



# **WINSTON-SALEM** STATE UNIVERSITY



## **ANNUAL SECURITY & FIRE SAFETY REPORT**

**October 2021**

**Crime Years: 2018, 2019, 2020**

601 S. Martin Luther King Jr. Drive | Winston-Salem, NC 27110 | (336) 750-2900 (Campus Police)

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# A Letter from Chancellor Elwood L. Robinson



Dear Campus Community:

Winston-Salem State University is a bold, vibrant, and diverse academic community that fosters the creative thinking, analytical problem solving, and depth of character graduates need to transform themselves and their world. Guided by the motto “Enter to Learn. Depart to Serve,” WSSU develops leaders who advance social justice by serving the world with compassion and commitment.

We realize that this vision cannot come to life unless our campus is safe and secure. As a university, we work diligently to reduce risk and the potential for crime. Safety and security are a shared responsibility, and we need the assistance of the entire university community. We each play a role in making WSSU a secure and supportive environment where students, faculty, staff, and guests feel safe to study, live, work and visit. My goal is to ensure that all members of our campus community feel safe and keep with our core values by behaving respectfully and responsibly.

This annual report contains information about campus safety including, statistics about crimes on or near campus and on-campus fires. Additionally, it addresses our efforts to combat sexual assault, substance abuse and violence.

We hope that you will find this report valuable. Personal safety is the responsibility of everyone, and we need your assistance in helping to foster a safe and secure WSSU. Please review this information carefully as your safety is of the utmost important to us.

Sincerely,

*Elwood L. Robinson*

Elwood L. Robinson, Ph. D.

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



Dear Campus Community:

Winston-Salem State University Police and Public Safety Department is an International Association of Campus Law Enforcement Administrators (ICALEA) Accredited agency within the UNC System. We were established to provide protection and service to the campus community. We are committed to the safety of life, property, and crime prevention. I want to thank you for taking the time to read our annual security report.

This report contains information regarding campus security and personal safety. It includes topics such as crime prevention, campus law enforcement authority, crime reporting policies, disciplinary procedures, and other matters of importance related to security. Important law-enforcement contacts, key campus offices, and local resources are provided in this report. The ASR also includes crime statistics for the last three years that summarize crimes on campus, on non-campus property controlled by the university, and on public property.

Crime data are compiled from reports submitted by Campus Security Authorities, case files of the Office of Community Standards and Civility, the Office of Title IX, and from local law enforcement. We want to ensure students, faculty, staff, and visitors enjoy themselves, be productive, innovative and flourish.

WSSU Police and Public Safety collaborates with other campus partners to include Athletics, the Dean of Students, EEO/AA and Diversity, Emergency Management, Housing and Residence Life, Human Resources, Legal Affairs, Community Standards and Civility, and the Wellness Center. We thank them for their commitment to helping us keep this community safe.

If you live, learn, or work within this community, I would like for you to download the Rave Guardian app to your smartphone. This app gives students, faculty, and staff the power to connect with our department through text or phone. Rave Guardian allows you to contact police discreetly, stay informed, never travel alone, find resources you need on campus, and, most importantly, empower you to say something when you see something and feel assured that help is on the way.

The Rave Guardian app also has a directory to other resources on campus. The app is free and can be downloaded from [Google Play](#) or the [App Store](#).



The banner is split into two sections. The left section has a dark purple background with the RAVEGuardian logo (a shield with a cross) and the text 'RAVEGuardian' in white. Below the logo is the text 'STAY CONNECTED AND SAFE' in white. At the bottom of this section are two buttons: 'Available on the App Store' with the Apple logo and 'ANDROID APP ON Google play' with the Google Play logo. Below these buttons is the website 'www.raveguardian.com'. The right section has a light blue background. It features the RAVEGuardian logo at the top. Below the logo is the text 'HELP & RESOURCES ARE 1-CLICK AWAY' in red. Underneath is a paragraph: 'No matter the situation you are in, your school is one click away and can provide the help and resources you need.' Below this paragraph are four circular icons with text underneath: 1. A red shield with a white cross, labeled 'EMERGENCY CALL BUTTON'. 2. A green speech bubble with three dots, labeled 'SUBMIT CONFIDENTIAL TIPS'. 3. An orange stopwatch, labeled 'VIRTUAL SAFETY WALK'. 4. A blue circle with a white 'i', labeled 'ACCESS KEY RESOURCES'.

Community members interested in sharing ideas, concerns, or safety-related scheduling training are encouraged to contact our department. Police and Public Safety joins Chancellor Elwood Robinson in his commitment to foster a secure and supportive environment at WSSU. Feel free to stop by the Patricia Norris Safety Building behind Carolina Hall if you have questions, comments, or concerns.

Sincerely,



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



## I. PREPARATION OF THE ANNUAL SECURITY & FIRE SAFETY REPORT AND DISCLOSURE OF CRIME STATISTICS

This report is prepared in accordance with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act (Clery Act) using the information maintained by the Campus Police and information provided by other university offices. Some of these offices include Student Affairs, Housing and Residence Life, and Title IX. This report provides statistics for the previous three years concerning reported crimes and fires that occurred on campus, in certain off-campus buildings or property owned, leased, or controlled by WSSU. The crime statistics reported in the publication are continually collected through the Campus Police Department records, crimes reported to other Campus Security Authorities (CSA's), and information provided by local law enforcement agencies surrounding the campus. This report also includes institutional policies concerning campus security, such as sexual assault, alcohol and drugs, and fire safety.

In addition, the crime statistics disclosed in the Annual Security and Fire Safety Report, WSSU reports the same statistics to the Department of Education by October 1 of each year. (With the exception of the year 2020, the Department of Education extended the report to be released by December 31, 2020, due to Covid-19).

WSSU distributes a notice of the availability of this Annual and Fire Safety Report by October 1 of each year to every member of the WSSU community. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting Campus Police at 336-750-2900. Digital copies are available on the [Campus Police Webpage](#).

### CLERY ACT QUALIFYING CRIME DEFINITIONS

These definitions are taken from the FBI Uniform Crime Reporting (UCR) handbook and are required to be used for the classification of crimes that fall within the Clery Act.

