

**Fairleigh Dickinson University**

**Vancouver Campus**

**Office of the Business Manager**

**ANNUAL SECURITY REPORT**

**2019**

**Contains information for 2019-2020 academic year and  
crime statistics for 2018, 2017 and 2016.**

**ANNUAL SECURITY REPORT**

Reporting Crimes and other Emergencies	4
Voluntary, Confidential Reporting	4
Reporting to other Campus Security Authorities	4
Professional Counselors	5
About the Campus Public Safety Agency	5
Safety, Our Number One Priority	6
Working Relationship with Local, State and Federal Law Enforcement Agencies	6
Crimes Involving Student organizations at Off Campus Locations	6
Timely Warning Reports – Crime Alerts	7
Campus Daily Crime Log	7
Emergency Response and Evacuations	7
Emergency Management at Fairleigh Dickinson University	8
Evacuation and Relocation	8
Drills, Exercises and Training	9
Emergency Notification	9
Security of and Access to Facilities	10
Fairleigh Dickinson University Response to Sexual and Gender Violence	10
Reporting an Incident	15
Education Programs	21
Bystander Intervention and Risk Reduction	23
Disciplinary Procedures Policy Statement	25
Sex Offender Registration – Campus Sex prevention Act	28
Campus Security Policies, Crime Prevention and Safety Awareness Programs	28
Behavioral Intervention Team	29
Weapons Policy	29
Victim Rights	29
Fairleigh Dickinson University Student Conduct	32
Missing Student Notification Policy	32
Drug and Alcohol Abuse Prevention	34
Disclosure of Disciplinary Proceedings Outcomes	37
Annual Disclosure of Crime Statistics	39
A Final Word	46

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is a federal law that requires colleges and universities to disclose information about campus crime and security policies.

The Clery Act was signed into law in 1990 as the Crime Awareness and Campus Security Act of 1990. This act was spearheaded by Howard and Connie Clery after their daughter was murdered at Lehigh University in 1986. Amendments to the act in 1998 renamed it in memory of Jeanne Clery.

The Clery Act requires colleges and universities to:

- publish an annual report every year by October 1 that contains three years of campus crime statistics and certain campus security policy statements
- disclose crime statistics for the campus, public areas immediately adjacent to or running through the campus, and certain non-campus facilities. The statistics must be gathered from campus police or Public Safety, local law enforcement, and other University officials who have significant responsibility for student and campus activities.
- Provide “timely warning” notices of crimes that have occurred and pose an ongoing threat to members of the campus community.
- Disclose in a public crime log any crime that has occurred on campus or within the patrol jurisdiction of the campus Public Safety department and is reported to campus police or Public Safety department.

The Fairleigh Dickinson University Vancouver Business Manager in consultation with the Department of Public Safety at the Metropolitan Campus, is responsible to prepare and distribute the report for the campus. This report is also available on the Fairleigh Dickinson University website at [www.fdu.edu](http://www.fdu.edu). Members of the Vancouver Campus community are sent a notice that describes the report and the web address. For a paper copy of the report, contact the Business Manager’s Office at (604) 682-8112 or email [doreilly@fdu.edu](mailto:doreilly@fdu.edu). Members can also contact the Metropolitan Campus of Public Safety at (201) 692-2227 or email [dmiles@fdu.edu](mailto:dmiles@fdu.edu).

## Reporting of Crimes or other Emergencies

The policies of Fairleigh Dickinson University Vancouver campus, which are enforced by the Business Manager's Office and contract guard service, are made known to students, faculty and staff either through the Employee Handbook or the Student Handbook.

To report any crime, emergency or campus violation, contact the Business Manager at (604) 682-8112 or come to the Business Manager's office directly. Whenever making a report, please provide a full account of the type of incident, who was involved, what type of incident it was, where it took place, when it took place and why it may have occurred. Also try to provide witnesses or descriptions. **In any instance where you witness any serious crime, emergency or other safety or life threatening situation, please call 911.** Do not call 911 unless an immediate and true emergency exists.

## Voluntary, Confidential Reporting

Any member of the campus community may report violations of the law or other matters of concern using the "Silent Knight" witness form on the Metropolitan Campus Department of Public Safety website. This form can be located on the following link: <http://view.fdu.edu/default.aspx?id=4136>. All reports received will be investigated.

## Reporting to other Campus Security Authorities

The Clery Act requires that persons designated as "Campus Security Authorities" notify the institution about crimes they have learned about from persons believed to be acting in good faith. At the Vancouver Campus of Fairleigh Dickinson University, "Campus Security Authorities" must report these crimes to the Business Manager. "Campus Security Authorities" include staff members who have "significant responsibility for student and campus activities, including but not limited to student discipline and campus judicial proceedings". Fairleigh Dickinson University has deemed all employees as Campus Security Authorities.

## **Professional Counselors**

Campus Professional Counselors, when acting as such, are not considered to be “Campus Security Authorities” and are not required to report crimes to be included in the annual report of crime statistics. As part of the Fairleigh Dickinson University policy, these persons are encouraged to inform persons being counseled of all the procedures in place to report crimes on a voluntary basis to be included in the annual report of crime statistics. Fairleigh Dickinson University also encourages Professional Counselors to report all crimes which they become aware of. This can be done without identifying any of the individuals involved if they want to remain anonymous but it makes other members of the campus community aware of the crime.

The Clery Act defines counselors as follows:

**Professional Counselor:** An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning in the scope of his/her license or certification. At Fairleigh Dickinson University Vancouver Campus, this means all counselors employed in Student Counseling and Psychological Services (S-CAPS) as well as any consulting psychiatrist.

The Vancouver Campus Professional Counselor contact information is as follows:

Location: Room 252.

Availability: Mondays, Tuesdays, and Thursdays

Time: 5:00- 6:30 pm

Email: [FDUVCounseling@fdu.edu](mailto:FDUVCounseling@fdu.edu)

Telephone: 604-648-4497

## **About the Campus Public Safety Agency**

The safety and security of the campus and campus community members are the responsibility of all members of the campus community. After regular business hours, the Vancouver campus uses an outside contract guard service, GardaWorld, which is under the direction of the campus Business Manager. The GardaWorld guard service patrols the campus from 4:00 pm to 10:00 pm, Monday to Friday. The campus has regular business hours from 8:00 am to 5:00, Monday to Friday and is closed on weekends. The officer patrols the campus on foot. The officers also answer all calls for assistance as well as emergencies.

The contract guard service members are non-sworn, non-university employees who do not have police or arrest powers. These officers enforce university policies. Contract guard service employees attend training through the company. This training provides

officers with a basic understanding of campus public safety as well as university and department procedures. All officers are trained in basic first aid, CPR and AED.

Fairleigh Dickinson University Vancouver Campus has excellent working relationships with the Vancouver police and fire departments. Information is shared between the departments in an effort to maintain a safe campus environment. All serious matters are promptly reported to the local police. At the request of any victim, the Business Manager or contract guard service will provide assistance by contacting the local police. In all cases, a report will also be maintained at the Business Manager's office.

## **Safety, Our Number One Priority**

The safety and security of all members of the campus community is the number one priority of the Department of Public Safety. While the guard service patrols the campus and insures that the campus remains safe for all, it is also the responsibility of all members of the campus community to be responsible for their own security and the security of others. By reporting anything suspicious as well as following basic security and safety tips can greatly assist in overall safety and security for all.

## **Working Relationship with Local, State and Federal Law Enforcement Agencies**

Fairleigh Dickinson University Vancouver Campus has excellent working relationships with the Vancouver police and fire departments. Information is shared between the departments in an effort to maintain a safe campus environment. All serious matters are promptly reported to the local police. At the request of any victim, the Business Manager or contract guard service will provide assistance by contacting the local police. In all cases, a report will also be maintained at the Business Manager's office.

