Sexual assault and the impact on respondent, complainant, and the campus community
  ▶ Bystander intervention training

▶ Eleven campuses also recommended online webinars or another form of shared online training

▶ Six campuses suggested that a comprehensive strategy should be developed across the system to approach these issues collaboratively and systematically that includes the sharing of best practices across the system

- Five campuses asked for common standards and a source for funding for victim advocates and Title IX investigators

- Two campuses stated that the system needs a set of common definitions and messaging about these issues

- Two campuses asked for an online resource clearinghouse

- Two campuses would like to have assistance in establishing well-advertised and posted resources for students and transparent avenues for support on campus that would make reporting easier. This would include outlined protocols of private, confidential, and mandatory reporting requirements on campus targeted to students

2. What additional resources does your campus need to respond to sexual assault?

- Staffing

- Ability to do a rape kit in student health center

- Assistance in facilitating stronger partnerships with local community to provide enhanced resources for students

- Funding for:
  - Participation in national conferences and trainings
  - Cutting edge programming and speakers
  - Personnel
  - Facilities
  - Prevention resources
  - Increased and improved lighting throughout campus
  - Maintaining current programs

- Required education for all incoming students, such as HAVEN

3. What resources does your campus need to address the campus culture and approach to alcohol?

- Comprehensive list of best practices

- Substance abuse counselors on every campus—working in a clinical sense with students. They have a level of specific training around substance abuse that other counselors on campuses simply do not have. From the disciplinary and intervention area of student affairs, Student Conduct Officers would refer students to substance abuse counselors. Students could also walk-in to schedule an appointment with the substance abuse counselor.

- Buy-in from all constituencies (leadership and expectation setting from the top of the organizational chart).

- System-wide funding for and coordinated effort towards training for all admitted students

- Greater engagement of athletics, alumni, and development offices

- University-wide marketing campaign with a theme and materials for the campus and local businesses about sexual assault, hazing, and alcohol education/prevention

- Intervention counselors and prevention health educators

- Additional substance abuse counselors

- Education programs for parents

4. Does your campus have the resources/trainings needed to conduct Title IX investigations? If not, what resources would be helpful?

- Thirteen campuses completed the subjective section of the template: ASU, ECU, ECSU, NCSU, UNCA, UNC-CH, UNCC, UNCG, UNCP, UNCW, UNCSA, WCU, and NCSSM.

- Of the thirteen campuses that completed this section of the template, one campus reported that they had the resources without any additional need.

- Seven campuses said they had the resources to a certain extent, but need additional resources to meet expectations for a standard of excellence.

- Nearly all thirteen campuses expressed the need for additional staff, and training to further develop the skill sets of current staff.

- One campus expressed the need for their public safety officers to receive additional training to better enable them to communicate with victims.

- Several campuses expressed the need for their staff to have training about the logistics of conducting a Title IX investigation.

- Our campuses need full time staff members assigned to specific issue areas such as Title IX coordinators and investigators. Personnel assigned to these specific areas would have a more limited portfolio and thus be better equipped to effectively meet their job responsibilities.

5. What about your investigator training works well? What does not work well?

Campuses reported that the willingness of different departments to share information and resources resulted in better learning outcomes for all parties involved. There is a need for sustained training beyond the initial session. Adding additional time consuming job responsibilities to an individual that is already very busy does not work. Campuses reported challenges in defining roles in investigations. Individuals working to collaborate with other departments found communication to be difficult.

6. What about the training you use for decision makers works well? What does not work well?

Many of the themes from the last question were also expressed in answers to this question. Campuses reported that the collaborative nature of their trainings allowed decision makers to hear from multiple perspectives. Decision makers liked having the opportunity to hear from multiple perspectives. A challenge is the logistics of scheduling trainings for such a large and diverse group of university officials. Another challenge for our campuses is how to sustain the knowledge and skills that decision makers cultivate in training beyond the initial session.

7. What gaps do you see in your Title IX hearing process? How would you improve your processes if you had additional resources?

The gaps that campuses see in their Title IX hearing process involve gaps in knowledge, personnel, and training for personnel. Campuses would improve their processes if they had more resources. They would use additional resources to create specific positions to fulfill the responsibilities necessary to conduct the Title IX hearing process. Campuses also want to train their staff to better conduct Title IX investigations, and better coordinate the Title IX adjudication process.

