



**FAIRLEIGH
DICKINSON
UNIVERSITY**

Fairleigh Dickinson University Department of Public Safety



FDU Cambie St. building

ANNUAL SECURITY REPORT

VANCOUVER CAMPUS

2025

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A Message from the University Director of Public Safety



Dear Campus Community,

The Department of Public Safety at Fairleigh Dickinson University is pleased to share the 2025 Annual Security and Fire Safety Report for the Vancouver Campus. The purpose of this report is to relay imperative information pertaining to campus safety and security including detailed descriptions of our Public Safety policies, services, training programs, and emergency evacuation procedures.

At Fairleigh Dickinson University, the safety and well-being of our students, faculty, and staff remains paramount on and off campus. Our dedicated team of public safety personnel are driven to provide the campus with the utmost service to the community. Our department consistently cares and fosters a safe learning environment through campus policy and strong campus partnerships. We encourage all members of the FDU community to review the reports and familiarize with the safety resources available on campus. In the event of an emergency, please contact:

- Executive Director of Operations, Vancouver at 778-726-4191 or dial 911 directly

We also strongly urge the campus community to acquaint themselves with emergency phone locations and what to do in the event of an emergency situation. To learn more about our services, programs, and safety initiatives, please visit the FDU Public Safety website at <https://www.fdu.edu/campuses/public-safety/>.

Should you have any questions or require additional information, please do not hesitate to contact the campus's Public Safety department.

Thank you for your continued support, partnership, and cooperation in maintaining safety in the community.

Joseph Vitiello
University Director of Public Safety

The Jeanne Clery Campus Safety 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 Department of Public Safety, in consultation with the Vancouver Chief Operating Officer,

is responsible for the preparation and distribution of this report for the campus. This report is also available on the Fairleigh Dickinson University website at 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 Executive Director of Operations at 778-726-4191 or by emailing d.holland@fdu.edu. Individuals may also contact the University Department of Public Safety at 973-443-8888 or email Florham-Publicsafety@fdu.edu.

The University Director of Public Safety is responsible to obtain, review and report all the needed aspects of the annual report. Crime statistics from the required geographical areas to Fairleigh Dickinson University Vancouver Campus from local law enforcement jurisdictions are requested as required.

ABOUT CAMPUS SAFETY

Safety is our Number One Priority

The safety and security of the campus and campus community members are the responsibility of all members of the campus community. During and after regular business hours, the Vancouver campus uses an outside contract guard service, GardaWorld, which is under the direction of the Executive Director of Operations. The GardaWorld guard service patrols the campus until 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 officers patrol both campus buildings 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.

Working Relationship with Local, State and Federal Law Enforcement Agencies

While not having any formal Memorandum of Understanding's, the 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 Chief Operating Officer or contract guard service will provide assistance by contacting the local police. In all cases, a report will also be maintained at the Executive Director of Operations' office.

Fairleigh Dickinson University is responsible, when made aware, to enforce orders of protection, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court or by the institution.

Crimes Involving Student Organizations at Non-Campus Locations

The Executive Director of Operations, through 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. However, The Vancouver Campus does not own or control any non-campus buildings or housing for student organizations and as such, the Department of Public Safety is not responsible for monitoring off-campus student organizations. The Executive Director of Operations 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.

REPORTING CRIMES AND OTHER EMERGENCIES

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

All crimes and emergencies that occur on campus should be reported immediately to the Executive Director of Operations, whether the victim of a crime elects to or is unable to make such a report. To report any crime, emergency or campus violation, contact the Executive Director of Operations at 778-726-4191 or come to the Executive Director of Operations' 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.

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 Executive Director of Operations. “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”.

Confidential Reporting

Any member of the Vancouver Campus community may report violations of the law or other matters of concern using the Anonymous Reporting Tool which can be found here: <https://www.fdu.edu/public-safety-witness-form>. All reports received will be investigated.

Pastoral and Professional Counselors

Campus Professional Counselors and Campus Pastoral 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 this means all counselors employed in or working on behalf of the Office of Mental and Emotional Wellbeing.

Pastoral Counselor: An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor. At Fairleigh Dickinson University this means all clergy, or others appropriately recognized as fitting that definition who are associated with Campus Ministry.

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 Executive Director of Operations’ 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 Executive Director of Operations' Office or contract guard service.

There are two exceptions when entries are excluded from the log,

- when the disclosure is prohibited by law
- 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:

- jeopardize an ongoing investigation
- jeopardize the safety of an individual
- cause a suspect to flee or evade detection
- result in the destruction of evidence.

Any requests for information past the current 60-day period will be provided within two business days.

NOTICE OF RIGHTS AND OPTIONS

Fairleigh Dickinson University will provide written notification to students and employees about available resources including existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, and other services available for victims both within FDU and in the community.

In addition, FDU will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of Title 18, United States Code), the report on the results of any disciplinary proceeding conducted by FDU against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

EMERGENCY MANAGEMENT AT FAIRLEIGH DICKINSON UNIVERSITY

The university 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.

TIMELY WARNINGS

Anytime that a serious situation arises either on campus or in the immediate area of the campus that in the judgment of the University Director of Public Safety in consultation with other members of the University Emergency Management Team 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, which is Send Word Now and is sent by text message, voice mail or telephone notification, e-mail, posted on the University website, posted notices, and direct contact with individuals. With certain incidents, a timely warning may not be sent out if the local police feel it may compromise an ongoing investigation.

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.

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

<https://www.fdu.edu/campuses/public-safety/emergency-management-plan/>.

Information regarding the 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 <https://www.fdu.edu/for-students/alert-system/>.

Drills, Exercises and Training

To ensure that the Fairleigh Dickinson University emergency management plan remains current and actionable, Fairleigh Dickinson University will conduct an emergency management exercise, at a minimum, once per year. The scenarios for these exercises change from year to year and include several departments from across the campus. These exercises may include tabletop drills, emergency operation center exercises or full-scale emergency response exercises. Fairleigh Dickinson University conducts after-active reviews of all emergency management exercises.

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 tests, Fairleigh Dickinson University activates 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” message when the incident is no longer a danger.

The Department of Public Safety may become aware of a critical incident or other emergency that potentially affects the health and/or safety of the campus community. Generally, the Department of Public Safety becomes aware of these situations through reports to the department or upon discovery during routine patrols or other assignments. Once Public Safety confirms through first-hand accounts that there is in fact, an emergency or dangerous situation, that poses an immediate threat to the health or safety of some or all members of the campus community, the officers will notify the University Director of the Department of Public Safety to issue an emergency notification.

The University Director of Public Safety in conjunction with other members of the University Emergency Management Team will immediately initiate all or some portions of the Fairleigh Dickinson University emergency notification system. If in the judgement of the University 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 University Director of Public Safety and other members of the University Emergency Management Team 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 website 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 University Director of Public Safety in concert with other members of the University Emergency Management Team, 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 ensure 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 released by the supplying agency.