## **Crimes Involving Student Organizations at Off Campus Locations**

The Business Manager through the close working relationships with local law enforcement also deals with crimes and other serious incidents that occur off campus that may involve a Vancouver campus student. The Business Manager and contract guard service will promptly act on any information that is received from an outside agency concerning investigation on information received. Findings of that investigation concerning student misconduct will be forwarded to the appropriate campus office for any disciplinary action.

## **Timely Warning Reports – Crime Alerts**

Anytime that a serious situation arises either on campus or in the immediate area of the campus that in the judgment of the Director of Public Safety in consultation with the Campus Provost, poses an ongoing or continuing threat to the campus community, a campus “Timely Warning” will be issued. This warning will be issued through the FDU Alert system, voice mail or telephone notification, e mail, posted on the University website, posted notices and direct contact with individuals. Decisions will be made to send out a timely warning by the Metropolitan Campus Director of Public Safety in consultation with the Campus Executive. In certain incidents, a timely warning may not be sent out if the local police feel it may compromise an ongoing investigation.

## **Campus Daily Crime Log**

The Clery Act requires that the campus maintain a daily Crime log covering the most recent 60 day period. The Vancouver Campus daily Crime log is located in the Business Manager’s Office and is available for viewing during normal business hours. The log contains information about the nature of the reported crime, the date and time reported the general location and the disposition of the incident. All crimes, not just Clery Act reportable crimes, are entered into the log. Log entries must be made within two business days of the report being made to the Business Manager’s Office or contract guard service. There are two exceptions when entries are excluded from the log, the first when the disclosure is prohibited by law and the second if the disclosure would jeopardize the confidentiality of the victim. There are also four cases where information may be temporarily withheld from the log. This withholding can only take place when there is clear and convincing evidence that the release of the information would (1) jeopardize an ongoing investigation: or (2) jeopardize the safety of an individual: or (3) cause a suspect to flee or evade detection: or (4) result in the destruction of evidence. Any requests for information past the current 60 day period will be provided within two business days.

## **Emergency Response and Evacuations**

Emergency evacuation may be required when there is an actual or potential danger to the occupants of any building as a result of fire or other emergency situation.

When a fire alarm is sounded or an emergency evacuation is declared, all occupants must leave the building(s) through the nearest exit and proceed immediately to the designated staging area and remain a minimum of 50 feet away from any building. When you leave, you should take all belongings with you.

Designated Floor Fire Wardens, Contract guard service personnel, local police and/or fire department personnel will direct the evacuation.

All roadways and walkways must remain clear for emergency vehicles.

You are to remain at the designated staging area until the local authorities allow entry back into the building(s) or you are directed to a different location.

Do not use elevators during the evacuation process.

The staging area for the Vancouver campus has been designated as the steps outside the Law Society Building on 845 Cambie Street.

## **Emergency Management at Fairleigh Dickinson University**

The university and campus each has an Emergency Management Team and Emergency Operations Plan. The EOP provides the framework to structure the response and resources of Fairleigh Dickinson University academic and administrative community to any emergency incident affecting Fairleigh Dickinson University. The Department of Public Safety activates the EOP when an emergency affecting Fairleigh Dickinson University reaches proportions that cannot be handled by established measures. This emergency may be sudden and unforeseen, or there may be varying periods of warning. Fairleigh Dickinson University intends that the EOP to be sufficiently flexible to accommodate contingencies of all types, magnitudes and duration. Our priorities are:

- Life safety, infrastructure integrity, and environmental protection during an emergency
- Coordination with Fairleigh Dickinson University departments to write, maintain, test and exercise the EOP
- Cooperation, Integration and Mutual Aid with local, state and federal planning, response and public safety agencies and their EOP's.

## **Evacuation and Relocation**

Fairleigh Dickinson University recommends the complete evacuation of a building in an alarm situation. Departmental evacuation plans provide more detailed information about the evacuation procedures for individual buildings. If necessary, transportation of persons should be coordinated with appropriate personnel for the purpose of evacuation and relocation of persons threatened by or displaced by an incident. Responding Emergency Management Team members will identify a temporary shelter of facility designated in advance, or another facility as needed. The EOP designates key functions and critical roles and assigns them based upon situational factors.

A summary of Fairleigh Dickinson University emergency response procedures is located at <http://view2.fdu.edu/metropolitan-campus/public-safety/emergency-management/>. Information regarding Fairleigh Dickinson University emergency notification policy, including how to enroll in or update your information in the emergency notification system to ensure you receive emergency notices on Fairleigh Dickinson University and cellular telephones can be located at <http://view2.fdu.edu/inside-fdu-edu/fdu-alert-and-smart-communications/>.



## **Drills, Exercises and Training**

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

To insure that Fairleigh Dickinson University emergency management plan remains current and actionable, Fairleigh Dickinson University will conduct an emergency management exercise, at a minimum once yearly. These exercises may include tabletop drills, emergency operation center exercises or full scale emergency response exercises. Fairleigh Dickinson University conducts after action reviews of all emergency management exercises.

Fairleigh Dickinson University will notify the university community of information included in Fairleigh Dickinson University publicly available information regarding emergency response procedures.

## **Emergency Notification**

Fairleigh Dickinson University is committed to ensuring the campus community receives timely, accurate and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members. Fairleigh Dickinson University tests the emergency notification system components once every semester. During these test, Fairleigh Dickinson University activates the text, voice and email messages.

In the event of a situation that poses an immediate threat to members of the campus community, Fairleigh Dickinson University has various systems in place for communicating information quickly. Authorized senders may activate the FDU Alert system and will use some or all of the methods of communicating in an event of an emergency notification for all or a segment of the campus community.

Messages may direct individuals to evacuate, shelter in place, stay away from an area or contain other information pertinent to the situation. We will send follow up messages that might say; continue to shelter in place or provide other pertinent information. In all cases, Fairleigh Dickinson University will provide an “all clear” or “end of incident” message when the incident is no longer a danger.

The Campus Executive will immediately initiate all or some portions of the Fairleigh Dickinson University emergency notification system. If in the judgement of the Director of Public Safety and the local first responders, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, Fairleigh Dickinson University may elect to delay issuing an emergency notification. As soon as the condition that may compromise efforts is no longer present, Fairleigh Dickinson University will issue the emergency notification to the campus community.

The Campus Executive will determine what segment or segments of Fairleigh Dickinson University should receive the notification. Generally, campus community members in the immediate area of the dangerous situation will receive notification first. Fairleigh

Dickinson University may issue subsequent notifications to a wider group of community members. In addition to the emergency notification that may be issued by FDU Alert, mass notification system, Fairleigh Dickinson University will also post applicable messages about the dangerous condition on the Fairleigh Dickinson University web home page. This way all members of the campus are aware of the situation and the steps they should take to maintain personal and campus safety. If the emergency affects a significant portion of the entire campus, Fairleigh Dickinson University will distribute the notification to the entire campus community.

The Campus Executive, Public Relations and local first responders will determine the contents of the notification. Fairleigh Dickinson University has developed a wide range of template messages addressing several different emergencies. The individual authorizing the alert will select the template message most appropriate to the ongoing situation and modify it to address the specifics of the present incident. In cases where there is no template message in the system, the individual authorizing the alert will develop the message to convey appropriate information to the campus community. The goal is to insure individuals are aware of the situation and that they know the steps to take to safeguard their personal and community safety.

Fairleigh Dickinson University, at its discretion, may release information concerning a significant emergency or dangerous situation involving an immediate threat to the health and safety of campus community members that occurred off campus. Such information would have to be provided by another agency or an emergency notification release by the supplying agency.

During critical incidents, the Public Affairs staff will work with the Emergency Management Team to gather accurate and substantial information regarding the details of Fairleigh Dickinson University response.