<b>Crime</b>	<b>Definitions</b>
Aggravated Assault	An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is accompanied using a weapon or by means likely to produce death or great bodily harm (included attempted Criminal Homicide and if an injury occurred or not).
Arson	Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle, or aircraft, personal property, of another, etc.
Burglary	The unlawful entry of a structure to commit a felony or theft. (Includes forced and non-forced entry).
Dating Violence	Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of:

	<ul style="list-style-type: none"> <li>a. The length of the relationship.</li> <li>b. The type of relationship.</li> <li>c. The frequency of interaction between the persons involved in the relationship.</li> </ul>
Domestic Violence	<p>A felony or misdemeanor crime of violence committed by:</p> <ul style="list-style-type: none"> <li>a. A current or former spouse or intimate partner of the victim.</li> <li>b. By a person with whom the victim shares a child in common.</li> <li>c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse, or intimate partner.</li> <li>d. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or</li> <li>e. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.</li> </ul>
Drug/Narcotic Violations	The unlawful possession, distribution, sale, purchase, use, transportation, importation, cultivation, and/or manufacturing of any controlled drug or narcotic substance and the equipment or devices utilized in their preparation and/or use. *Drawn from the State Statutes and County/Local Ordinances.
Illegal Weapon Violations	The unlawful possession or control of any firearm, deadly weapon, illegal knife, or explosive device while on the property of Winston-Salem State University except as required in the lawful course of business (i.e. sworn law enforcement personnel). *Drawn from the State Statutes and County/Local Ordinances.
Liquor Law Violations	The unlawful possession, sale, transportation, manufacturing, furnishing alcohol to a minor (under 21 years), or maintaining an unlawful drinking place. The Clery Act does not require reporting of public drunkenness or DUI/DWI offenses. *Drawn from State Statutes and County/Local Ordinances.
Motor Vehicle Theft	The theft or attempted theft of a motor vehicle. (e.g. cars, trucks, buses, motorcycles, motor scooters, mopeds, all-terrain vehicles, golf carts, etc.).
Murder	The willful (non-negligent) killing of a human being by another.
Manslaughter by Negligence	The killing of another person through gross negligence.
Robbery	The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
Sexual Assault	Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
Fondling	The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
Incest	Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
Statutory Rape	Sexual intercourse with a person who is under the statutory age of consent.
Stalking	<p>Engaging in a course of conduct directed at a specific person that would cause a reasonable person to Fear for the person's safety or the safety of others; or suffer substantial emotional distress.</p> <ul style="list-style-type: none"> <li>a. <i>Course of conduct</i> means two or more acts, including, but not limited to acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.</li> <li>b. <i>Reasonable person</i> means a reasonable person under similar circumstances and</li> </ul>

	<p>with similar identities to the victim.</p> <p>c. <i>Substantial emotional distress</i> means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.</p>
<b>Hate Crime</b>	A criminal act involving one or more of the previous crimes and the crimes of:
Larceny/Theft	The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Included pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.
Simple Assault	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.
Destructions of Property/Vandalism	To destroy willfully or maliciously, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.
Intimidation	To unlawfully place another person in reasonable fear of bodily harm using threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
Hate Crime	<p>As well as any other crime involving bodily injury which is shown or suspected to have been motivated by bias against any person or group of persons, or the property of any person or group of person based upon the perception that the person or group has one or more of the following characteristics:</p> <ul style="list-style-type: none"> <li>• <i>Ethnicity</i>: 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.</li> <li>• <i>National Origin</i>: A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.</li> <li>• <i>Race</i>: A performed negative opinion or attitude toward a group of persons who possess common physical characteristics (e.g. color of skin, eyes, and/or hair, facial features, etc.) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (e.g. Asians, blacks or African Americans, whites).</li> <li>• <i>Religion</i>: A performed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g. Catholics, Jews, Protestants, atheists).</li> <li>• <i>Disability</i>: A performed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital, or acquired by heredity, accident, injury, advances age, or illness.</li> <li>• <i>Gender</i>: A performed negative opinion or attitude toward a group of persons because those persons are male or female.</li> <li>• <i>Sexual Orientation</i>: A performed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g. gays, lesbians, heterosexuals).</li> </ul>

	<ul style="list-style-type: none"> <li>• <i>Gender Identity</i>: A performed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity (e.g. bias against transgender or gender non-conforming individuals).</li> </ul>
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### PUBLICLY AVAILABLE RECORD-KEEPING

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

## **II. REPORTING CRIMES AND OTHER EMERGENCIES**

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

### REPORTING TO CAMPUS POLICE

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

WSSU Campus Police:

Emergency: (336) 750-2911

Non-Emergency: (336) 750-2900

Winston-Salem Police Department:

Emergency: 911

Non-Emergency: (336) 773-7700

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

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

## EMERGENCY CALL BOXES

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

## RAVE GUARDIAN MOBILE APPLICATION

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

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

Rave Guardian app empowers users to:

Report tips to WSSU Police & Public Safety

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

Receive RamAlert Emergency Communications:

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

Virtual Escort and Timer:

This feature will make sure that you never walk alone.

Emergency Call Button:

You can connect directly with WSSU Campus Police with the touch of a button.

### REPORTING TO CAMPUS SECURITY AUTHORITIES (CSA'S)

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

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

#### *Office to Report Crimes*

<b>Official</b>	<b>Campus Address</b>	<b>Phone Number</b>
Campus Police Public Safety	Patricia D. Norris Police & Public Safety Building	336-750-2911
Vice-Chancellor for Student Affairs	Thompson Center, Room 307	336-750-3206
Office of the Dean of Students	Thompson Center, 303	336-750-3356
Office of Student Conduct	Thompson Center, 303	336-750-3356
The Office Housing and Residence Life, including all RA's, HD's & AC's	Thompson Center, 307 (Main Office)	336-750-3400
Title TX Office	Blair Hall, Suite 115	336-750-8760

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

### CONFIDENTIAL REPORTING

Students who wish to seek support services and wish that the information be kept confidential may do so at the Counseling Center located in A.H. Ray Student Health Building, 1<sup>st</sup> floor.