During critical incidents, the Public Affairs staff will work with the University 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 Self-Service at <https://selfservice.fdu.edu/> then after logging in, click on “User Options” on the left-hand side. Information should be regularly updated 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'S RESPONSE TO SEXUAL AND GENDER VIOLENCE

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 sexual harassment 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 Fairleigh Dickinson University – Vancouver Campus' policy governing Sexual Violence, to include sexual harassment, visit <https://www.fdu.edu/wp-content/uploads/2025/04/FDUV-Sexual-Violence-and-Misconduct-Policy-and-Procedures.pdf>. The policy applies to all

employees and students of the Vancouver Campus as well as third parties.

To report an incident of sexual misconduct, you can call, write or visit FDU's Title IX and Anti-Discrimination Coordinator:

Steve Nelson
Administrative Legal & Compliance
Operations Attorney
University Title IX and Anti-Discrimination
Coordinator
snelson@fdu.edu
(201) 692-2466
Dickinson Hall, Room 3312,
Mail Code: H-DH-311
1000 River Road
Teaneck, NJ 07666

Any person may also choose to report an incident via FDU's online Prohibited Discrimination and Sexual Harassment Reporting tool located at https://cm.maxient.com/reportingform.php?FairleighDickinsonUniv&layout_id=26

DEFINITIONS

Consent

Fairleigh Dickinson University defines consent as the communication of an affirmative, conscious and freely made decision by each participant to engage in agreed upon forms of sexual activity. Consent requires an outward demonstration, through understandable words or actions that convey a clear willingness to engage in a specific form of sexual activity. Consent to sexual activity on one occasion is not Consent to engage in sexual activity on another occasion. A person who has given Consent to engage in sexual activity may withdraw Consent, through understandable words or actions that clearly convey a party

is no longer willing to engage in sexual activity, at any time. Once Consent is withdrawn, the sexual activity must cease immediately.

Consent is not to be inferred from silence, passivity, or a lack of resistance. Relying on nonverbal communication alone may result in a violation of this Policy. For example, a person who does not physically resist or verbally refuse sexual activity may not necessarily be giving Consent. There is no requirement that an individual verbally or physically resist unwelcome sexual activity for there to be a violation of this Policy.

Consent is not to be inferred from an existing or previous dating or sexual relationship. Even in the context of a relationship, there must be mutual Consent to engage in sexual activity. Consent to one form of sexual activity does not constitute Consent to any other form of sexual activity, nor does Consent to sexual activity with one person constitute Consent to sexual activity with any other person.

Consent cannot be obtained by Coercion or Force or by taking advantage of the Incapacitation of another person. Coercion or Force and Incapacitation are described in more detail below.

Coercion or Force: Coercion or Force includes conduct, intimidation, and express or implied threats of physical or emotional harm that would reasonably place an individual in fear of immediate or future harm and that is employed to persuade or compel someone to engage in sexual activity. Examples of Coercion or Force include conditioning an academic benefit or employment advantage on submission to the sexual activity; threatening to harm oneself if the other party does not engage in sexual activity; or threatening to disclose an

individual's sexual orientation, gender identity, gender expression, or other personal sensitive information if the other party does not engage in the sexual activity.

Incapacitation: An individual who is incapacitated is unable to give Consent to sexual activity. States of Incapacitation include sleep, unconsciousness, intermittent consciousness, or any other state where the individual is unaware that sexual activity is occurring. Incapacitation may also exist because of a mental or developmental disability that impairs the ability to Consent to sexual activity. Alcohol or drug use is one of the prime causes of Incapacitation. Where alcohol or drug use is involved, Incapacitation is a state beyond intoxication, impairment in judgment, or "drunkenness". Because the impact of alcohol or other drugs varies from person to person, evaluating whether an individual is Incapacitated, and therefore unable to give Consent, requires an assessment of whether the consumption of alcohol or other drugs has rendered the individual physically helpless or substantially incapable of:

- Making decisions about the potential consequences of sexual activity;
- Appraising the nature of one's own conduct;
- Communicating Consent to sexual activity; or
- Communicating unwillingness to engage in sexual activity.

In evaluating Incapacitation, FDU-V will consider whether the Respondent knew that the Complainant was incapacitated based on articulable and objective facts and circumstances, and if not, whether a sober, reasonable person in the same position and under the same circumstances would have known that the Complainant was Incapacitated.

Additional Guidance about the Impact of Alcohol or Other Drugs on Consent: Where an individual's level of impairment does not rise to Incapacitation, FDU will still consider the impact of intoxication on Consent. In evaluating whether Consent was sought or given, the following factors may be relevant:

- Intoxication may impact one's ability to give Consent and may lead to Incapacitation (the inability to give Consent);
- A person's level of intoxication is not always demonstrated by objective signs; however, some signs of intoxication may include clumsiness, difficulty walking, poor judgment, difficulty concentrating, slurred speech, vomiting, combativeness or emotional volatility;
- An individual's level of intoxication may change over a period of time based on a variety of subjective factors, including the amount of substance intake, speed of intake, body mass, and metabolism.

No matter the level of an individual's intoxication, if that individual has not affirmatively agreed to engage in sexual activity, there is no Consent. Anyone engaging in sexual activity must be aware of both their own and the other person's level of intoxication and capacity to give Consent. The use of alcohol or other drugs can lower inhibitions and create an atmosphere of confusion about whether Consent is effectively sought and freely given. If there is any doubt as to the level or extent of one's own or the other individual's intoxication or Incapacitation, the safest course of action is to forgo or cease any sexual activity. A Respondent's intoxication is never an excuse for or a defense to committing

prohibited conduct and it does not diminish one's responsibility to obtain Consent.

Sexual Assault

Sexual assault means an offense that meets the definition of rape, criminal sexual contact, 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 is 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.

Criminal sexual contact is defined as the intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification or sexual humiliation, or the forced touching by the victim of the actor's clothed or unclothed body parts, without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

This offense includes instances where the victim is incapable of giving consent because of age or incapacity due to temporary or permanent mental or physical impairment or intoxication for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

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

Statutory Rape is defined as non-forcible sexual intercourse with a person who is under the statutory age of consent.

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 reasonably available, regardless of whether the victim chooses to report the crime to Public Safety or local law enforcement.

After an incident of sexual assault or domestic violence, the victim should consider seeking medical attention as soon as possible at:

- Vancouver General Hospital
899 West 12th Avenue
Vancouver, BC V5Z 1M9
604-875-4111
- B.C. Women's Hospital
4500 Oak Street
Vancouver, BC V6H 3N1
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 <https://vpd.ca/>.

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Director of Student Services or to the University Title IX and Anti-Discrimination Coordinator by calling, writing, reporting online, 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, advise 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 the Director of Student Services, other Vancouver Campus staff, University Public Safety, or 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 adjudication on campus arising from such a report is preponderance of the evidence.