We encourage all members of the campus community to enroll in FDU Alert by visiting <http://view2.fdu.edu/inside-fdu-edu/fdu-alert-and-smart-communications/>. We encourage the Fairleigh Dickinson University community members to regularly update their information at the same site.

## **Security of and Access to Facilities**

Office buildings are generally open from 8:00 am -5:00 pm, Monday through Friday. Classes run until 9:00 pm Monday through Friday and students have access to the campus during those times by means of their student access cards.

Access to any building after hours and on weekends is limited unless there are classes or other authorized functions being held.

## **Fairleigh Dickinson University Response to Sexual and Gender Violence**

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT, AS AMENDED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

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

For a complete copy of the University’s policy governing sexual harassment, to include sexual violence, visit <http://fdu.edu/hr/nondiscriminationandantiharassmentpolicy.pdf>. The policy applies to all employees and students of FDU as well as third parties.

Conduct procedures specific to students as the accused in sexual harassment cases may be accessed by visiting the Student Code of Conduct, at <http://www.fdu.edu/studentlife/2013/5469.pdf>

To report an incident of sexual misconduct, you can call, write or visit FDU’s Title IX Coordinator, Rose D’Ambrosio, Associate Vice President of Human Resources, (email) [dambrosi@fdu.edu](mailto:dambrosi@fdu.edu), (telephone) (201) 692-2706. The Associate Vice President of Human Resources is located in Dickinson Hall on the Metropolitan Campus.

### **A. Definitions**

There are numerous terms used by Fairleigh Dickinson University in our policy and procedures.

**Consent** in our Student Code of Conduct does define consent as the following: A person must be 16 years of age to legally consent to sexual activity. A person cannot give consent to sexual activity with someone who has "the duty to care" for them unless they are over the age of 18. Individuals that fall into "the duty to care" category would include parents or guardians, and those in any type of formal supervisory role. If individuals are between the ages of 13 and 15 they can legally consent to sexual activity with a partner who is not more than 4 years older than themselves.<sup>16</sup>

An individual who is physically or mentally impaired, generally, cannot give consent to sexual activity. Physical or mental impairment includes: visual, speech or hearing impaired, a person with a cognitive impairment; a person who is unconscious or sleeping;

or a person who is voluntarily or involuntarily under the influence of alcohol or other substance(s).

**Sexual Assault:** “Sexual assault” means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim if incapable of giving consent.

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

Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest is defined as nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape is defined a nonforcible sexual intercourse with a person who is under the statutory age of consent.

**Domestic Violence:** The term “domestic violence” means 1) Felony or misdemeanor crimes of violence committed—

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

2) 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.

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

- 1. Who is 18 years of age or older, or
- 2. Who is an emancipated minor, and who has been subjected to domestic violence by:
  - a. spouse

- b. former spouse
  - c. any other person who is a present or former household member, OR
3. Who, regardless of age, has been subjected to domestic violence by a person:
- a. with whom the victim has a child in common, or
  - b. with whom the victim anticipates having a child in common, if one of the parties is pregnant,
- Or
4. Who, regardless of age, has been subjected to domestic violence by a person with whom the victim has had a dating relationship.
- a. A victim may be below the age of 18.
  - b. The domestic violence assailant must be over the age of 18 or emancipated at the time of the offense.

**Dating Violence:** The term “dating violence” means violence committed by a person 1) who is or has been in a social relationship of a romantic or intimate nature with the victim and

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

For the purposes of this definition-

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

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.

### **Dating Relationship**

- 1. A victim of a dating relationship may be below the age of 18.
- 2. The domestic violence assailant must be over the age of 18 or emancipated at the time of the offense.
- 3. No list of any criteria by which an officer can determine what is and what is not a dating relationship. This provision should be liberally construed. If the officer is in doubt about a particular relationship, the officer should review the matter with the officer’s supervisor, the department’s legal advisor or the on-call judge.

To assist the supervisor, legal advisor or judge in making this determination, the officer should obtain such information as:

- the length of time of the relationship
- the type of relationship
- the frequency of interaction between the parties, and
- if the relationship has been terminated by either person,
- **the length of time elapsed since the termination of the relationship.**

**Stalking:** The term “stalking” means 1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- (i) fear for the person’s safety or the safety of others; or
- (ii) Suffer substantial emotional distress.

2) For the purposes of this definition—

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

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

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

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.

a. As used in this act:

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

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

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

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

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

c. A person is guilty of a crime of the third degree if he commits the crime of stalking in

violation of an existing court order prohibiting the behavior.

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

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

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

## Reporting an Incident

The University has procedures in place that serve to be sensitive to those who report sexual

assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to Public Safety or local law enforcement. Students should also contact the Dean of Students and employees should contact Human Resources.

After an incident of sexual assault and domestic violence, the victim should consider seeking medical attention as soon as possible at one of the following area hospitals

Vancouver General Hospital		604 875-4111
B.C. Women’s Hospital		604 875-2424

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

the University strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim’s choice whether or not to make such a report and victims have the right to decline involvement with the police. The University will assist any victim with notifying local police if they so desire. The local police department to the Vancouver campus is the Vancouver Police Department located at 2120 Cambie Street, Vancouver, B.C. They may be contacted by dialing 9-1-1 or via their general business line at 604-717-3321 or online at <http://www.vancouver.ca/police>

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Metropolitan Campus Department of Public Safety or a Title IX Coordinator or Investigator by calling, writing or coming into the office to report in person and to law enforcement (if the victim so desires.) The University will provide resources, on campus off campus or both, to include medical, health, counseling, victim advocacy, legal assistance, ad visa to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy.

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

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

Incident Being Reported:	Procedure FDU Will Follow:
<b>Sexual Assault</b>	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care</li> <li>2. Institution will assess immediate safety needs of complainant</li> <li>3. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>4. Institution will provide complainant with referrals to on and off campus mental health providers</li> </ol>



	<ol style="list-style-type: none"> <li>5. Institution will assess need to implement interim or long-term protective measures, such as housing changes, change in class schedule, “No Contact” directive between both parties</li> <li>6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> <li>7. Institution will provide written instructions on how to apply for Protective Order</li> <li>8. Institution will provide a copy of the Prohibited Discrimination Harassment and Related Misconduct Policy to complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</li> <li>9. Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is</li> <li>10. Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</li> </ol>
--	--

<b>Stalking</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> </ol>
-----------------	--

<b>Dating Violence</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> </ol>
<b>Domestic Violence</b>	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</li> </ol>

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

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the University will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. For orders of protection, go to <http://www.pssg.gov.bc.ca/protection-order-registry/>

Whether or not you receive an order of protection, a complainant may then meet with Public Safety to develop a Safety Action Plan, which is a plan for Public Safety and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, providing a temporary cellphone, changing classroom location or allowing a student to complete assignments from home, etc.) The University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s). The victim is required to apply directly for these services.

The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. To the extent of the victim's cooperation and consent, university offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal university investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance and assistance in notifying appropriate local law enforcement. Additionally, personal identifiable information about the victim will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant (for example, publicly available record-keeping for purposes of Clery Act reporting and disclosures will be made without inclusion of identifying information about the victim, as defined in 42 USC 1395 (a) (20).) Further, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims nor house identifiable information regarding victims in the campus police departments Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request. Students should contact the Director of Student Services and employees should contact HR.

### **Resources for victims of Domestic Violence, Dating Violence, Sexual Assault & Stalking**

#### **On-Campus**

A part-time Registered Clinical Counselor available to victims. We are recruiting students for a Peer Advisor Program where students will be trained by the Clinical Counselor, and they can be approached by victims. The Director of Student Services and any staff member or faculty member is available to students. The attached resources are available to students.