According to the Clery Act, pastoral and professional counselors who are appropriately credentialed and hired by WSSU to serve in a counseling role are not considered Campus Security Authorities (CSA). Therefore, all services afforded to students at the WSSU Counseling Center

are confidential except in circumstances where mental health providers are allowed by North Carolina state law to disclose information to other entities both within and outside of the campus community. This level of confidentiality is vital to both those receiving counseling services as well as victims of abuse. Circumstances, where confidentiality may be waived include when the client gives permission to do so and when the client poses a threat to themselves or others. In addition, professional and pastoral counselors have the option to report crimes on a voluntary, confidential basis for the inclusion in the annual disclosure of crime statistics when they deem appropriate. This reporting in no way compromises the confidentiality of professional and pastoral counselors under North Carolina state law. WSSU does not have pastoral counselors.

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

### VOLUNTARY REPORTING FOR THE INCLUSION IN CRIME STATISTICS

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

### UNFOUNDED REPORTS

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

### DAILY CRIME AND FIRE LOG

WSSU Campus Police and Public Safety maintains a combined Daily Crime and Fire Log. This log contains all crime and fire incidents reported to Campus Police. This log can be viewed online at

[Daily Crime/Fire Log](#) or is available upon request by visiting Campus Police at the Patricia D. Norris Police & Public Safety Building.

### **III. ABOUT WSSU POLICE AND PUBLIC SAFETY**

The Winston-Salem State University Police Department is accredited by Commission on Accreditation for Law Enforcement Agencies (CALEA) and protects and serves the university community 24 hours a day, 365 days a year. Campus Police are committed to enhancing the quality of life of the campus community, integrating the best practices of public policing, and providing services with the highest standards of professionalism. The Campus Police Department includes a staff of approximately 30 personnel, including the chief's office, administrative services, accreditation, patrol, investigations, telecommunications, and security.

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

Police Officer training occurs regularly through the department's training program. Training includes, but is not limited to, mandated in-service training, crime prevention strategies, firearms instruction and requalification, rapid deployment and active shooter, CPR, interview and interrogation, and interpersonal communications. Additionally, campus Police investigate all criminal incidents. Therefore, all crimes that occur on campus or university property shall be reported to Campus Police.

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

The Winston-Salem State University Campus Police maintain a cooperative relationship with the Winston-Salem Police Department (WSPD) and other surrounding police agencies. This includes intraoperative radio capability, training programs, special events coordination, and investigation of serious incidents.

The Winston-Salem State University Campus Police department participates in an Inter-municipal Mutual Aid Agreement that authorizes police officers and supervisors of the participating agencies



to request mutual aid for incidents based upon a reasonable belief that such assistance will enhance the public's and or officer safety and efficiency. The agencies participating in the agreement include the Winston-Salem Police Department and the Kernersville NC Police Department. The agreement also allows for joint training and cooperation on other matters, such as pre-planned large-scale special events amongst the participating agencies.

#### MONITORING AND RECORDING OF CRIMINAL ACTIVITY OF NON-CAMPUS LOCATIONS

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

## **IV. ACCESSIBILITY TO INFORMATION AND NON-DISCRIMINATION POLICY**

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

### **UNIVERSITY POLICY 900.16 EQUAL EMPLOYMENT OPPORTUNITY & NONDISCRIMINATION POLICY**

#### **Executive Summary**

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

#### **Policy Statement**

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

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

#### **Roles and Responsibilities**

Program objectives and timetables shall be established to reduce and eliminate underutilization through the equal employment opportunity plan and program. Responsibility for the development of this plan and program is assigned to the Equal Employment Officer. However, responsibility for the implementation of and compliance with this plan and program will be shared by all managers and supervisors. The equal employment opportunity program will be evaluated and

monitored continuously. Periodic reports on the progress of this program will be presented to the Chancellor by the Equal Employment Officer.

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

#### **IV. Applicability**

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

#### **V. Compliance**

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

## V. ANNUAL SECURITY REPORT

### ANNUAL DISCLOSURE OF CRIME STATISTICS 2020

<i>Offense</i>	<i>Crime Statistics – Criminal Homicide</i>					
	<i>Year</i>	<i>On Campus</i>	<i>Residence Halls</i>	<i>Non-Campus Building or Property</i>	<i>Public Property</i>	<i>Unfounded</i>
<i>Murder and Non-negligent</i>	2018	0	0	0	0	0
<i>Murder and Non-negligent</i>	2019	0	0	0	0	0
<i>Murder and Non-negligent</i>	2020	0	0	0	0	0
<i>Negligent Manslaughter</i>	2018	0	0	0	0	0
<i>Negligent Manslaughter</i>	2019	0	0	0	0	0
<i>Negligent Manslaughter</i>	2020	0	0	0	0	0

<i>Offense</i>	<i>Crime Statistics – Sex Offenses</i>					
	<i>Year</i>	<i>On Campus</i>	<i>Residence Halls</i>	<i>Non-Campus Building or Property</i>	<i>Public Property</i>	<i>Unfounded</i>
<i>Rape</i>	2018	2	2	0	0	0
<i>Rape</i>	2019	4	4	0	0	1
<i>Rape</i>	2020	2	2	0	0	0
<i>Fondling</i>	2018	4	3	0	0	0
<i>Fondling</i>	2019	2	1	0	0	0
<i>Fondling</i>	2020	1	1	0	0	0
<i>Incest</i>	2018	0	0	0	0	0
<i>Incest</i>	2019	0	0	0	0	0
<i>Incest</i>	2020	0	0	0	0	0
<i>Statutory Rape</i>	2018	0	0	0	0	0
<i>Statutory Rape</i>	2019	0	0	0	0	0
<i>Statutory Rape</i>	2020	0	0	0	0	0

***Crime Statistics – Criminal Offenses***

<b><i>Offense</i></b>	<b><i>Year</i></b>	<b><i>On Campus</i></b>	<b><i>Residence Halls</i></b>	<b><i>Non-Campus Building or Property</i></b>	<b><i>Public Property</i></b>	<b><i>Unfounded</i></b>
<b><i>Robbery</i></b>	2018	0	0	0	0	0
<b><i>Robbery</i></b>	2019	0	0	0	0	0
<b><i>Robbery</i></b>	2020	0	0	0	0	0
<b><i>Aggravated Assault</i></b>	2018	2	1	0	0	0
<b><i>Aggravated Assault</i></b>	2019	1	1	0	0	0
<b><i>Aggravated Assault</i></b>	2020	0	0	0	0	0
<b><i>Burglary</i></b>	2018	7	7	0	0	0
<b><i>Burglary</i></b>	2019	21	13	0	0	0
<b><i>Burglary</i></b>	2020	30	29	0	0	0
<b><i>Motor Vehicle Theft</i></b>	2018	4	0	0	0	0
<b><i>Motor Vehicle Theft</i></b>	2019	5	0	0	0	2
<b><i>Motor Vehicle Theft</i></b>	2020	8	0	0	0	1
<b><i>Arson</i></b>	2018	0	0	0	0	0
<b><i>Arson</i></b>	2019	0	0	0	0	0
<b><i>Arson</i></b>	2020	0	0	0	0	0