UNIVERSITY PROCEDURES FOR RESPONDING TO REPORTS OF SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING

The FDU-Vancouver Campus' Sexual Violence and Misconduct Policy and Procedures applies to all students (including graduate and professional students), faculty, staff members, volunteers, and other members of the FDU-V community (e.g., third party contractors). In addition, the Vancouver Campus' Prohibited Discrimination and Related Misconduct Policy and Procedures to address conduct that falls outside of the Sexual Violence Policy scope.

Regardless of the type of prohibited conduct or respondent type (student or employee), disciplinary proceedings will provide a prompt, fair and impartial investigation and resolution, conducted by officials who receive annual training on the issues of all covered forms of discrimination and how to conduct an investigation and adjudication process that protects the safety of survivors and promotes accountability.

The following procedures are applicable to Complainants and Respondents following any report of discrimination.

Supportive Measures

Supportive Measures are non-disciplinary, non-punitive individualized services that may be provided to Complainants or Respondents upon request, when deemed by the Title IX and Anti-Discrimination Coordinator or designee to be appropriate and reasonably available. Supportive

Measures may also be imposed at the initiative and in the sole discretion of the Title IX and Anti-Discrimination Coordinator. Supportive Measures are available beginning at any time after reporting conduct that may be reasonably considered sex discrimination or other prohibited conduct.

Supportive Measures are designed to restore or preserve equal access to FDU-V's education program or activity or provide support during formal procedures being conducted under this Policy or during the informal resolution process, without unreasonably burdening the other party. Supportive Measures may be of any duration and may be modified at the discretion of the Coordinator, as circumstances warrant. Supportive Measures will be kept confidential to the extent that doing so does not impair FDU-V's ability to provide them.

Supportive Measures may include access to counseling services, course-related adjustments, modification of work or class schedules, restrictions on contact by one or both parties (disengagement/no contact orders), changes in work or housing location, leaves of absence, increased security and monitoring of certain areas, or any measures deemed appropriate to preserve equal access to FDU-V's program or activities.

Emergency Removals

If at any point following the receipt of a report of sex discrimination or other prohibited conduct, FDU-V determines that the Respondent poses an imminent and serious threat to the health or safety of the Complainant or any other person(s), including the Respondent, FDU-V may temporarily remove the Respondent from any or all of its education program or

activities. The imposition of an Emergency Removal does not suggest a finding of responsibility for any conduct.

Before imposing an Emergency Removal, appropriate FDU-V resources will undertake an individualized safety and risk analysis concerning the Respondent at the request of the Title IX and Anti-Discrimination Coordinator. An Emergency Removal will be imposed only if FDU-V concludes that the threat to health or safety arises from the allegations of sex discrimination or prohibited conduct and warrants the removal.

An Emergency Removal may involve the denial of access to some or all of FDU-V's campus facilities, academic programs, or other programs or activities. While FDU-V may provide alternative academic or employment opportunities during an Emergency Removal, it is not required to do so. Non-punitive actions taken as Supportive Measures do not constitute Emergency Removals.

Separate from the Emergency Removal process, the Title IX and Anti-Discrimination Coordinator may request that the Vice President for Human Resources place an employee-Respondent on an administrative leave, with or without pay.

PROCEDURES FOR REPORTS OF SEXUAL VIOLENCE OR MISCONDUCT AGAINST AN EMPLOYEE OR STUDENT

Upon receipt of a report, the University Title IX and Anti-Discrimination Coordinator ("Coordinator") in consultation with the appropriate Response Team members, will

conduct an Initial Assessment of the following: the Complainant's immediate and ongoing safety and well-being; the incident or conduct at issue; any risk of harm to the parties, any other individuals, or the broader campus community; the existence of severe, persistent or pervasive conduct, including evidence of a pattern, use of a weapon or other predatory conduct; and the necessity for any Supportive Measures or accommodations.

The first step of the Initial Assessment will usually be a preliminary meeting between the Complainant and the Coordinator or a member of the Response Team. The Coordinator or member of the Response Team will offer appropriate resources to support the Complainant; inform the Complainant of the importance of seeking medical treatment and emotional support; explain the importance of obtaining and preserving forensic and other evidence; inform the Complainant of the right to contact law enforcement, decline to contact law enforcement, and/or seek a protective order; inform the Complainant about FDU-V and community resources, the right to seek appropriate and available supportive measures, and how to request those resources and measures; explain the prohibition against Retaliation; and inform the Complainant of the right to file a formal complaint to initiate an investigation and/or disciplinary action.

In the course of the Initial Assessment, the Coordinator and Response Team will consider the interest of the Complainant and the Complainant's expressed preference for manner of resolution, which may include Informal Resolution or the initiation of an investigation to determine if disciplinary action is warranted. The Coordinator, in consultation with the Response Team members will also determine whether the alleged conduct presents a potential

violation of this Policy, or another University Policy, and whether further action is warranted based on the alleged conduct and the Complainant's requested course of action.

At the conclusion of the Initial Assessment, the Complainant will receive a written notice of the determination and how to proceed. Depending on the circumstances and requested resolution, the Respondent may or may not be notified of the report or resolution. A Respondent will be notified when FDU-V seeks action that would impact a Respondent, such as Supportive Measures that restrict the Respondent's movement on campus, the initiation of an investigation or the decision to request the Respondent's involvement in informal resolution.

At any time during the process, after the conclusion of the Initial Assessment, the Coordinator may make a determination that a claim/allegation does not contain any elements that would constitute a violation of this Policy. In order to make such a determination, the Coordinator must view all evidence and all factual inferences reasonably drawn from the evidence. In such event, the Coordinator shall communicate that determination to the Investigator, the Complainant and, if applicable, the Respondent within five (5) business days of making such determination. Such determination shall not preclude a subsequent investigation and possible adjudication of violation of the Employee Handbook or Student Code of Conduct, as appropriate.

Balancing Agency and Autonomy with Campus Safety Obligations

Where the Complainant requests that their identity not be shared with the Respondent or that FDU-V not pursue an investigation,

FDU-V must balance this request with FDU-V's responsibility to provide a safe and non-discriminatory environment for all University community members. The University, through the Coordinator and Response Team, will take all reasonable steps to investigate and respond to the complaint consistent with the request not to share identifying information or pursue an investigation, but its ability to do so may be limited by the request. Under these circumstances, the Complainant's request will be balanced against the following factors:

- The seriousness of the conduct;
- The respective ages and roles of the Complainant and Respondent;
- Whether there have been other complaints or reports of discrimination, harassment or violence under this Policy involving either the Respondent or the Complainant;
- Whether the circumstances suggest there is a risk of the Respondent committing additional acts of Prohibited Conduct;
- Whether the Respondent has a history of arrests or records indicating a history of violence;
- Whether the report indicates the Respondent threatened further sexual violence or other violence against the Complainant and other individuals involved;
- Whether the reported conduct was committed by multiple individuals;
- Whether the circumstances suggest there is a risk of future acts of Prohibited Conduct under similar circumstances;
- Whether the reported conduct was perpetrated with a weapon;

- Whether FDU-V possesses other means to obtain relevant evidence (e.g., security cameras or personnel, physical evidence); and,
- Any other considerations as may be pertinent to the particular facts and circumstances.