#### **Off Campus**

- Local Police: Vancouver Police Department; 2120 Cambie Street Vancouver B.C.; 604 717-3321
- Vancouver General Hospital: 604 875-4111
- Community Mental Health Services 604 874-7626

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

<http://www.rainn.org> – Rape, Abuse and Incest National Network  
<http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice

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

## Privacy and Confidentiality

Fairleigh Dickinson University is committed to protecting the privacy of all individuals involved in the investigation and resolution of a report under this policy. Fairleigh Dickinson University also is committed to providing assistance to help students, employees and all others to make informed choices. With respect to any report under this policy, Fairleigh Dickinson University will make reasonable efforts to protect the privacy of participants, in accordance with applicable state and federal law, while balancing the need to gather information to assess the report and to take steps to eliminate Prohibited Conduct, prevent its recurrence and remedy its effects.

Privacy and confidentiality have distinct meanings under this policy.

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

The privacy of student educational records will be protected in accordance with the Family Rights and privacy Act (FERPA), as outlined in Fairleigh Dickinson University FERPA policy. The privacy of an individual’s medical and related records generally is protected by the Health Insurance Portability and Accountability Act (HIPAA).

Confidentiality exists in the context of laws that protect certain relationships, including with medical and clinical care providers, mental health providers, counselors, and ordained clergy, all of whom may engage in confidential communications. Fairleigh Dickinson University has designated individuals who have the ability to have privileged communications as “Confidential Employees”. When information is shared by an individual with a Confidential Employee or a community professional with the same legal protection, the Confidential Employee cannot reveal the information to any third party except when an applicable law or a court order requires or permits disclosures of such information. Information may be disclosed when: (i) the individual gives written consent for its disclosure; (ii) there is concern that the individual will likely cause serious physical harm to self or others; or (iii) the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18.

Pursuant to the Clery Act, Fairleigh Dickinson University includes statistics about certain offenses in its annual security report and provides those statistics to the United States Department of Education in a manner that does not include any personally identifying information about individuals involved in an incident. The Clery Act also requires Fairleigh Dickinson University to issue timely warnings to the FDU community about certain crimes that have been reported and may continue to pose a serious or continuing threat to students or employees. Consistent with the Clery Act, Fairleigh Dickinson University withholds the names and other personally identifying information of complainants when issuing timely warnings or emergency notifications to the FDU community, and in the maintenance of the daily crime log. Fairleigh Dickinson

University will also 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.

## **Education Programs**

The University engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

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

- a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- b. Defines using definitions provided both by the Department of Education what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- c. Defines what behavior and actions constitute consent to sexual activity and/or using the definition of consent found in the Student Code of Conduct if state law does not define consent;
- d. Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- e. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- f. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

The University has developed an annual educational campaign consisting of presentations that include distribution of educational materials, as well as mandatory online training to

new students; participating in and presenting information and materials during new employee orientation; and the distribution of materials and programming on an on-going basis to all employees and students.

The University offered the following **primary prevention and awareness programs for all incoming students** in 2018:

**2018 Clery Training Situations at FDU Vancouver Campus**

- ❖ DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Which Prohibited Behavior Covered?</u>
Undergrad Orientation	1/8/2018	Room 130	DoV, DaV, SA & S*
MAS Orientation	1/15/2018	Room 257/259	DoV, DaV, SA & S*
Counseling Services – Assault Prevention Newsletter	4/4/2018	Transmitted by email to all FDU Vancouver students	DoV, DaV, SA & S*
Sexual Assault Awareness Presentation by UBC SASC	4/6/2018	Student Lounge	DoV, DaV, SA, S*
MAS and Undergrad Orientation	5/14/2018	Room 257/259	DoV, DaV, SA & S*
Undergrad Orientation	8/27/2018	Room 130	DoV, DaV, SA & S*
MAS Orientation	9/4/18	Room 257/259	DoV, DaV, SA&S*
“Consent is Everything” Presentation	11/27/8	Student lounge	Dav, SA

--	--	--	--

The University offered the following **primary prevention and awareness programs for all new employees** and **ongoing awareness and prevention programs for employees** in 2018:

<u>Name of Program</u>	<u>Date Held</u>	<u>Location Held</u>	<u>Complied with Section B a-e?</u>	<u>Which Prohibited Behavior Covered?</u>
Employee Orientation	Ongoing		Yes	DoV, DaV, SA, S

❖ DoV means Domestic Violence, DaV means Dating Violence, SA means Sexual Assault and S means Stalking

## **Bystander Intervention and Risk Reduction**

Bystander intervention consists of safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is risk of an occurrence of Prohibited Conduct. It also includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options and taking action to intervene. Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”<sup>1</sup> We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list<sup>2</sup> of some ways to be an active bystander. Further

<sup>1</sup> Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles, 60*, 779-792.

<sup>2</sup> Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse

information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

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

### **Risk Reduction**

Recognizing that only a rapist is responsible for rape and with no intent to victim blame, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org))

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cash money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being



- poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa.** If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
  14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).** Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
  15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
    - a. **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
    - b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
    - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
    - d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
  16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
  17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

## **Disciplinary Procedures Policy Statement**

Whether or not criminal charges are filed, the university or a person may file a complaint under the Non-Discrimination and Anti-Harassment Policies and Procedures alleging that a student or employee violated the University's policy.

The Associate Vice President of Human Resources serves as the University's Title IX Coordinator and the individuals noted below have been designated as Deputy Title IX coordinators to address student vs. student cases that occur on their respective campuses. These individual are responsible for providing education and training about discrimination and harassment to the University community and for receiving complaints and overseeing investigations surrounding reports and complaints about discrimination

and harassment in accordance with the policy. The Associate Vice President of Human Resources is located in Dickinson Hall on the Metropolitan Campus and can be reached at (201) 692-2706.

The following positions have been designated Deputy Title IX Coordinators:

Assistant Dean of Students at the Florham campus (973) 443-8936  
Assistant Dean of Students at the Metropolitan Campus (201) 692-2190  
Campus Provost at the Vancouver Campus (604) 692-4462

## INVESTIGATING OFFICERS

Those designated to investigate claims shall be the Investigating Officers. The following positions have been designated Investigating Officers:

Director of Employee Benefits and Training (201) 692-2704  
Harassment cases involving employees.

Director of Student Services at the Vancouver Campus (604) 648-4465  
Harassment cases student vs. student

Director of Public Safety at the Metropolitan Campus (201) 692-2222  
Assault Cases

The Title IX Coordinator is authorized to designate appropriately trained individuals to receive complaints and investigate discrimination and harassment complaints as deemed appropriate.

The Investigating Officer serves as an impartial fact finder to investigate the complaint and can appoint a "designee" to assist him or her in carrying out any of his or her functions described hereunder. The function carried out by the Investigating Officer is under the responsibility of the Office of the President.

## REPORTING AND ADJUDICATION PROCEDURES

**Reporting of Complaint:** Any University student or employee who feels subjected to harassment or discrimination in any manner, should immediately report the matter to the Title IX Coordinator or Deputy Title IX Coordinator. Employees may also report it to his/her supervisor or anyone employed in a supervisory capacity at the University.

**Informal Procedure:** The Investigating Officer may suggest voluntary mediation of the complaint in the form of discussions with the complainant, respondent and other parties, as necessary, with the aim of reaching an agreement acceptable to all parties. Neither the complainant nor the respondent shall be under any compulsion to participate in an informal resolution, and no complainant or respondent will be subject to adverse action

for refusing to participate. *Mediation is never appropriate in cases of sexual assault, domestic violence, dating violence or stalking or when a power differential exists between the parties.*

A formal complaint can be filed at any time during the informal process, but the complainant should file a formal complaint within 15 working days from the circulation by the Investigating Officer of a proposed informal agreement if the result is unacceptable to the complainant.