**Crime Statistics – Violence against Women Act (VAWA) Offenses**

<b>Offense</b>	<b>Year</b>	<b>On Campus</b>	<b>Residence Halls</b>	<b>Non-Campus Building or Property</b>	<b>Public Property</b>	<b>Unfounded</b>
<b>Dating Violence</b>	2018	14	11	0	1	0
<b>Dating Violence</b>	2019	36	27	0	1	0
<b>Dating Violence</b>	2020	12	10	0	0	0
<b>Domestic Violence</b>	2018	0	0	0	0	0
<b>Domestic Violence</b>	2019	0	0	0	0	0
<b>Domestic Violence</b>	2020	0	0	0	2	0
<b>Stalking</b>	2018	3	3	0	0	0
<b>Stalking</b>	2019	2	1	0	0	0
<b>Stalking</b>	2020	2	2	0	0	0

**Crime Statistics – Hate Crimes**

<b>Offense</b>	<b>Year</b>	<b>On Campus</b>	<b>Residence Halls</b>	<b>Non-Campus Building or Property</b>	<b>Public Property</b>	<b>Unfounded</b>
<b>No Hate Crime Reported</b>	2018	0	0	0	0	0
<b>No Hate Crime Reported</b>	2019	0	0	0	0	0
<b>No Hate Crime Reported</b>	2020	0	0	0	0	0

**Arrests**

<i>Offense</i>	<i>Year</i>	<i>On Campus</i>	<i>Residence Halls</i>	<i>Non-Campus Building or Non Campus property</i>	<i>Public Property</i>
<i>Liquor Law Violations</i>	2018	11	8	0	0
<i>Liquor Law Violations</i>	2019	1	0	0	0
<i>Liquor Law Violations</i>	2020	0	0	0	0
<i>Drug Abuse Violations</i>	2018	8	6	0	3
<i>Drug Abuse Violations</i>	2019	10	6	0	0
<i>Drug Abuse Violations</i>	2020	3	3	0	0
<i>Weapon Law Violations</i>	2018	0	0	0	0
<i>Weapon Law Violations</i>	2019	1	1	0	0
<i>Weapon Law Violations</i>	2020	0	0	0	0

## Referrals for Disciplinary Actions

<i>Offense</i>	<i>On Campus</i>	<i>Residence Halls</i>	<i>Non-Campus Property</i>	<i>Public Property</i>
<b><i>Liquor Law Violations 2018</i></b>	40	40	0	0
<b><i>Liquor Law Violations 2019</i></b>	42	39	0	0
<b><i>Liquor Law Violations 2020</i></b>	16	16	0	0
<b><i>Drug Abuse Violations 2018</i></b>	77	69	0	6
<b><i>Drug Abuse Violations 2019</i></b>	135	124	0	4
<b><i>Drug Abuse Violations 2020</i></b>	103	67	0	0
<b><i>Weapon Law Violations 2018</i></b>	6	4	0	1
<b><i>Weapon Law Violations 2019</i></b>	1	1	0	1
<b><i>Weapon Law Violations 2020</i></b>	6	6	0	0



\*Total numbers does not mean this is per incident. It is the total number of individuals. For example, the 103 on campus drug referrals is not 103 incidents. Some incidents could have multiple students involved.

## UNIVERSITY POLICY 200.6 - MISSING STUDENT NOTIFICATION

### **Policy Statement**

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

### **Guidelines**

#### *Residential Student Information*

At the beginning of each academic year, a residential student will have the option and will be asked to provide emergency contact information for an individual who would be contacted by the Vice Chancellor for Student Affairs not later than 24 hours after the time that the student has been reported to be missing. A student can register this confidential contact information through the Director of Housing and Residence Life Office. In addition, each student must verify permanent and/or local address prior to registering for classes each semester; this process will occur through the University's BANNER system.

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

The Department of Campus Police and Public Safety will begin its investigation no later than 24 hours after the time that the student is determined to be missing. The Department of Campus Police and Public Safety will notify the National Crime Information Center's (hereinafter referred to as "NCIC") Missing Person File and the Division of Criminal Information (hereinafter referred to as "DCI").

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

### *Notification Procedures*

Any reports of a missing student by residence life staff are to be referred immediately to the Department of Campus Police & Public Safety. If student is determined to be missing, the Vice Chancellor for Student Affairs will contact the individual identified by the student or contact the custodial parent or legal guardian for emancipated students under the age of 18.

### **Roles and Responsibilities**

#### *Department of Police and Public Safety*

The Department of Campus Police & Public Safety, upon notification of a missing student, will conduct a thorough investigation in the manner it deems fit, including but not limited to conducting a thorough investigation and obtain all necessary information as follows:

- securing a description of the person, clothing, who they may be with or where they may be, vehicle description and the physical and mental well being of the individual
- a quick and thorough search of the campus buildings and parking lots using the student's class schedule
- checking access card logs to determine the last time the ID card was used as well as any surveillance video
- requesting assistance from Resident Assistants or others to assist in a search on campus
- issuing an ID card photograph to assist in the identification of the missing student
- Contacting NCIC and DCI after a search has been conducted with negative results

#### *Campus Communications*

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

### **Applicability**

This policy applies University wide.

## **VI. EMERGENCY NOTIFICATIONS – RAMALERTS**

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

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

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

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

University and/or local first responders on the scene of a critical incident or dangerous situation will assist those preparing the Emergency Notification by determining what segment or segments of the university community should receive the notification. Generally, all campus community members will be notified of all situations that require an Emergency Notification. However, if the emergency affects a significant portion of the entire campus, university officials will distribute the notification to the entire campus community.