Where FDU-V is unable to take action consistent with the request of the Complainant, the Coordinator or a member of the Response Team will inform the Complainant about the chosen course of action, which may include the University seeking disciplinary action against a Respondent. Alternatively, the course of action may also include steps to eliminate the effects of the harassment and prevent its recurrence that do not involve formal disciplinary action against a Respondent or reveal the identity of the Complainant.

Support Person and Advisor

A. Support Person

The Complainant and Respondent may be assisted by a support person of their choice. The support person cannot be a witness in the investigation. The support person may accompany the Complainant and Respondent to any meeting or related proceeding with the Investigating Officer or a University employee. The support person is a silent and non-participating presence who is there solely to observe and provide emotional support during the investigative and resolution process.

With the exception of a support person participating in the initial report, any individual who wishes to serve as a support person will be required to meet with the Coordinator or designee; such meeting shall

be in advance of participating in the meetings and procedures under this Policy. The Coordinator or designee has the right at all times to determine what constitutes appropriate behavior on the part of a support person. No copies of written materials or any other evidence will be given to a support person, although the parties may share such information with the support person as necessary to assist them in the proceedings.

B. Advisor

In addition, with respect to reports of Sexual Assault, Interpersonal Violence or Stalking only, during any investigation and resolution of a report under this Policy, the Complainant and Respondent have the right to be assisted by an advisor of their choice. The advisor cannot be a witness in the investigation. The advisor may accompany the Complainant and Respondent to any meeting or related proceeding with the Investigating Officer or a FDU-V employee. The advisor may be an attorney. The advisor is a silent and non-participating presence who is there to provide advice and guidance to the Complainant and Respondent but may not directly address the official conducting the meeting.

To serve as an advisor, the individual will be required to meet with the Coordinator or designee in advance of participating in a meeting to understand the expectations of the role, privacy, and appropriate decorum. The Coordinator or designee has the right at all times to determine what constitutes appropriate behavior on the part of an advisor. No copies of written materials or any other evidence will be given to an advisor, although the parties may share such information with an advisor as necessary to assist them in the proceedings.

Informal Resolution

Informal Resolution is a voluntary and alternative approach designed to eliminate a hostile environment without taking disciplinary action against a Respondent. Where the Initial Assessment concludes that Informal Resolution may be appropriate, FDU-V will take immediate and corrective action through the imposition of individual and community remedies designed to maximize the Complainant's access to the educational, extracurricular and employment activities at FDU-V and to eliminate a hostile environment. Examples of potential remedies are provided in the section on Supportive Measures. Other remedies may include targeted or broad-based educational programming or training, supported direct confrontation of the Respondent and/or indirect action by the Coordinator or designee, or the University. Depending on the form of Informal Resolution used, it may be possible for a Complainant to maintain anonymity.

The decision to pursue Informal Resolution will be made when the Coordinator and Response Team has sufficient information about the nature and scope of the conduct, which may occur at any time. Participation is voluntary on the part of both Complainant and Respondent, and either party can request to end Informal Resolution at any time prior to a final written resolution. Pursuing Informal Resolution does not preclude later use of Formal Resolution if the Informal Resolution fails to achieve a resolution acceptable to the parties and FDU-V. FDU-V may refer a report for Formal Resolution at any time and retains the discretion to determine the type of Informal Resolution that may be appropriate in a specific case.

FDU-V will offer mediation for appropriate cases but will not compel a Complainant to engage in mediation, to directly confront the

Respondent, or to participate in any particular form of Informal Resolution. FDU-V will not offer mediation to resolve a complaint when such a process would conflict with national or provincial law, or which includes allegations of Sexual Harassment of an elementary or secondary school student.

The Coordinator will maintain records of all reports and conduct referred for Informal Resolution, which will typically be completed within thirty (30) business days of the conclusion of the Initial Assessment.

Investigation and Formal Resolution

Where the Initial Assessment concludes that disciplinary action may be appropriate, based on the request of the Complainant or the Coordinator's and Response Team's determination that an investigation should be pursued based on the potential risk of harm or threat to public safety, the Coordinator or designee will initiate an investigation.

The investigation is designed to provide a fair and reliable gathering of the facts. The investigation will be thorough, impartial and fair, and all individuals will be treated with appropriate sensitivity and respect. The investigation will be conducted in a manner that is respectful of individual privacy concerns consistent with this Policy and its section on Privacy and Confidentiality.

A. Investigating Officer

The Coordinator or designee is authorized to designate appropriately trained individuals to receive reports and investigate allegations of Prohibited Conduct ("Investigating Officer"). The Investigating Officer may be a University employee or an external professional engaged to assist FDU-V in conducting a reliable, thorough and

impartial investigation. Any Investigating Officer chosen to conduct the investigation must be impartial and free of any actual conflict of interest. The Investigating Officer may work alone or appoint a designee to assist in conducting the investigation.

B. Notice of Investigation

The Coordinator or designee will notify the Complainant and Respondent in writing, of the commencement of an investigation. Such notice will (1) identify the parties by name; (2) specify the date, time (if known), location, and nature of the alleged Prohibited Conduct; (3) identify the potential Policy violation(s); (4) identify the Investigating Officer; (5) include information about the parties' respective rights and responsibilities under the Policy; (6) explain the prohibition against Retaliation; (7) instruct the parties to preserve any potentially relevant evidence in any format; (8) inform the parties how to challenge participation by the Investigating Officer on the basis of actual bias or conflict of interest; and (9) provide a copy of the Sexual Violence and Misconduct Policy.

C. Investigative Steps

The Investigating Officer will conduct the investigation in an appropriate manner in light of the circumstances of the case. The Investigating Officer will interview the Complainant and the Respondent to understand the details of the report. The Investigating Officer, in his/her discretion, will conduct other fact finding and/or discussions with any other individuals who may have information relevant to the determination. All investigative interviews will be documented and maintained by the University for inclusion in the investigation report. The Investigating Officer will also gather any available physical evidence, including documents, communications

between the parties, and other electronic records as appropriate.

The Complainant and Respondent will have an equal opportunity to be heard, to submit information, and to identify witnesses who may have relevant information. Witnesses must have observed the acts in question or have information relevant to the incident and cannot participate solely to speak about an individual's character.

The Coordinator or designee may consolidate multiple reports against a Respondent into one investigation if the evidence related to each incident would be relevant in reaching a determination on the other incident.