#### Formal Procedure:

When a formal complaint is filed, the Investigating Officer will interview the complainant to ascertain the details behind the complaint and will then interview the respondent(s). The Investigating Officer may conduct other fact finding and/or discussions with any witnesses who may have knowledge of the allegations in the complaint.

**Determinations and Report:** The Investigator will provide a report of the findings to respective Deputy Title IX coordinator. The Investigation Officer shall issue their report within a reasonable promptness after the filing of the formal complaint to:

- University Title IX Coordinator – for cases involving University employees
- Deputy IX Coordinator – for University students. Any sanctions will be in accordance with the Prohibited Discrimination, Harassment and Related Misconduct policy

**Action of the Title IX Coordinator:** In their review of the Investigating Officer's report, the Title

IX Coordinator shall review the record developed by the Investigating Officer. The Title IX Coordinator may accept the report or ask the Investigating Officer to conduct additional investigation and resubmit the report.

Upon receipt of the Investigating Officer's final report, the Investigating Officer's conclusion on the claim of harassment or discrimination, but not the report, shall be provided to the claimant, the respondent and the Vice President or the Provost of the department in which the respondent works. In addition, the respondent, and his/her supervisor shall be informed of the proposed disciplinary action, if any.

#### Appeals

Either party may appeal the outcome. The limited grounds for appeal are as follows: • A substantive or procedural error that substantially affected the outcome; and • Any evidence that could substantially affect the outcome and that was not reasonably available through the exercise of due diligence at the time of the investigation; Dissatisfaction with the outcome of the investigation is not grounds for appeal. A Reporting Party or Responding Party must submit a written appeal within five (5) business days of receipt of

the Notice of Outcome to the Title IX Coordinator. The written appeal must include the specific basis for the appeal and any information or argument in support of the appeal. Upon receipt of the appeal, the Title IX Coordinator will provide the other party notice of the appeal and the opportunity to respond in writing to the appeal. Any response to the appeal must be submitted within five (5) days from receipt of the appeal. The Title IX Coordinator will refer the appeal, and any response to an Appeals Officer, who will decide the appeal in an impartial manner. For students, the Appeals Officer shall be one of the Associate Campus Provosts. Typically, the Associate Campus Provost from the Responding Party's home campus will be assigned, but depending on the circumstances of the matter, the Associate Campus Provost from either campus may review the appeal. For employees, the Appeals Officer will be an Associate Vice President appointed at the discretion of the President, but not the Associate Vice President of Human Resources. The Appeals Officer, in his/her sole discretion, may make a determination based on the written record or may request to speak with the Investigating Officer, the Adjudicator, the Reporting Party or the Responding Party. Appeals are not intended to be full rehearing of the report (de novo). The Appeals Officer may not substitute his/her judgment for that of the Adjudicator merely because he/she disagree with the finding and/or sanctions. The Appeals Officer can: 1) affirm the findings, or 2) alter the findings only where there is clear error based on the stated appeal grounds. The Appeals Officer shall communicate a written decision, which shall be deemed final and binding, to the Reporting Party and the Responding Party and the University Title IX Coordinator. The Appeals Officer will conclude the appeal within fifteen (15) calendar days of the receipt of the appeals documents.

## **Sex Offender Registration – Campus Sex Prevention Act**

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

## **Campus Security Policies, Crime Prevention and Safety Awareness**

The Business Manager at the Vancouver Campus of Fairleigh Dickinson University is responsible for the safety and security of all persons and property that come to the campus. The Business Manager and the contracted guard service has the responsibility of protecting life and property, preventing and detecting crime on campus as well as providing essential safety and services to the campus community. Crime prevention is a high priority of the department as well as the University. All members of the campus community have to assist themselves from becoming a victim of crime by following basic crime prevention practices.

- Walk and park in well lighted areas
- Always lock your room or office
- Do not prop any doors open
- Never leave valuables unattended
- Do not take unnecessary chances
- Report suspicious persons, vehicles or behavior

In an ongoing effort to prevent crime on the campus, the Business Manager's Office, in consultation with the Department of Public Safety at the Metropolitan Campus, offers several programs and services:

- Distribution of brochures and pamphlets on crime prevention information
- Department web page and twitter account with tips and information
- Surveillance Cameras
- Fire Equipment Checks

In addition, the Associate Director Of Student Services provides crime prevention presentations and training to members of the campus community;

- Vancouver City Police Safety Presentations – Done at all new student orientation sessions
- Vancouver City Police Community Crime Prevention Forum – Annual
- Fire Drills – Annually
- Earthquake Awareness and Safety Drill – Annual
- Alcohol Awareness Week – Annual
- Posting of crime prevention tips and notices – Monthly

## **Behavioral Intervention Team**

The Vancouver Campus has a Behavioral Intervention Team that will meet on a needed basis to discuss issues and students of concern.

The team takes a case management approach to identifying students who exhibit specific concerning or alarming behaviors. The team will develop plans of action designed to intervene and support the student at risk. All members of the campus community are encouraged to report concerns about any individual to the office of the Campus Executive.

## **Weapons Policy**

Lethal weapons, firearms and fireworks are not permitted on campus.

## **Victims Rights**

In responding to a report, the University has an interest in providing care to the Reporting Party and to the broader campus community. For this reason, after receiving a report, the University, through its Response Team, will offer and establish reasonable and appropriate Interim Measures to protect a Reporting Party and facilitate the Reporting

Party's continued access to University employment or education programs and activities. Interim Measures may be both remedial (designed to address a Reporting Party's well-being and continued access to educational and employment opportunities) or protective (involving action against a Responding Party). Remedial and protective measures, which may be temporary or permanent, may include no-contact orders, counseling and emotional support, residence modifications, academic modifications and support, work schedule modifications, voluntary leave of absence, interim suspension, suspension from employment, restrictions on campus activities, and other immediate remedies as reasonable and appropriate. Remedial measures are available regardless of whether a Reporting Party chooses to pursue an investigation or disciplinary action under this Policy. The University will maintain the privacy of any remedial and protective measures provided under this Policy to the extent practicable and will promptly address any violation of the protective measures reported to the University. The University will provide reasonable remedial and protective measures to Third Parties as appropriate and available, taking into account the role of the Third Party and the nature of any contractual relationship with the University. The Title IX Coordinator or designee has the discretion to ensure the appropriateness of any Interim Measure based on all available information, and is available to meet with a Reporting or Responding Party to address any concerns about the provision of Interim Measures. Retaliation is expressly prohibited by this Policy, and the University will take immediate and responsive action to any report of retaliation or any violation of Interim Measures.

Where there is a finding of responsibility, the Adjudicator may impose one or more sanctions. Sanctions for students may include any of the sanctions that are available for violations of the University's Code of Student Rights, Responsibilities and Conduct, including: Administrative reassignment of housing Campus restriction Campus Standard probation Co-curricular restriction Community restitution Community service Counseling assessment/support Disciplinary Reprimand Disengagement notice Educational sanctions \* Fines Housing dismissal Housing probation Housing suspension Social restriction University dismissal University suspension \* exercises, class, assignments / essay Sanctions for employees may include any of the sanctions that are available for violations of the University's Employee Handbook and Faculty Handbook, including a letter of reprimand being placed in their personnel file, additional training, written letter of apology, suspension (paid or unpaid), dismissal, work schedule modifications, voluntary leave of absence, restrictions on campus activities, and termination from the University. Sanctions for faculty covered by the Faculty Handbook will be reviewed with the University Provost and/or the University President. Prohibited Discrimination, Harassment and Related Misconduct – 7-1-2015 Page - 24 When determining sanctions, the Adjudicator will consider the following factors: • The nature and severity of the Prohibited Conduct • The impact of the Prohibited Conduct on the Reporting Party; • The impact or implications of the Prohibited Conduct within the University community; • Whether the Responding Party has accepted responsibility for the Prohibited Conduct; • The maintenance of a safe and respectful environment conducive to learning; and • Any other mitigating, aggravating, or compelling factors. Every effort will be made to respect and safeguard the privacy interests of all individuals involved in a manner consistent with the need for a careful assessment of the allegation

and any necessary steps to eliminate the conduct, prevent its recurrence, and address its effects.