### **3. Determine the Contents of the Emergency Notifications**

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

### **4. Initiate the Notification**

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

Once Campus Police confirms there is, in fact, a significant emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, WSSU will immediately notify the campus community. In addition, the Police Communications Center will notify the supervising officer on duty in the Department of Police and Public Safety or other appropriate university officials to authorize activations of RamAlert, WSSU's Emergency Notification System.

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

- Senior Public Safety Field Supervisor on Duty
- Chief of Police
- Emergency Management Director
- Chancellor

Once the appropriate official gives authorization, WSSU will immediately notify the campus community utilizing RamAlert. The RamAlert system includes but is not limited to outdoor sirens, e-mail, text, voice alters, TV monitor screen alerts, and network desktop alerts. RamAlert is an Emergency Notification service available to students, faculty, staff, and community partners. Additionally, RamAlert can be used to send an emergency message within minutes of an incident. WSSU performs a university-wide full system test bi-annually in the months of February and September. In addition to the Emergency Notification that may be issued via RamAlert, the university may also post relevant messages about the dangerous condition on the university homepage and or social media sites to ensure the rest of the campus is aware of the situation and the steps they should take to maintain personal and campus safety.

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

#### PROCEDURES FOR DISSEMINATING EMERGENCY INFORMATION TO THE GREATER COMMUNITY

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

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

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

#### ENROLLING IN THE UNIVERSITY'S EMERGENCY NOTIFICATION SYSTEM

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

For complete instructions on registering for RamAlert, please refer to Attachment 1 at the end of this publication. Questions regarding the RamAlert Emergency Notification System should be directed to the [Office of Emergency Management](#).

## **VII. EMERGENCY RESPONSE & EVACUATION PROCEDURES**

### EMERGENCY MANAGEMENT AT WSSU

The Office of Emergency Management is responsible for the Emergency Operation Plan (EOP). This plan is designed to be a comprehensive all-hazards disaster response and emergency management plan that complies with FEMA guidelines for Higher Education that includes planning, mitigation, response, and recovery actions.

Our priorities are:

- Life, safety, infrastructure integrity and environmental protection during an emergency
- Coordination with university department 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

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

### GENERAL CAMPUS EMERGENCY PROCEDURES: SHELTER IN PLACE/LOCKDOWN

**Definition:** A process for taking immediate shelter in a location readily accessible to the affected individual by sealing a single area from outside contaminants or dangers.

**Introduction:** Shelter in Place/Lockdown actions would generally be taken after a chemical accident, active shooter, or terrorist attack. Depending on the exact situation, everyone within a specific distance may be ordered to shelter in place, or people within a closer range may be requested to evacuate while everyone else harbors in place. Sheltering in place is generally only used for a short period of time.

In case of a hazardous material event:

- Select a small interior room with no or few windows
- Close and lock all windows and exterior doors
- Turn off all fans, heating, and air conditioning systems (if trained to do so).
- It is ideal to have a hard-wired telephone in the room you select (cellular telephone equipment may be overwhelmed or damaged during an emergency).
- Use duct tape and plastic sheeting (heavier than food wrap) to seal all cracks around the door and any vents into the room.
- Monitor RamAlerts for further instructions or updates.
- If you are in a car, close windows and turn off vents and air conditioning.

### GENERAL CAMPUS EMERGENCY PROCEDURES: FIRE/EXPLOSION

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

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

### DRILLS, EXERCISES, AND TRAINING

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

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

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

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

## VIII. SECURITY OF & ACCESS TO UNIVERSITY FACILITIES

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

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

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

As of 2018, all residence halls, academic buildings, and the library operate under a computerized Access Control and Security Monitoring System. While the residence halls are locked at times and require identifications cards for access, the academic and library remain open to the public during operating hours. Should an emergency occur that requires a lockdown of the campus, the computerized Access Control and Security Monitoring System can lockdown the buildings on campus.

### SPECIAL CONSIDERATIONS FOR RESIDENCE HALL ACCESS

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

When Campus Police receive a report of an unescorted person in a residence hall, a police officer is dispatched to identify that person. Campus police assign officers 24/7 to patrol the WSSU



campus. Most of these officers spend much of their time patrolling in and around the residence hall complexes. In addition, security officers are assigned to patrol the residence hall areas from 8:00 p.m. until 6:00 a.m. During low-occupancy periods such as holidays and scheduled breaks, students are consolidated into designated buildings and access the university's electronic access control system. During the summer, when groups who are not regularly associated with WSSU are using the university's residence halls, exterior doors are locked 24 hours a day. In addition, each guest is issued an identification card that allows them to gain access to their assigned building via the electronic access control system. Residence Halls are staffed 24 hours per day. Campus Police personnel also conduct regular checks of residence hall areas.

### SECURITY CONSIDERATIONS FOR THE MAINTENANCE OF CAMPUS FACILITIES

The locks, landscaping, and outdoor lighting are designed for safety and security. Sidewalks are designed to provide well-traveled lighted routes from parking areas to buildings and from building to building. Sidewalks and building entrances are illuminated to provide well-traveled lighted routes as well. Twice annually, Safety Walks are conducted to identify areas that may need additional lighting or vegetation maintenance. Nightly, police submit work orders to repair any lights that are not functioning, and the Maintenance Department considers these a priority to repair.

We encourage community members to promptly report any security concerns, including concerns about locking mechanism, lighting, or landscaping, to Campus Police.

### CRIME PREVENTION & SAFETY AWARENESS PROGRAMS

#### Safety, Security, & Crime Prevention Programs

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

The charts below outline some of the programming WSSU Campus Police provides. The chart includes information concerning the type of programming, the frequency, and the targeted audience of the programming.