D. Prior Sexual History

The sexual history of the Complainant or Respondent will never be used to prove character or reputation. Moreover, evidence related to the prior sexual history of either of the parties is generally not relevant to the determination of a Policy violation and will only be considered in very limited circumstances. For example, if the existence of Consent is at issue, the sexual history between the parties may be relevant to help understand the manner and nature of communications between the parties and the context of the relationship, which may have bearing on whether Consent was sought and given during the incident in question. However, even in the context of a relationship, Consent to one sexual act does not, by itself, constitute Consent to another sexual act, and Consent on one occasion does not, by itself, constitute Consent on a subsequent occasion. In addition, under very limited circumstances, prior sexual history may be relevant to explain the presence of a physical injury or to help resolve another question raised by the complaint.

While the Investigating Officer may explore areas of inquiry relevant to questions of Consent, the Adjudicator has the discretion to make the final determination whether evidence of prior sexual history is relevant to the determination of responsibility.

E. Coordination with Law Enforcement

The Investigating Officer will contact any law enforcement agency that is conducting its own investigation to inform that agency that an FDU-V investigation is also in progress; to ascertain the status of the criminal investigation; and to determine the extent to which any evidence collected by law enforcement may be available to FDU-V in its investigation. At the request of law enforcement, the Investigating Officer may delay the FDU-V investigation temporarily while an external law enforcement agency is gathering evidence. The Investigating Officer will promptly resume the FDU-V investigation when notified that law enforcement has completed the evidence-gathering stage of its criminal investigation. In the event that the evidence-gathering stage of a criminal investigation becomes unreasonably long, FDU-V may decide to move forward to facilitate a prompt campus resolution.

F. Review of Investigation Report

At the conclusion of the investigation, the Investigating Officer will prepare a preliminary written Investigation Report that summarizes the information gathered and synthesizes the areas of agreement and disagreement between the parties and any supporting information or accounts. In preparing the report, the Investigating Officer will review and include all facts and evidence gathered during the investigation. The Adjudicator will make the determination of relevance and permissibility for all facts and evidence.

The Investigating Officer may redact statements of personal opinion, rather than direct observations or reasonable inferences from the facts, and statements as to general reputation for any character trait, including honesty.

Before the investigative report is finalized, the Complainant and Respondent will be given the opportunity to review all information that will be submitted to the Coordinator or designee in the final Investigation Report. The Complainant and Respondent may submit any additional comment or evidence to the Investigating Officer within five (5) business days of being provided the opportunity to review the report.

Upon receipt of any additional information by the Complainant and Respondent, or after the five (5) business day comment period has lapsed without comment, the Investigating Officer will submit a final Investigation Report to the Coordinator or designee. The Investigating Officer will not make any credibility assessments, findings of fact, or determination of whether this Policy has been violated. The final Investigation Report will include all investigation materials that will be used by the Coordinator or designee to determine whether a violation has occurred.

G. Referral of Report to Appropriate Office for Review and Adjudication

- **Adjudicator**

If the report involves potential Prohibited Conduct by a student, the Coordinator will refer the Investigation Report to the appropriate Student Affairs administrator to serve as the Adjudicator.

If the report involves potential Prohibited Conduct by an employee, the appropriate Human Resources administrator will be the Adjudicator.

The Coordinator or appropriate official, where appropriate, may, in their discretion, determine that, in the interest of fairness to the parties and the process, an external professional will serve as the Adjudicator. Any external adjudicator will have appropriate training and experience adjudicating reports of Prohibited Conduct.

- **Initial Review by the Adjudicator**

The Adjudicator may request that additional investigative steps be taken. The Adjudicator will review the report and make a determination whether there has been a violation of this Policy, based on a preponderance of the evidence standard. In order to make such determination, the Adjudicator must view all evidence and all factual inferences reasonably drawn from the evidence.

- **Formal Resolution Meeting**

The Adjudicator will meet with the Respondent at a formal resolution meeting to share the determination of responsibility (outcome) and rationale for the outcome. If there is a finding of responsibility, the Adjudicator will also discuss sanctions with the Respondent, and impose any appropriate sanction (as outlined below). The Adjudicator will offer the same Formal

Resolution meeting to the Complainant separately.

- Notice of Outcome

The Complainant and Respondent will simultaneously receive written notice of the outcome within ten (10) business days following the formal resolution meeting. The notice of outcome will include the finding as to whether there is a Policy violation and any applicable sanction(s). The notice of outcome will also provide the parties with their appeal options.

H. Time Frames

Typically, the period from commencement of an investigation through formal resolution (finding and sanction, if any) will not exceed sixty (60) business days, as more specifically outlined below. This timeframe may be extended for good cause, which may exist if additional time is necessary to ensure the integrity and completeness of the investigation, to comply with a request by external law enforcement for temporary delay to gather evidence for a criminal investigation, to accommodate the availability of witnesses, to account for University breaks or vacations, to account for complexities of a case, including the number of witnesses and volume of information provided by the parties, or for other legitimate reasons.

Sanctions

Where there is a finding of responsibility, the Adjudicator may impose one or more sanctions. The range of available sanctions includes:

- Sanctions for students may include any of the sanctions that are available for violations of the

University's Student Code of Conduct, including campus restrictions, campus standard probation, co-curricular restriction, community restitution, community service, counseling assessment/support, disciplinary reprimand, disengagement notice/no-contact order, educational sanctions, fines, housing dismissal, housing probation, housing suspension, social restriction, University dismissal or University suspension.

- 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 absences, restrictions on campus activities, or termination from the University. Sanctions for faculty covered by the Faculty Handbook will be reviewed with the University Provost and/or the University President.

When determining sanctions, the Adjudicator will consider the following:

- The nature and severity of the Prohibited Conduct
- The impact of the Prohibited Conduct on the Complainant ;
- The impact or implications of the Prohibited Conduct within the FDU-V community;
- Whether the Respondent 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.

Appeals

Either party may appeal the outcome of an Adjudication. The limited grounds for appeal are:

- A substantive or procedural error that substantially affected the outcome;
- 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; or
- The Coordinator, Investigator, or Adjudicator had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that would substantially affect the outcome.

Dissatisfaction with the outcome of the investigation is not grounds for appeal.

A Complainant or Respondent must submit a written appeal within five (5) business days of receipt of the Notice of Outcome to the 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 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) business days from receipt of the appeal.

The 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 the Vice President of Student Affairs and Dean of Students. For employees, the Appeals Officer will be The Vice President of Human Resources, or higher, appointed at the discretion of the University President.

The Appeals Officer, in their sole discretion, may make a determination based on the written record or may request to speak with the Investigating Officer, the Adjudicator, the Complainant or the Respondent. 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 they disagrees 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 Complainant, the Respondent and the Coordinator.

The Appeals Officer will conclude the appeal within fifteen (15) business days of the receipt of the appeals documents.

VICTIM RIGHTS AND 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. 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.

For orders of protection, go to <http://www.pssg.gov.bc.ca/protection-order-registry/>.