Held on December 2, 2013

The UNC Campus Security Initiative held a public forum on Monday, December 2, 2013 to provide interested individuals an opportunity to share concerns and perspectives about safety and security across the 17-campus University of North Carolina. The public forum was held from 6-8 p.m. in the Multipurpose Room of the James B. Hunt, Jr. Library, located at 1070 Partners Way on North Carolina State University's Centennial Campus. The public forum was publicized in the local news, and information was distributed to each of the 17 campuses.

The attendees included University administrators, faculty, staff, students, and other interested community members. Attendees were broken up into eight small groups situated around round tables with one-page summaries of the Jeanne Clery Act, Title IX and UNC's Policy 700.4.1 on the student disciplinary process. Facilitated by staff members of the Small Business and Technology Development Center (SBTDC), each group discussed a set of 5 common questions addressing issues cutting across all three work groups of the UNC Campus Security Initiative (Responding to Offenses Against Persons; Campus Public Safety; Security reporting and Awareness). Following lively small group discussions, the facilitator from each group reported the group's responses and ideas to all attendees.

Two pre-registered speakers made presentations. The first presenter, Monika Johnson Hostler, Executive Director of the NC Coalition Against Sexual Assault, suggested that campuses should focus on culture change, with administrative support. She suggested that cultural change occurs from the "top down" and works best when leadership articulates clear values and encourages others to address these issues. Ms. Hostler also discussed the need for bystander training and student education that occurs before college, which her organization provides.

Dr. Art Jackson, Vice Chancellor for Student Affairs at UNC Charlotte (UNCC), discussed a campus safety review conducted at UNCC where they found 37% of all off- campus crimes were happening in multi-unit apartments within a two mile radius of the university. This led UNCC to create a new program that will launch in January called "Niner Choice." Niner Choice is a voluntary program through which the university and the Charlotte Mecklenburg Police Department will inspect off-campus housing facilities. Those facilities meeting certain safety standards will be issued a green or gold standard on UNCC's off-campus housing website, which thousands of students visit each year. Dr. Jackson stressed the transferability of this program to other colleges and universities.

The questions discussed in each small group, as well as the most common responses, are summarized on the following page.

1. If you had a wish list of resources that you feel would make campuses safer, what would be on that list?

The general consensus of the participants fell primarily into three categories: (1) more public safety officers, (2) more student services professionals, specifically wellness staff, and (3) additional resources for training and safety equipment. The list below provides some specific examples.

- Additional camera and street lighting.

- More opportunities to acclimate students to college life and educate students about the dangers of alcohol and drug abuse, including expanding orientation programs. Also add additional orientation programs that include parents.

- More face to face training and education opportunities for students, and mandate those programs.

- Additional opportunities for faculty-student engagement, such as forums, where issues relating to alcohol use, sexual offenses and related problems are more openly discussed.

- Additional wellness resources.

- The development of a phone application that can serve as a panic button instead of someone having to dial 911.

- Promotion of responsible tailgating.

- Longer student health center hours.

- Shared services among campuses in regards to health and wellness.

- Additional wellness staff, especially drug and alcohol counselors.

- Additional public safety officers, including walking officers, and better pay for these officials so that we may retain them.

- Have a prevention coordinator on every UNC campus.

- More community partnerships that provide services at low to no costs for students.

2. What needs to be done to change the culture among students with respect to the use and abuse of alcohol?

The general consensus of the participants was that abuse of alcohol is seen by some as a behavior that is difficult to change in the college/young adult population. The participants were particularly concerned about the prevalent use of alcohol in Greek life, sporting events and student parties on and off campus. The participants want administrators to take an aggressive response to this behavior by providing alternatives for students and effective education that includes both students and parents. The list below provides some specific examples.

- Provide more social alternatives to drinking for students, all the while breaking the stereotype that "everyone is doing it."

- Address culture in the Greek system.

- Education on the impact of alcohol consumption and the consequences of actions while under the influence, and make alcohol training mandatory for everyone.

- Address alcohol and drug use as a public health issues instead of a moral issue.

- Foster family and community involvement and seek consistent alcohol enforcement across localities.

- Establish pre-college education programs.

- Educate and involve parents in the culture shift.

3. What can campuses do differently to break the link between alcohol consumption and offenses against persons, including sexual assault?

The general consensus of the participants was that University administrators have to take a holistic approach to address these problems, which range from holding students accountable for their actions to providing support for students who have a problem with abuse of alcohol or low self- esteem. The participants realize that this effort needs an "all hands on deck" approach which includes **ALL** students as active participants. The list below provides some specific examples.