#### **WSSU Campus Police Programming**

Description	Frequency	Audience
<b>Ramdition:</b> The Campus Police Department meets with all incoming freshmen students and provides information concerning:	Annual	Freshmen Students

<ul style="list-style-type: none"> <li>• Security of the Residence Halls and Residence Rooms</li> <li>• Crime Prevention</li> <li>• Drug, Alcohol, and Weapon Policies</li> <li>• Consent Regarding Alcohol and Sexual Relations</li> </ul>		
<p><b>Police and Public Safety Luau:</b> This event is meant to introduce the Campus Police Department to incoming freshmen and encourage safe behaviors. This event includes:</p> <ul style="list-style-type: none"> <li>• Beer Google Simulation Test</li> <li>• What-If Scenarios concerning By Stander Intervention tips from Police and Public Safety as well as the Campus Counseling Center</li> </ul>	Annual	Freshmen Students
<p><b>Adopt a Hall:</b> This program coordinates a Campus Police Officer with a specific Residence Hall to promote relationships between the students and Campus Police Officers. Officers organize activities such as Coffee with a Cop.</p>	Annual	Resident Students
<p><b>Trust Talks:</b> These events create a forum for open communication between students, Campus and Local Law Enforcement personnel. Talks are designed for students to ask officers about situations before they are actually in those situations to give open and honest feedback about how they be treated before it happens. There is an opportunity for officers to ask questions as well. It opens up dialog between students and police to build trust.</p>	Ongoing	Students
<p><b>Rape Aggression Defense (RAD):</b> A program of realistic, self-defense tactics and techniques for students towards one-hour credit. This comprehensive course begins with awareness, risk reduction, and avoidance that progress on to the basics of hands-on defense training.</p>	Academic Class	Students, Faculty, staff & Approved Guest

## REVENTIONS TIPS

Campus Police patrol the areas around residence halls and are readily available to assist on a 24-hour basis. The emergency contact phone number is 336-750-2911. The Campus Police Department provides services to the university in the following areas: parking and traffic control. Emergency transportation for health services, fire prevention, safety, criminal investigation, and all other activities that affect the welfare of individuals on campus and property contained therein. Security within the residential facilities involves the responsible actions of each resident. The residential facilities are equipped with door locks and uniformed public safety officers who patrol to ensure everyone's safety. For additional information on safety and security, visit the [Police and Public Safety Webpage](#).

### On-Campus Residents

You are responsible for:

- Keeping your room door locked;
- Never prop open an entry door;
- Inviting only guests that you know personally into the building;
- Escorting your guests at all times;

- Never lending or duplicating your room key or campus identification;
- Reporting missing key(s) immediately; and
- Reporting suspicious persons or unescorted individuals immediately to your Resident Advisor (RA)

For your safety, all buildings have:

- Smoke detectors in every room
- Sprinklers
- Fire extinguishers
- Automated external defibrillators
- Emergency lighting and exit lights

#### Safety Tips

- NEVER smoke in bed or within a residential facility.
- Locate fire exits and check for possible obstructions
- Locate fire alarms and fire extinguishers
- Keep your room or apartment key(s) in a safe place, such as on a table next to your bed.
- If you leave your room or apartment unit, lock the door, and take the key(s).
- Campus Police's emergency phone number is 336-750-2911.

#### Physical Security

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

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

#### General Security Habits

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

- Remember that there is strength in numbers. Travel in groups. Call the WSSU Police & Public Safety Department if an escort if you are traveling across campus alone at night.

### Safety While Driving

- Park in well-lit, well-traveled areas.
- Remember where you park. Have your keys ready so you can enter your car quickly.
- Ask for an escort if you do not feel safe. After dark for an escort on campus, use the Safe Ride from 8 p.m. until 3 a.m. or call the WSSU Campus Police and Public Safety Department at (336) 750-2900.
- Always keep your car doors locked and windows rolled up, especially when you are inside.
- Before entering your car, visually check inside, under, and around it to ensure no one is hiding.
- If you find anything wrong with your car, go back inside a building and get help.
- Be wary of anyone standing by or offering assistance; they may have sabotaged it in the first place.
- Always keep your car in good running order with at least a quarter tank of gas.
- If you have a flat tire in an unsafe place, drive on at a reduced speed until you get to a safe place to stop.
- If your car breaks down, remain in the vehicle with the windows up and the doors locked. If someone stops, ask them through the window to call the police.
- Please do not stop to help other motorists but instead call for help for them at your earliest convenience.
- While driving or stopped at intersections, try to leave enough room between yourself and the vehicle in front of you to provide an escape route.
- If someone tries to enter your car and you cannot move, honk the horn and yell. If someone gets in, throw out the keys and get out immediately.
- Carjackers may “bump” you in traffic or at an intersection. Then, when you exit your vehicle to view the damage, an accomplice will jump in your car and drive it away. If another car bumps you, memorize the car's description (and license number if you can), signal the other car to follow you, and drive to the nearest police station or a busy, well-lit area.
- If you get out of your car, take your keys and your wallet or purse with you.
- If you are being followed or harassed, drive to the nearest safe place where there are people.

- Know where you are going, the safest route to take, and what time you should arrive. Have someone monitor your arrival.
- In North Carolina, unmarked police cars must use blue lights and sirens if they stop you after dark.

### Safety While Walking

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

## **IX. STUDENT CONDUCT**

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

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

### **University Policy 301.8 - Student Code of Conduct**

#### **Policy Statement**

The university community respects certain principles that govern socially and academically acceptable standards of good conduct and behavior. All community members, including students, are expected to conduct themselves in accordance with the regulations of the university and to comply with municipal, state, and federal laws. Violations of campus or University policies, rules, or regulations, or federal, state, or local law may violate the Student *Code of Conduct* and imposition of student discipline. The *Code of Conduct* provides the framework for identifying the standards of behavior and minimum due process requirements for addressing or adjudicating violations. The Chancellor has the authority to create or modify disciplinary measures, processes, and penalties of the *Code of Conduct* in accordance with procedural and substantive due process safeguards applicable to disciplinary actions as required by Section 502D(3) of The Code of The UNC Board of Governors, Policy 700.4.1 of the UNC Policy Manual, and applicable campus policies, as they may be amended from time to time. Where there is a conflict between The Code of The UNC Board of Governors and this *Code of Conduct*, then The Code of The UNC Board of Governors will control.

#### **Applicability**

This policy applies to Winston-Salem State University students.