PRIVACY AND CONFIDENTIALITY

For any report under this Policy, 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. Privacy and confidentiality have distinct meanings under this Policy.

Privacy generally means that information related to a report under this Policy will only be shared with those University employees who “need to know” in order to assist in the active review, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process. If the decision is made to pursue disciplinary action or interim measures against a Respondent, information related to the report will be shared with the Respondent. Information regarding a report will not be shared with either party’s parents or guardians unless the party is a minor (and sharing is permissible under the Freedom of Information and Protection of Privacy Act (FIPPA)) or, in accordance with FIPPA, the University General Counsel has determined

that the disclosure is necessary for compelling health or safety reasons.

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 legal obligation to reveal such information (e.g. where there is suspected abuse or neglect of a minor) or where applicable professional standards otherwise permit disclosure (e.g., where there is a serious and imminent threat of harm to an individual). An individual can seek confidential assistance and support by speaking with specially designated confidential resources.

If a report of Prohibited Conduct meets the definition of a Clery crime and meets certain geographical requirements, the University is required to include the report in the Daily Crime Log and Annual Security Report. Reports captured in the Daily Crime Log and Annual Security Report do not include personally identifying information.

The University may also share aggregate and not personally identifiable data about the reports, outcomes, and sanctions.

All FDU-V proceedings are conducted in accordance with the requirements of applicable laws of Canada and the United States, including its provinces and states, as well as applicable University policies. No information, including the identity of the parties, will be publicly released from such proceedings except as required or permitted by law or University policy.

ADDITIONAL RESOURCES

On-Campus Resources

- A part-time Registered Clinical Counselor is 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.

Off-Campus Resources

- Vancouver Police Department
2120 Cambie Street
Vancouver B.C.
604-717-3321
- Vancouver General Hospital
899 West 12th Avenue
Vancouver, BC V5Z 1M9
604-875-4111
www.vch.ca
- B.C. Women's Hospital
4500 Oak Street
Vancouver, BC V6H 3N1
604-875-2424
<http://www.bcwomens.ca/>
- VictimLink BC
800-563-0808
<http://www.victimlinkbc.ca/>

Canada and U.S. National Resources

- Ending Violence Assoc. of Canada
<https://endingviolencecanada.org/>

- RAINN – Rape, Abuse and Incest National Network
<http://www.rainn.org>
- U.S. Department of Justice – Office on Violence against Women (OVW)
<https://www.justice.gov/ovw/sexual-assault>
- U.S. Department of Education – Office for Civil Rights
<https://www.ed.gov/about/ed-offices/ocr>

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

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

- Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Defines using definitions provided both by the U.S. Department of

Education as well as B.C. law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;

- Defines what behavior and actions constitute consent to sexual activity using the definition of consent found in the Student Code of Conduct;
- Provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

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.

Additionally, as part of the annual educational campaign, employee training includes:

- “Substance Abuse in the Workplace” training within the first 30 days of employment;
- An annual online campus safety training for all employees;
- Online Written Information Security Program (WISP) training; and
- Multiple events on topics such as sexual violence, inclusivity, alcohol and drugs, and crime prevention are offered throughout the academic year by various departments such as Student Affairs and student organizations.

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.”¹ 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 list² of some ways to be an active bystander. Further 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.

- A. 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.
- B. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- C. Speak up when someone discusses plans to take sexual advantage of another person.
- D. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- E. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

Risk reduction consists of options designed to decrease perpetration and bystander inaction and to increase empowerment in an effort to promote safety and to try and help individuals and communities address conditions that facilitate violence. 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).

- A. **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.
- B. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
- C. **Walk with purpose**. Even if you don't know where you are going, act like you do.
- D. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- E. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
- F. **Make sure your cell phone is with you** and charged and that you have cash money.
- G. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
- H. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
- I. **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.
- J. **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.).
- K. **Don't leave your drink unattended** while talking, dancing, using the

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

² Bystander intervention strategies adapted from Stanford University's Office of Sexual Assault & Relationship Abuse

restroom, or making a phone call. If you've left your drink alone, just get a new one.

- L. **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 punch bowls or other large, common open containers.
- M. **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.
- N. **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).
- O. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
 - **Remember that being in this situation is not your fault.** You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
 - **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
 - **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
 - **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.

- P. **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?
- Q. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

SEX OFFENDER REGISTRATION – CAMPUS SEX CRIMES 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.

In Canada, the Sex Offender Information Registration Act requires individuals convicted of designated sex offences to register with the police for 10 years, 20 years or for life depending on the offence

and other factors. The purpose of the act is to help police prevent and investigate sex-related crimes.

The offender's information is contained in the National Sex Offender Registry which is a database maintained by the RCMP. The database is not open to the public and cannot be used by police for public notifications.

More information can be found at:
<https://www2.gov.bc.ca/gov/content/justice/criminal-justice/sex-offender-registry>.

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 Director of Student Services.

WEAPONS POLICY

The possession, carrying, or use of weapons, ammunition, explosives, or fireworks is prohibited on University-owned or -controlled property.

ANTI-HAZING POLICY

The purpose of this Anti-Hazing Policy ("Policy") is to prohibit hazing in all forms,

ensure compliance with the Stop Campus Hazing Act (SCHA) Amendments to the Clery Act, and promote a safe and respectful campus environment. Hazing undermines the integrity of student life, endangers individuals, and is inconsistent with the mission, vision, and values of FDU.

FDU's prohibition on hazing extends to all aspects of its educational programs and activities, including, but not limited to, admissions, employment, academics, athletics, and student services.

Definition of Hazing

The term "Hazing", for purposes of reporting statistics on hazing incidents is defined as any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that –

- A. is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- B. causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including:
 - whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
 - causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;

- causing, coercing or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- causing, coercing, or otherwise inducing another person to perform sexual acts;
- any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
- any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

Student Organizations with a Parallel Process

FDU recognizes that some organizations have parallel accountability processes within their organization. Student organizations that become aware of a behavior that may also require FDU responses must act in collaboration with FDU to address the behavior.

Student organizations may not investigate complaints without support and guidance from their sponsoring “headquarters” and FDU staff when an incident requires investigations to be conducted by staff that are trained to manage complaints of a sensitive nature (e.g.: discrimination, academic misconduct, behavior grounded in mental health issues, illegal drug use, minor violations of the law).

Reporting and Procedures

Any person may disclose hazing to FDU by contacting the University Director of Public Safety in person or via phone, email, or US Mail at:

Joe Vitiello, University Dir. of Public Safety
285 Madison Ave., M-BB1-01,
Madison, NJ 07940
973-443-8891
jv@fdu.edu

In addition, any person may disclose hazing anonymously by submitting an anonymous online report which may be found at <https://portal.fdu.edu/forms/publicsafety-witnessmet.php>.