Confidentiality means that information shared with designated campus or community professionals will only be disclosed with the individual's express written permission, unless there is a continuing threat of serious harm to the patient/client or to others or there is a legal obligation to reveal such information (e.g. where there is suspected abuse or neglect of a minor). An individual can seek confidential assistance and support by speaking with specially designated confidential resources (Listed in Appendix I: Campus and Community Resources).

In responding to a report, the University has an interest in providing care to the Reporting Party and to the broader campus community. For this reason, after receiving a report, the University, through its Response Team, will offer and establish reasonable and appropriate Interim Measures to protect a Reporting Party and facilitate the Reporting Party's continued access to University employment or education programs and activities. Interim Measures may be both remedial (designed to address a Reporting Party's well-being and continued access to educational and employment opportunities) or protective (involving action against a Responding Party). Remedial and protective measures, which may be temporary or permanent, may include no-contact orders, counseling and emotional support, residence modifications, academic modifications and support, work schedule modifications, voluntary leave of absence, interim suspension, suspension from employment, restrictions on campus activities, and other immediate remedies as reasonable and appropriate. Remedial measures are available regardless of whether a Reporting Party chooses to pursue an investigation or disciplinary action under this Policy. The University will maintain the privacy of any remedial and protective measures provided under this Policy to the extent practicable and will promptly address any violation of the protective measures reported to the University. The University will provide reasonable remedial and protective measures to Third Parties as appropriate and available, taking into account the role of the Third Party and the nature of any contractual relationship with the University. The Title IX Coordinator or designee has the discretion to ensure the appropriateness of any Interim Measure based on all available information, and is available to meet with a Reporting or Responding Party to address any concerns about the provision of Interim Measures. Retaliation is expressly prohibited by this Policy, and the University will take immediate and responsive action to any report of retaliation or any violation of Interim Measures.

Where there is a finding of responsibility, the Adjudicator may impose one or more sanctions. Sanctions for students may include any of the sanctions that are available for violations of the University's Code of Student Rights, Responsibilities and Conduct, including: Administrative reassignment of housing Campus restriction Campus Standard probation Co-curricular restriction Community restitution Community service Counseling assessment/support Disciplinary Reprimand Disengagement notice Educational sanctions \* Fines Housing dismissal Housing probation Housing suspension Social restriction University dismissal University suspension \* exercises, class, assignments / essay Sanctions for employees may include any of the sanctions that are available for violations of the University's Employee Handbook and Faculty Handbook,

including a letter of reprimand being placed in their personnel file, additional training, written letter of apology, suspension (paid or unpaid), dismissal, work schedule modifications, voluntary leave of absence, restrictions on campus activities, and termination from the University. Sanctions for faculty covered by the Faculty Handbook will be reviewed with the University Provost and/or the University President. Prohibited Discrimination, Harassment and Related Misconduct – 7-1-2015 Page - 24 When determining sanctions, the Adjudicator will consider the following factors: • The nature and severity of the Prohibited Conduct • The impact of the Prohibited Conduct on the Reporting Party; • The impact or implications of the Prohibited Conduct within the University community; • Whether the Responding Party has accepted responsibility for the Prohibited Conduct; • The maintenance of a safe and respectful environment conducive to learning; and • Any other mitigating, aggravating, or compelling factors.

## **Fairleigh Dickinson University Student Conduct**

The university has a Code of Conduct for all students that attend the university. The Code of Conduct can be found at :

<http://www.fdu.edu/studentlife/2016/code-of-conduct.pdf>

## **Missing Student Notification Policy**

The Higher Education Act requires that all institutions that provide on campus student housing must establish a missing student notification policy and procedures.

Fairleigh Dickinson University Vancouver Campus takes student safety very seriously. The following policy and procedure has been established to assist in locating Fairleigh Dickinson University Vancouver Campus students who, based on the facts and circumstances known to Fairleigh Dickinson University Vancouver Campus have been determined to be missing.

### **Dean of Students Information to Resident Students**

At the beginning of each academic year, Fairleigh Dickinson University Vancouver Director of Student Services will inform all students residing in on campus housing that the Dean of Students will notify either a parent or an individual selected by the student not later than 24 hours after the time that the student is deemed to be missing. The information provided to the resident students will include the following:

- The Campus Executive will notify the appropriate local law enforcement agency not later than 24 hours after the time that the student is determined to be missing.
- If the local law enforcement agency has been notified and makes a determination that a student who is the subject of a missing person report has been missing for more



than 24 hours and has not returned to campus, the Director of Student Services will initiate the emergency contact procedure in accordance with the student's designation and notify the Director of Public Safety at the Metropolitan campus.

### **Department of Public Safety**

The Metropolitan Campus Department of Public Safety upon notification of a missing student will conduct a thorough investigation and obtain all necessary information. The person's description, clothes, who they may be with or where they may be, vehicle description and the physical and mental well being of the individual will be obtained. The Department of Public Safety will contact Vancouver law enforcement and work closely with them on any investigation.

The Department of Public Safety will also check access card logs to determine the last time the ID card was used as well as any surveillance video.

### **Notification Procedure**

Fairleigh Dickinson University Vancouver Campus will follow the following notification procedure for a missing student. Any reports of missing students are to be referred immediately to the local law enforcement agency and notify the Director of Public Safety at the Metropolitan campus.

The Director of Student Services and/or Public Safety will notify the Campus Executive of any missing student.

### **Campus Communications**

In all cases of a missing student, local law enforcement agency will provide information to the media that is designed to obtain public assistance in the search for any missing student. The local law enforcement agency will consult with Fairleigh Dickinson University Public Relations. Any media requests to the university will be directed to Public Relations.

## Drug and Alcohol Abuse Prevention

Many students already have used alcohol by the time they arrive on campus. Some students have only limited experience with the effects of alcohol. Many already have had problems related to alcohol use. A third group of students have not used alcohol at all. For each of these groups of students, it is important to establish and follow personal guidelines for choices about alcohol use and nonuse.

As you think about your choices, it is helpful to remember that there are benefits to using alcohol safely and wisely and benefits from abstaining from alcohol use. For many people, alcohol is a complement to social events, good food and conversation with friends or family. For others, alcohol may be part of family tradition or ritual. Some people simply like the taste of wine with a meal or a cold beer on a hot summer afternoon. Abstaining from alcohol also has benefits. Alcohol-free lifestyles allow people of all ages to be free to grow in their ability to manage stress and develop life skills without the interference of alcohol. People who abstain have no risk of developing alcoholism. For those with a family history of alcoholism, a choice to remain abstinent will help break the cycle of addiction. Lastly, abstinence from alcohol is a lifesaving choice for people recovering from chemical dependency. Choosing to use or not to use alcohol is a personal choice for which each student is responsible. At any age, we are responsible for the consequences of our decisions. For example, nationwide a high percentage of date or acquaintance rapes on campus are alcohol-related.

Alcohol use affects judgment and can result in vandalism and aggressive or even violent behavior. Sexually transmitted diseases and unplanned pregnancies occur more often when judgment is impaired by alcohol. Driving after drinking can result in legal hassles and crashes causing serious injury or death. For students, excessive alcohol use is a major factor in academic problems. Many times people who have been drinking too much say and do things that can hurt people they care about or love. College is a time for building relationships and alcohol can make that difficult.