#### **See Appendix C for Student Code of Conduct**



## THE OFFICE OF COMMUNITY STANDARDS & CIVILITY

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

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

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

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

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

Office of Community Standards & Civility  
Winston-Salem State University  
C.F. Thompson Center, Suite 300  
(336) -750-3356

## PARENTAL NOTIFICATION POLICY

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

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

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

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

#### DISCLOSURE OF DISCIPLINARY PROCEEDINGS RESULTS

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

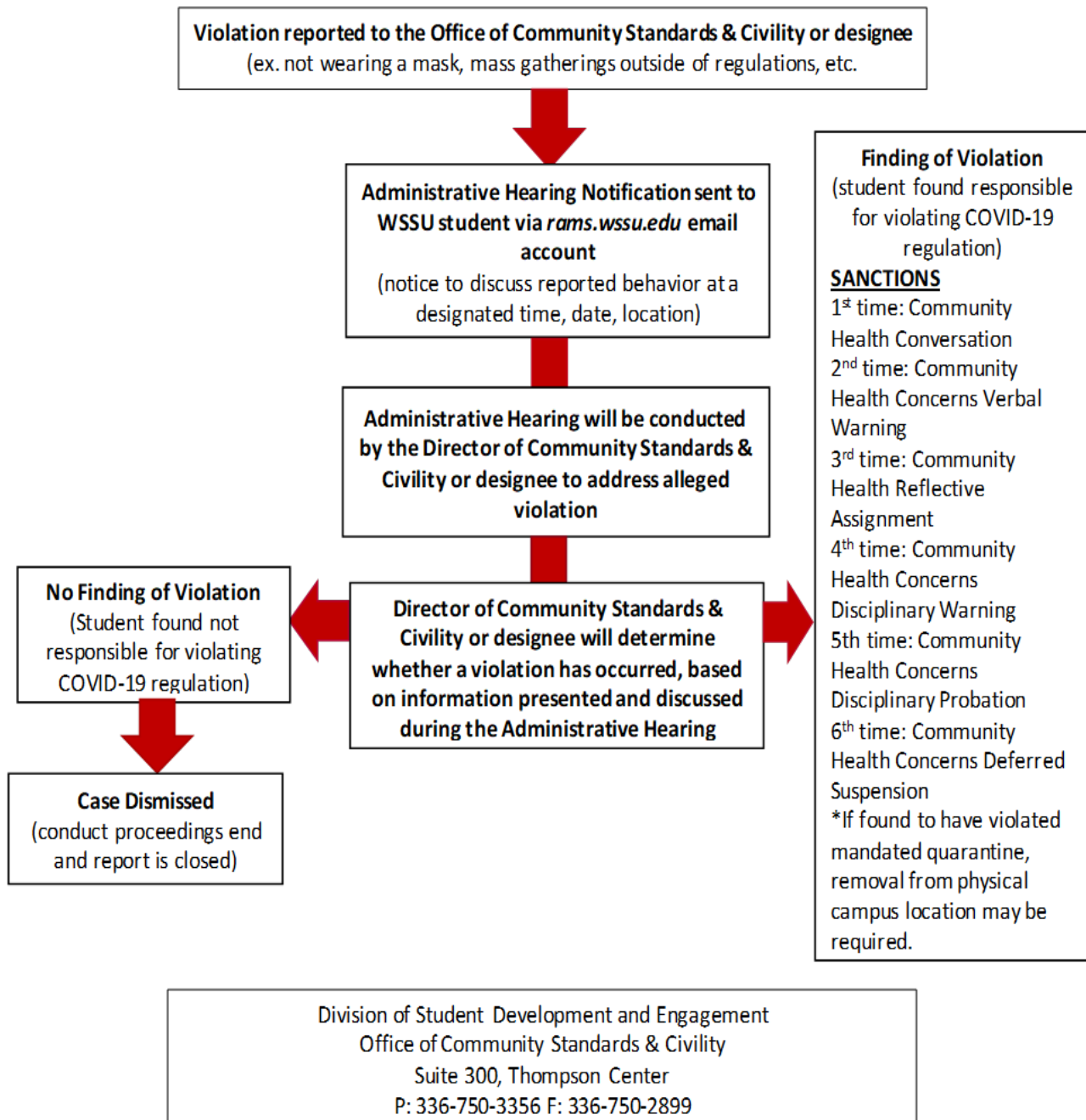
For the purpose of this policy, the term "crime of violence" is defined in Section 16 Title 18, United States Code:

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



## Disciplinary Violations of COVID-19 Guidelines Flow Chart

This flow chart will be used by the Office of  
Community Standards & Civility or designee to  
address violations of COVID-19 provisions by WSSU  
students





# WINSTON-SALEM STATE UNIVERSITY

## SANCTIONS FOR COVID-19 GUIDELINES INFRACTIONS

In an effort to educate students on safe behaviors to stop the spread of COVID-19 in the Winston-Salem State University community, the university requires the use of a mask and the practice of social distancing when entering any WSSU building and while in all academic settings (including but not limited to classrooms, laboratories, lecture halls) per UNC System guidance. The use of a mask will also be highly encouraged by all faculty, staff, students, contractors, vendors, suppliers, and visitors while residing in non-academic spaces (including but not limited to hallways, elevators, public spaces, and common areas). Face coverings are highly encouraged to be worn in public shared office spaces and outdoor spaces where physical distancing is challenging to maintain. Wearing a face covering is not required when alone in a personal office or in individual residence hall rooms. Failure to comply with the regulations surrounding COVID-19 guidelines will result in sanctions from the Office of Community Standards & Civility. The sanctions are the following:

**1<sup>st</sup> violation of responsibility- Community Health Conversation:** During the educational conversation, the Director of Community Standards & Civility or designee will communicate with the student on the importance of following CDC regulations and public safety guidelines pertaining to COVID-19 best practices. The student will have time to reflect on his or her actions and with the established guidelines. The student will further share what he or she could have done better to avoid the infraction and how, as a member of the WSSU community, the student can protect the safety of fellow Rams. The educational conversation will be documented in the Maxient Student Conduct System along with all adequate documentation of the incident.

**2<sup>nd</sup> violation of responsibility- Community Health Concerns Verbal Warning:** The Director of Community Standards & Civility or designee will reflect with the respondent student on his/her actions and reiterate the importance of following CDC regulations and public safety guidelines pertaining to COVID-19 best practices for the university community. The verbal warning will be documented in the Maxient Student Conduct System along with all adequate documentation of the incident.