All disclosures will be reviewed by a response team led by the University Director of Public Safety and consisting of representatives, on an as needed basis, from Student Affairs, Office of Title IX & Anti-Discrimination and, if an employee is involved, Human Resources. Following this review, an Investigator will be selected to conduct a preliminary interview with the reporting party, if possible.

Based on the information gained from this preliminary interview, the response team will make a determination as to which department, and policy, will address the full investigation and resolution process. Depending on the involved parties and the nature of the allegations, these departments may include, but are not limited to, Student Conduct, Title IX & Anti-Discrimination, or Human Resources. The process for resolution of the matter will be in accordance with the applicable policy under which the alleged conduct falls (e.g., Code of Student Conduct, Title IX Sexual Harassment, Faculty Handbook, etc.) and may include a hearing or other adjudication procedure.

Sanctions

Hazing is a serious offense and, therefore, is subject to the full range of sanctions (reprimand, disciplinary probation, suspension, and expulsion). In addition, other educational activities (i.e., community service, participating in an anti-hazing workshop, etc.) or opportunities may be required as conditions of the sanction. An individual, organization, or group may be subject to other outcomes in accordance with the rules of applicable outside constituents, academic processes, and group(s) in which the student is involved. FDU has the right to act regardless of the actions of such other organizations.

FAIRLEIGH DICKINSON UNIVERSITY STUDENT CODE OF CONDUCT

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

<https://www.fdu.edu/code-of-student-conduct/>.

DRUGS AND ALCOHOL

Fairleigh Dickinson University's compliance with the provisions of the Drug-Free Schools and Communities Act is achieved through a comprehensive alcohol and other drug prevention program, which includes policy enforcement, education programs, counseling supports and referral to treatment services.

Fairleigh Dickinson University's Drug and Alcohol Free Workplace Policy, found at <https://www.fdu.edu/wp-content/uploads/2019/09/hrdrugfreeworkpla>

[ceupdate10182013.pdf](#) applies to all members of the University community – employees and students. The Policy defines prohibited behavior and outlines consequences for violations. Also described are educational and counseling resources.

General Requirements of the Drug-free Schools and Communities Act: Amendments of 1989

The Drug-free Schools and Communities Act Amendments of 1989 (the Act) requires an institution of higher education, as a condition of receiving funds or any other form of financial assistance under any federal program, to certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students (and employees). The following describes the Act's provisions as applied to students.

As part of its drug prevention program for students and employees, Fairleigh Dickinson University annually distributes in writing to each student (and employee) the following information:

- standards of conduct that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by regularly matriculated students (and employees) on its property as a part of any of its activities;
- a description of applicable local, state and federal legal sanctions pertaining to the unlawful possession, use or distribution of illicit drugs and alcohol;
- a description of health risks associated with the use of illicit drugs and the abuse of alcohol;

- a description of available drug and alcohol counseling, treatment, rehabilitation and re-entry programs; and
- a clear statement of the disciplinary sanctions that the University will impose on students (and employees) who violate the standards of conduct.

The University will conduct a biennial review of its drug prevention program to determine its effectiveness, implement needed changes and ensure that disciplinary sanctions are consistently enforced.

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 any campus area not designated for alcohol consumption.

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

The Student Code of 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.

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 Student Code of Conduct.

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

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.

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:

A. 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 counselor at the Office of Mental and Emotional Wellbeing.

B. 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.

C. 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.

D. 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.

E. 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 sets a 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.

F. 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.

G. 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.

H. 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 has already been affected by alcohol-related problems, contact the Director of Student Affairs or any member of the FDU-V staff.



Health Risks and Consequences

SUBSTANCE	EFFECT ON THE MIND	EFFECT ON THE BODY	OVERDOSE	POTENTIAL FOR DEPENDENCE	EXAMPLES
ALCOHOL	Impairs coordination, judgment, reasoning, and memory	Slurred speech, loss of motor coordination, weakness, headache, lightheadedness, blurred vision, dizziness, nausea, vomiting, low blood pressure, and slowed breathing	Mental confusion, stupor, coma or inability to wake up, vomiting, seizures, slow breathing (fewer than 8 breaths/minute), irregular breathing (10 seconds or more between breaths), hypothermia (low body temperature), bluish skin color, or paleness	Yes	beer, wine, liquor and malt liquor
DEPRESSANTS	Impairs memory, judgment, coordination, and can cause confusion. May induce sleep, relieve anxiety and muscle spasms, and prevent seizures	Slurred speech, loss of motor coordination, weakness, headache, lightheadedness, blurred vision, dizziness, nausea, vomiting, low blood pressure, and slowed breathing	Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, and possible death	Yes	Rx: Valium, Xanax, Halcion, Ativan, Klonopin, Restoril, Lunesta, Ambien, and Sonata. Non-Rx: GHB, Rohypnol (Roofies)
HALLUCINOGENS	Distortions of thought associated with time and space, confusion, anxiety, depression, paranoia, and sleep problems	Elevated heart rate, increased blood pressure, sweating, loss of appetite, tremors, sleeplessness, dilated pupils, and impaired motor coordination	Respiratory depression, coma, convulsions, seizures, and death due to respiratory arrest. LSD and shrooms: death due to suicide, accidents, and dangerous behavior	Yes	Rx: N/a Non-Rx: MDMA, Ecstasy, LSD, acid, shrooms, PCP, and ketamine
INHALANTS	Damages areas of the brain responsible for thinking, moving, seeing, and hearing. Cognitive abnormalities range from mild impairment to severe dementia	Slurred speech, loss of motor coordination, euphoria, slowed bodily functions, slight stimulation, loss of inhibition, and loss of consciousness	Loss of consciousness and/or death, "Sudden sniffing death", and asphyxiation	Yes	Names/Forms: Huff, Whippets, Poppers, butane, aerosols
MARIJUANA	Problems with memory and learning, distorted perception, difficulty in thinking and problem-solving, and loss of coordination	Sedation, bloodshot eyes, increased heart rate, coughing from lung irritation, increased appetite, and decreased blood pressure	"Greening out" can cause confusion, dizziness, disorientation, visual impairments, weakness, anxiety, panic, paranoia, increased pulse rate and blood pressure, nausea, and vomiting. No deaths from overdose of marijuana have been reported	Yes	Names/Forms: cannabis, weed, hash, 420, 710 (oil), wax, edibles, budder, shatter
OPIOIDS	When appropriately prescribed: reduce tension and pain, anxiety, and aggression. Unwanted effects include drowsiness, inability to concentrate, and apathy	Slowed physical activity, constriction of the pupils, flushing of the face and neck, constipation, nausea, vomiting, and slowed breathing	Constricted (pinpoint) pupils, cold clammy skin, confusion, convulsions, extreme drowsiness, slowed breathing, coma, and respiratory failure	Yes	Rx: OxyContin, Vicodin, codeine, morphine, methadone, and fentanyl Non-Rx: Heroin
STIMULANTS	Produce a sense of exhilaration, enhance self-esteem, improve mental and physical performance, increase activity, reduce appetite, extend wakefulness for prolonged periods, and a general "high". Chronic, high-dose use results in agitation, hostility, panic, aggression, and suicidal or homicidal tendencies. Paranoia may also occur	Dizziness, tremors, headache, flushed skin, chest pain with palpitations, excessive sweating, vomiting, and abdominal cramps	High fever, convulsions, and cardiovascular collapse	Yes	Rx: Adderall, Concerta, Ritalin Non-Rx: Cocaine, crack, methamphetamine
TOBACCO	Increases dopamine, stimulates the Central Nervous System	Increased blood pressure, breathing and heart rate, chronic bronchitis, cancer, heart disease	Nicotine poisoning, difficulty breathing, vomiting, fainting, headache, weakness and increased or decreased heart rate, and possible death	Yes	Forms: cigarettes, cigars, bidis, smokeless tobacco, vape, nicotine