### Guidelines

Safe and wise choices about using or abstaining from alcohol will enhance health and reduce the risk of experiencing the wide range of alcohol-related problems that some college students have experienced.

Here are a few guidelines to help you think about your choices:

#### **1. The use of alcohol is a personal choice.**

No one should feel pressured to drink or be made to feel uneasy or embarrassed because of a personal choice. However, peer pressure and internal pressure to fit in and successfully integrate into the college scene can exist. Many people will choose to use alcohol safely, moderately and appropriately. Others will simply have no desire to experience the effects of alcohol. A small percentage of students may use alcohol unsafely or appear to use it excessively. Everyone has the right to decide how they want to use, or not use, alcohol. If a student feels he/she is struggling with this decision or the pressure of self/others, he/she can always speak to his/her resident assistant or a clinical counselor.

## **2. Alcohol use is not essential for enjoying social events.**

The real value of parties and other social activities is meeting new people, being with friends and taking time out from the pressures of school and work. Drinking alcohol should not be seen as a necessary component for having fun and being with friends. If alcohol is used, it can be an enjoyable complement to other activities, not the only reason for socializing. Actually, focusing on alcohol use as the main reason for a party can result in intoxicated people who get sick, cannot carry on a conversation and generally aren't much fun to be with after a while.

## **3. Know when to abstain from alcohol.**

- When under the legal drinking age
- When pregnant or breastfeeding
- When operating equipment: cars, motorcycles, boats, firearms, machinery, etc.
- When studying or working
- When performing in fine arts or competing in athletics
- When taking certain medications

Each of these situations presents specific risks and are times when alcohol use should be avoided. As caring friends, we can help each other choose not to use during these times.

## **4. Drinking that leads to impairment or intoxication is unhealthy and risky.**

Getting drunk is not a condition to be admired, laughed at or taken lightly. Rude, destructive or just plain foolish behavior triggered by alcohol use is socially unacceptable. It also may indicate an alcohol-use problem. Drinking games often result in drunkenness and can present serious risks for those involved. Alcohol poisoning is a potentially fatal condition that is the result of drinking too much, too fast. Warning signs of alcohol poisoning are vomiting, slow or irregular breathing (less than 8–12 breaths per minute or more than 10 seconds between breaths); cold, clammy skin, bluish-skin color or paleness; mental confusion, stupor, coma or unable to rouse a person; no response to pinching the skin; and/or seizures. A person seeing or knowing anyone with these signs must get help immediately.

## **5. Know personal limits of moderation.**

Everyone who chooses to drink alcohol should know his or her personal limit of moderation. It is important that each person set the limit before having any alcohol. It is also important to know a few facts about alcohol and its effects before establishing personal limits.

- Drinking on an empty stomach can have a greater effect on judgment and behavior than expected.
- Alcohol's effects can be greater than expected when a person is feeling tired, stressed out, angry, lonely or other strong emotions.
- Because of differences in body composition and chemistry, females are affected more than males of equal weight after drinking the same amount of alcohol.
- The effects of alcohol vary with body weight and the strength and number of drinks.

## **6. There are ways to minimize health and safety risks when serving alcohol.**

### **Examples include:**

- Emphasize other activities besides drinking.
- Offer a variety of attractive nonalcoholic drinks that are easily available.
- Provide a variety of foods.
- Be sure to have designated drivers who abstain from alcohol.
- Inform guests whether beverages such as punch contain alcohol.
- Stay alert and assume responsibility for helping a guest who may have had too much to drink.
- Create an environment that allows guests to feel comfortable making a personal choice about alcohol use or nonuse.
- Avoid drinking games that can quickly lead to intoxication.

## **7. Avoid situations where someone else's alcohol or other drug use may put you at risk.**

- Make an alcohol-intake plan for the day/evening ahead of time and stick to it. Think about the goal ahead of time and how to achieve it.
- Make a plan for getting to and from an event.
- Eat before drinking, and eat while drinking.
- Space and pace the drinks.
- Drink water between drinks.
- Avoid drinking games.

## **What to Do on the Vancouver Campus**

- If you have questions about developing your own personal guidelines;
- If you are concerned about someone else's use/abuse of alcohol; or
- If your life already has been affected by alcohol-related problems contact the Student Services Office for available resources.

## **University Policy and Procedures on Alcohol and Other Drugs**

The use, possession or distribution of alcohol or alcohol containers is not permissible on University grounds except at authorized University functions. Only those students aged 19 and older would be permitted to consume alcohol at any such functions.

It is illegal for students under 19 years of age to possess or consume alcoholic beverages on campus. It also is a violation of University policy for any student to have actual or constructive possession of alcohol or be in the presence of alcohol in or around the residence halls or in any other campus area not designated for alcohol consumption.

Possession, use or distribution of alcohol by students on University property, or as part of any other University-regulated activity is prohibited. Any student found responsible for violating Article X, Item K of the Code of Student Rights, Responsibilities and Conduct or Section 1, Item 20 of the Residence Hall Community Code is subject to the judicial

procedures from the residence halls or the University. Article X, Item K of the Code of Student Rights, Responsibilities and Conduct reads,

- “1. Underage purchase, possession, consumption or distribution of alcohol;  
 2. the providing of alcohol to underage individuals and/or the enabling or encouraging of underage individuals to purchase, possess, consume or distribute alcohol;  
 3. violation of the alcoholic beverages policy;  
 4. and/or public intoxication” will be subject to disciplinary actions.

The use, possession or distribution of illegal drugs and drug paraphernalia is not permissible on University grounds, including the residence halls. Use and possession of drugs in any vehicle on campus is likewise prohibited.

It is unlawful for any person, knowingly or purposely, to obtain or possess, actually or constructively, an anabolic steroid, unless the substance was obtained directly or pursuant to a valid prescription. Any person who violates this section is guilty of a crime of the fourth degree and subject to charges of violation of the Code of Student Rights, Responsibilities and Conduct.

Parents and/or guardians may be contacted when a student violates University alcohol and/or drug policy.

#### **University Policy Statement for Illegal Drugs**

Illegal drugs are not permitted on University property. Any student found responsible for violating Article X, Item E of the Code of Student Rights, Responsibilities and Conduct is subject to suspension from the University. Section E of the Code of Student Rights, Responsibilities and Conduct prohibits, “Enabling of or actual illegal use, possession, illegal distribution, transfer or sale of narcotics, hallucinogenic agents, other controlled or dangerous substances and drug paraphernalia on or off campus.” Students found in violation of the aforementioned policy will also be subject to criminal prosecution.

## **Disclosure of Disciplinary Proceedings Outcomes**

When Fairleigh Dickinson University determines that a student has violated our policies, upon a written request by the victim (or next of kin if victim is deceased), Fairleigh Dickinson University will provide the outcome of a disciplinary proceeding for violations that incorporate:

An offense that has as an element the use, attempted use or threatened use of physical force against the person or property of another, or Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense, or A non forcible sex offense.

In responding to a report, the University has an interest in providing care to the Reporting Party and to the broader campus community. For this reason, after receiving a report, the University, through its Response Team, will offer and establish reasonable and

appropriate Interim Measures to protect a Reporting Party and facilitate the Reporting Party's continued access to University employment or education programs and activities. Interim Measures may be both remedial (designed to address a Reporting Party's well-being and continued access to educational and employment opportunities) or protective (involving action against a Responding Party). Remedial and protective measures, which may be temporary or permanent, may include no-contact orders, counseling and emotional support, residence modifications, academic modifications and support, work schedule modifications, voluntary leave of absence, interim suspension, suspension from employment, restrictions on campus activities, and other immediate remedies as reasonable and appropriate. Remedial measures are available regardless of whether a Reporting Party chooses to pursue an investigation or disciplinary action under this Policy. The University will maintain the privacy of any remedial and protective measures provided under this Policy to the extent practicable and will promptly address any violation of the protective measures reported to the University. The University will provide reasonable remedial and protective measures to Third Parties as appropriate and available, taking into account the role of the Third Party and the nature of any contractual relationship with the University. The Title IX Coordinator or designee has the discretion to ensure the appropriateness of any Interim Measure based on all available information, and is available to meet with a Reporting or Responding Party to address any concerns about the provision of Interim Measures. Retaliation is expressly prohibited by this Policy, and the University will take immediate and responsive action to any report of retaliation or any violation of Interim Measures.