- Have gender specific education programs and engage in "myth-busting."

- Consistent enforcement across the UNC System instead of 17 different ways of holding offenders accountable.

- Build a "culture of care" on campuses, including bystander intervention trainings.

- Provide education and training to students on what constitutes sexual assault and what constitutes consent.

- Build awareness on the link between alcohol and sexual assault.

- Establish formal "alcohol amnesty" programs where students won't be penalized for seeking medical attention for peers in danger of alcohol poisoning, etc.

- Promote alcohol free tailgating zones.

4. Should students serve on panels that hear cases of student sexual misconduct and or cases involving other serious offenses? What trainings should campuses require these decision-makers to have?

The general consensus of the participants was to answer this question with an overwhelming "NO." The participants were particularly concerned about the emotional toll the graphic cases would have on the student panelists and maintaining confidentiality. In the event that students do serve on panels, the participants stressed training in confidentiality, defining consent and training in conflicts of interest. A selection of responses, both in favor and in opposition, is provided to demonstrate both viewpoints.

- No. Students are not emotionally ready to hear these cases.

- No. There is a huge risk that students may breach confidentiality through contact with other students.

- Yes. It's good to have peers judge you.

- Yes but provide the accuser and accused the option of having students involved or excluded.

5. What kinds of partnerships should our institutions have with outside organizations and agencies so our campuses can respond effectively to serious offenses?

The general consensus of the participants was that student life extends far beyond the campus property, and the University should embrace all organizations that have an active role in the students' lives.   The University has to develop relationships of mutual respect and mutual commitment in order to ensure a healthy student life experience. The list below provides some examples.

‣ Campuses and municipal/county law enforcement

‣ Campuses and surrounding bars/pubs/restaurants

‣ Campuses and off-campus property managers and landlords

‣ Campuses and off-campus substance-abuse related coalitions

‣ Campuses and faith-based institutions

‣ Campuses and off-campus mental health facilities

‣ Campuses and their website developers, to ensure that vital Title IX, Clery Act, SaVE Act, etc. information is available within 2 to 3 clicks from the institution's main webpage

This summary was prepared using data provided by the SBTDC, gathered during the public forum. For more information on the SBTDC, click visit sbtdc.org*.*

APPENDIX M: LINKS TO UNC INSTITUTIONS' MOST RECENT ANNUAL SECURITY REPORTS

Appalachian State University

http://policy.appstate.edu/2012_Campus_Security_and_Fire_Safety_Report

East Carolina University

http://www.ecu.edu/cs-studentlife/police/upload/2013-Annual-Security-Report-2.pdf

Elizabeth City State University

http://www.ecsu.edu/universitypolice/docs/annual_safety_fire_report.pdf

Fayetteville State University

http://www.uncfsu.edu/Documents/police/annualsecurityreport/ClearyReport2013.pdf

North Carolina Agricultural and Technical State University

http://www.ncat.edu/divisions/business-and-finance/upd2/assests/asrrevised.pdf

North Carolina Central University

http://www.nccu.edu/formsdocs/proxy.cfm?file_id=951

North Carolina State University

http://campuspolice.ehps.ncsu.edu/files/
2213/8028/3192/2012_Annual_Security_and_Fire_Safety_Report_N0004883.pdf

University of North Carolina at Asheville

http://publicsafety.unca.edu/sites/publicsafety.unca.edu/files/annualsecurityreport2013.pdf

University of North Carolina at Chapel Hill

http://www.dps.unc.edu/securityreport/

University of North Carolina at Charlotte

http://police.uncc.edu/sites/police.uncc.edu/files/media/UNCC%20ASR%202013%20Final%20revised.pdf

University of North Carolina at Greensboro

http://police.uncg.edu/Information/Clery/ASFSR/2013.pdf

University of North Carolina at Pembroke

http://www2.uncp.edu/police/report/UNCP_2130_ASR_Final4.pdf

University of North Carolina Wilmington

http://uncw.edu/police/documents/crime.pdf

University of North Carolina School of the Arts

http://www.uncsa.edu/campuspolice/safetybooklet.pdf

Western Carolina University

http://www.wcu.edu/WebFiles/PDFs/Temp-2012-Annual-Security-and-Fire-Safety-Report.pdf

Winston Salem State University

http://www.wssu.edu/administration/campus-police/media/documents/annual-security-report/annual-security-report-2012.pdf