Drug Enforcement Agency (2020). *Drugs of Abuse: a DEA resource guide*. Retrieved on 8-12-24 from https://www.dea.gov/sites/default/files/2020-04/Drugs%20of%20Abuse%202020-Web%20Version-508%20compliant-4-24-20_0.pdf

National Institute on Alcohol Abuse and Alcoholism. *Alcohol's Effects on Health*. Retrieved on 8-12-24 from <https://www.niaaa.nih.gov/alcohols-effects-health>

Mager, D. (2023, May 5) *Believe It or Not, You Can Overdose on Weed*. Psychology Today. <https://www.psychologytoday.com/us/blog/some-assembly-required/202305/believe-it-or-not-you-can-overdose-on-weed>

ANNUAL DISCLOSURE OF CRIME STATISTICS

Definitions

The following is a summary explanation of crime definitions. All definitions are taken from the Federal Bureau of Investigation's Uniform Crime Reporting Handbook as required by the Clery Act regulations.

Murder and Non-negligent

Manslaughter: The willful (non-negligent) killing of one human being by another.

Manslaughter by Negligence: The killing of another person through gross negligence.

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

Criminal Sexual Contact: The intentional touching of the clothed or unclothed body parts without consent of the victim for the purpose of sexual degradation, sexual gratification or sexual humiliation, or the forced touching by the victim of the actor's clothed or unclothed body parts, without consent of the victim for the purpose of sexual degradation, sexual gratification, or sexual humiliation.

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

Incest: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Robbery: The taking or attempting to take anything of value from the care, custody or control of a person or persons by force or

threat of force or violence and/or putting the victim in fear.

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

Burglary: Unlawful entry of a structure to commit a felony or theft.

Motor Vehicle Theft: Theft or attempted theft of a motor vehicle.

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

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

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and the existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, type of

relationship, and the frequency of interaction between the persons involved in the relationship.

Stalking: Engaging in a course of conduct directed at a specific person that would (i) cause a reasonable person to fear for the person's safety or the safety of others, or (ii) suffer substantial emotional distress.

Hate Crimes: Includes all of the crimes listed above that manifest evidence that the victim was intentionally selected because the perpetrator's bias against the victim based on one of the Categories of Prejudice listed below, plus the following four crimes.

Larceny/Theft: The unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.

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

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

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

Categories of Prejudice

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

Gender: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

Gender Identity: A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

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

Sexual Orientation: A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.

Ethnicity: A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.

National Origin: A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.

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

Definitions of Clery Act Locations

On-Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institutions in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and is frequently used by students, and supports institutional purposes.

Residence Halls: Any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

Public Property: All public property (i.e., property owned or operated by a governmental entity), including thoroughfares, streets, sidewalks, and parking facilities, that are immediately adjacent to and accessible from the campus.

Non-Campus: Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

CRIME STATISTICS: CLERY DATA

The following annual security report provides crime statistics for selected crimes that have been reported to local police agencies or to the University Department of Public Safety. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub-categories on liquor laws, drug laws, and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented. This report complies with 20 U.S. Code Section 1092(f).

OFFENSE	2022				2023				2024			
	On-Campus		Public Property	Non-Campus	On-Campus		Public Property	Non-Campus	On-Campus		Public Property	Non-Campus
	Residence Hall	Total On-Campus			Residence Hall	Total On-Campus			Residence Hall	Total On-Campus		
Murder/Non-negligent Manslaughter	N/A	0	0	N/A	N/A	0	0	N/A	N/A	0	0	N/A
Manslaughter by Negligence	N/A	0	0	N/A	N/A	0	0	N/A	N/A	0	0	N/A
Rape	N/A	0	0	N/A	N/A	0	0	N/A	N/A	0	0	N/A
Criminal Sexual Contact	N/A	0	0	N/A	N/A	0	0	N/A	N/A	0	0	N/A
Statutory Rape	N/A	0	0	N/A	N/A	0	0	N/A	N/A	0	0	N/A
Incest	N/A	0	0	N/A	N/A	0	0	N/A	N/A	0	0	N/A
Robbery	N/A	0	0	N/A	N/A	0	0	N/A	N/A	0	0	N/A
Aggravated Assault	N/A	0	0	N/A	N/A	0	0	N/A	N/A	1	1	N/A
Burglary	N/A	0	0	N/A	N/A	0	0	N/A	N/A	0	0	N/A
Motor Vehicle Theft	N/A	0	0	N/A	N/A	0	0	N/A	N/A	0	0	N/A
Arson	N/A	0	0	N/A	N/A	0	0	N/A	N/A	0	0	N/A
VAWA OFFENSES												
Domestic Violence	N/A	0	0	N/A	N/A	0	0	N/A	N/A	0	0	N/A
Dating Violence	N/A	0	0	N/A	N/A	0	0	N/A	N/A	0	0	N/A
Stalking	N/A	0	0	N/A	N/A	0	0	N/A	N/A	0	0	N/A
ARRESTS												
Weapons	N/A	0	0	N/A	N/A	0	0	N/A	N/A	1	1	N/A
Drugs	N/A	0	0	N/A	N/A	0	0	N/A	N/A	0	0	N/A
Alcohol	N/A	0	0	N/A	N/A	0	0	N/A	N/A	0	0	N/A
NON-ARREST CAMPUS REFERRALS												
Weapons	N/A	0	0	N/A	N/A	1	0	N/A	N/A	0	0	N/A
Drugs	N/A	0	0	N/A	N/A	0	0	N/A	N/A	0	0	N/A
Alcohol	N/A	0	0	N/A	N/A	0	0	N/A	N/A	0	0	N/A

HATE CRIMES

2024 – No Hate Crimes Reported

2023 – No Hate Crimes Reported

2022 – No Hate Crimes Reported

UNFOUNDED CRIMES

2024 – 0 Unfounded Crimes

2023 – 0 Unfounded Crimes

2022 – 0 Unfounded Crimes

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 Executive Director of Operations at any time if you have a question or need any additional information.

The Office of the Executive Director of
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