Where there is a finding of responsibility, the Adjudicator may impose one or more sanctions. Sanctions for students may include any of the sanctions that are available for violations of the University's Code of Student Rights, Responsibilities and Conduct, including: Administrative reassignment of housing Campus restriction Campus Standard probation Co-curricular restriction Community restitution Community service Counseling assessment/support Disciplinary Reprimand Disengagement notice Educational sanctions \* Fines Housing dismissal Housing probation Housing suspension Social restriction University dismissal University suspension \* exercises, class, assignments / essay Sanctions for employees may include any of the sanctions that are available for violations of the University's Employee Handbook and Faculty Handbook, including a letter of reprimand being placed in their personnel file, additional training, written letter of apology, suspension (paid or unpaid), dismissal, work schedule modifications, voluntary leave of absence, restrictions on campus activities, and termination from the University. Sanctions for faculty covered by the Faculty Handbook will be reviewed with the University Provost and/or the University President. Prohibited Discrimination, Harassment and Related Misconduct – 7-1-2015 Page - 24 When determining sanctions, the Adjudicator will consider the following factors: • The nature and severity of the Prohibited Conduct • The impact of the Prohibited Conduct on the Reporting Party; • The impact or implications of the Prohibited Conduct within the University community; • Whether the Responding Party has accepted responsibility for the Prohibited Conduct; • The maintenance of a safe and respectful environment conducive to learning; and • Any other mitigating, aggravating, or compelling factors.

## Annual Disclosure of Crime Statistics

The following chart outlines the Vancouver campus crime statistics. The following is a summary explanation of crime definitions. All definitions are taken from the All definitions are taken from the Criminal Code of Canada..

### **229. Murder**

229. Culpable homicide is murder

where the person who causes the death of a human being

means to cause his death, or

means to cause him bodily harm that he knows is likely to cause his death, and is reckless whether death ensues or not;

where a person, meaning to cause death to a human being or meaning to cause him bodily harm that he knows is likely to cause his death, and being reckless whether death ensues or not, by accident or mistake causes death to another human being, notwithstanding that he does not mean to cause death or bodily harm to that human being; or

where a person, for an unlawful object, does anything that he knows or ought to know is likely to cause death, and thereby causes death to a human being, notwithstanding that he desires to effect his object without causing death or bodily harm to any human being.

R.S., c. C-34, s. 212.

### **230. Murder in commission of offences**

230. Culpable homicide is murder where a person causes the death of a human being while committing or attempting to commit high treason or treason or an offence mentioned in section 52 (sabotage), 75 (piratical acts), 76 (hijacking an aircraft), 144 or subsection 145(1) or sections 146 to 148 (escape or rescue from prison or lawful custody), section 270 (assaulting a peace officer), section 271 (sexual assault), 272 (sexual assault with a weapon, threats to a third party or causing bodily harm), 273 (aggravated sexual assault), 279 (kidnapping and forcible confinement), 279.1 (hostage taking), 343 (robbery), 348 (breaking and entering) or 433 or 434 (arson),

whether or not the person means to cause death to any human being and whether or not he knows that death is likely to be caused to any human being, if

he means to cause bodily harm for the purpose of  
 facilitating the commission of the offence, or  
 facilitating his flight after committing or attempting to commit the offence,  
 and the death ensues from the bodily harm;

he administers a stupefying or overpowering thing for a purpose mentioned in paragraph (a), and the death ensues therefrom; or

he wilfully stops, by any means, the breath of a human being for a purpose mentioned in paragraph (a), and the death ensues therefrom.

[Repealed, 1991, c. 4, s. 1]

R.S., 1985, c. C-46, s. 230; R.S., 1985, c. 27 (1st Supp.), s. 40; 1991, c. 4, s. 1.

**Sex offenses** – forcible (i.e. sexual assault, sexual assault with a weapon, aggravated sexual assault, forcible anal intercourse and sexual interference, sexual exploitation)

**Sexual assault level 1 (s.271):** An assault committed in circumstances of a sexual nature such that the sexual integrity of the victim is violated. Level 1 involves minor physical injuries or no injuries to the victim.

**Sexual assault level 2 (s.272):** Sexual assault with a weapon, threats, or causing bodily harm.

**Aggravated sexual assault (level 3):** Sexual assault that results in wounding, maiming, disfiguring or endangering the life of the victim.

### **343. Robbery**

343. Every one commits robbery who

(a) steals, and for the purpose of extorting whatever is stolen or to prevent or overcome resistance to the stealing, uses violence or threats of violence to a person or property;

(b) steals from any person and, at the time he steals or immediately before or immediately thereafter, wounds, beats, strikes or uses any personal violence to that person;



(c) assaults any person with intent to steal from him; or

(d) steals from any person while armed with an offensive weapon or imitation thereof.

R.S., c. C-34, s. 302.

## **Aggravated Assault**

### **265. Assault**

265. (1) A person commits an assault when

without the consent of another person, he applies force intentionally to that other person, directly or indirectly;

he attempts or threatens, by an act or a gesture, to apply force to another person, if he has, or causes that other person to believe on reasonable grounds that he has, present ability to effect his purpose; or

while openly wearing or carrying a weapon or an imitation thereof, he accosts or impedes another person or begs.

## **Motor Vehicle Theft**

### **333.1. Motor vehicle theft**

333.1 (1) Everyone who commits theft is, if the property stolen is a motor vehicle, guilty of an offence and liable

on proceedings by way of indictment, to imprisonment for a term of not more than 10 years, and to a minimum punishment of imprisonment for a term of six months in the case of a third or subsequent offence under this subsection; or

on summary conviction, to imprisonment for a term of not more than 18 months.

## **Arson**

### **433. Arson — disregard for human life**

433. Every person who intentionally or recklessly causes damage by fire or explosion to property, whether or not that person owns the property, is guilty of an indictable offence and liable to imprisonment for life where

(a) the person knows that or is reckless with respect to whether the property is inhabited or occupied; or

(b) the fire or explosion causes bodily harm to another person.

R.S., 1985, c. C-46, s. 433;1990, c. 15, s. 1.

Primary Crimes	Year	On Campus	Student Housing	Non Campus Building or Property	Public Property
Murder/Non Negligent Manslaughter	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Manslaughter by Negligence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Fondling	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Incest	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Statutory Rape	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Robbery	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Aggravated Assault	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Burglary	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Motor Vehicle Theft	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Arson	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Dating Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Domestic Violence	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Stalking	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Liquor Law Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Drug Abuse Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Weapon Arrests	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Liquor Law Referrals	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Drug Referrals	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

Weapon Referrals	2018	0	0	0	0
	2017	0	0	0	0
	2016	0	0	0	0

**No Hate Crimes were reported for 2018, 2017 and 2016.**

## **A Final Word**

Your safety and well-being is of utmost importance to the University. Any suggestions or ideas you may have on how Fairleigh Dickinson University can promote improved safety standards will be welcomed. You are also invited to contact the Office of the Business Manager at any time if you have a question or need any additional information.

Vancouver Campus  
Office of the Business Manager  
842 Cambie Street  
Vancouver, BC V6B 2P6  
(604) 682-8112