**3<sup>rd</sup> violation of responsibility- Community Health Reflective Assignment:** The Director of Community Standards & Civility or designee will reflect with the respondent student on his/her actions. The student will receive an educational sanction. For example, the student will be asked to write a reflective essay or have a conversation on the importance of the Mask Wearing Guidelines from the university and the state of North Carolina during the COVID-19 pandemic. The student will be asked to select the type of inquiry he/she would like to conduct in order to best meet their learning style, such as interviewing a health care practitioner or reading information from the CDC, medical journal, etc. then be required to write a reflective essay or converse with

the Director of Community Standards & Civility or designee, detailing best practices for reducing the spread of COVID-19, how his or her direct actions could have negatively impacted that working/living community in which the student was residing in during the time of the infraction, detail how the experience has impacted the student's working knowledge of COVID-19, and how the student can use the experience to educate their fellow rams. The educational sanction will be documented in the Maxient Student Conduct System, along with all adequate documentation of the incident.

**4<sup>th</sup> violation of responsibility- Community Health Concerns Disciplinary Warning:** The Director of Community Standards & Civility or designee will sanction the student with Disciplinary Warning for the student's fourth violation of the regulations. Disciplinary Warning means that an official reprimand is provided in writing that advises a student's need to confirm his or her behavior to the WSSU Students' Code of Conduct and further advises that any subsequent violation of the same nature by the student within a two (2) year period will automatically result in Disciplinary Probation. The Director of Community Standards & Civility or designee will also reflect with the respondent student on his/her actions, discuss why the student is a repeat offender of the guidelines, and reiterate the importance of following the University's community standards. The Disciplinary Warning will be documented in the Maxient Student Conduct System, along with all adequate documentation of the incident.

**5<sup>th</sup> violation of responsibility- Community Health Concerns Disciplinary Probation:** The Director of Community Standards & Civility or designee will sanction the student with Disciplinary Probation for the student's fifth violation of the regulations. For repeated COVID-19 violations, Disciplinary Probation means the loss of designated social privileges for one semester. Designated social privileges include but are not limited to: varsity sports, intramural sports, the band(s) and choir(s), cheerleading squad(s), fraternities and sororities, participation in student organizations, serving in a leadership capacity in any student organization, or the right to represent the University in any specific activity. The Director of Community Standards & Civility or designee will also reflect with the respondent student on his/her actions, discuss with the student about any underlying behaviors which are causing the student to be a repeat offender of the guidelines, and reiterate the importance of following the University's community standards. If a student has reached this level of infractions for violations of the COVID-19 regulations, his or her case may also be forwarded to the Care Team to discuss/assess any behavioral issues which are inhibiting the student's ability to remedy the infractions from an educational perspective. The Disciplinary Probation will be documented in the Maxient Student Conduct System, along with all adequate documentation of the incident.

**6<sup>th</sup> violation of responsibility- Community Health Concerns Deferred Suspension (one semester):** The Director of Community Standards & Civility or designee will sanction the student with Deferred Suspension for the student's sixth violation of the regulations. Deferred Suspension is used for offenses found serious enough to warrant a suspension, but where the specific circumstances of the case mitigate the offense or for repeated offenses of a less serious nature. For repeated COVID-19 violations, Deferred Suspension means, for one semester, a student is given the opportunity to demonstrate the ability to abide by the community's expectations of behavior

articulated in the WSSU Students' Code of Conduct. The Director of Community Standards & Civility or designee will also reflect with the respondent student on his/her actions, discuss with the student about any underlying behaviors which are causing the student to be a repeat offender of the guidelines, reiterate the importance of following the University's community standards, and inform the student that any further infractions to the Code will result in suspension from the university for a minimum of one semester. The Deferred Suspension will be documented in the Maxient Student Conduct System, along with all adequate documentation of the incident.

## **X. WSSU POLICIES GOVERNING ALCOHOL AND OTHER DRUGS**

### **DRUG-FREE SCHOOLS AND COMMUNITIES ACT**

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

### **UNIVERSITY POLICY 900.14 - ALCOHOL**

#### **Executive Summary**

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

#### **Policy Statement**

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

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

#### **Guidelines**

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

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

1. Under no circumstances may any type of alcoholic beverage be sold by any persons or organizations or corporations on the campus of Winston-Salem State University, excluding previously cited exceptions.
2. It shall be unlawful for any person to consume any malt beverage or wine - fortified or unfortified – in any public place or upon any public street or upon the private business premises of WSSU, or liquor/whiskey in any public place, upon any public or university street or parking area, upon the private business premises of the university, or in or around any residence hall or institutional facility or building without the permission of the Chancellor.
3. It is unlawful for anyone to aid or abet a person under 21 years of age in purchasing, possessing, or consuming alcoholic beverages.
4. University-sponsored off-campus affairs at which alcoholic beverages are served shall be governed by all applicable local, state, and federal laws.
5. Drunkenness coupled with disorderly conduct will not be tolerated. The institution will impose disciplinary sanctions on students and employees (consistent with local, state, and federal laws), up to and including expulsion or termination of employment and referral for prosecution for violations of the standards of conduct. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

### **Applicability**

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

### ENFORCEMENT OF STATE UNDERAGE DRINKING LAWS

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

### UNDERAGE DRINKING – NCGS § 18B - 302

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



### FALSE IDENTIFICATIONS – NCGS § 18B - 302

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

1. A fraudulent or altered driver's license
2. A fraudulent or altered identification document other than a driver's license
3. A driver's license issued to another person
4. An identification document other than a driver's license issued to another person
5. Any other form or means of identification that indicates or symbolizes that the person is not prohibited from purchasing or possessing alcoholic beverages.

A violation constitutes a Class 3 misdemeanor.

### PUBLIC INTOXICATION – NCGS § 14-444

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

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

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

### DRIVING WHILE IMPAIRING (DWI) AND REFUSING A CHEMICAL TEST – NCGS § 20-138.1

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

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

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

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

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

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

### TRANSPORTING AN OPEN CONTAINER – NCGS § 20-138.7

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

1. While there is an alcoholic beverage in the passenger area in other than the unopened manufacturer's original container; and
2. While the driver is consuming alcohol or while alcohol remains in the driver's body.
3. A violation constitutes a Class 3 misdemeanor for the first offence and shall be a Class 2 misdemeanor for a second or subsequent offense.

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

## UNIVERSITY POLICY 800.8 ILLEGAL DRUGS

### **Policy Statement**

Winston-Salem State University's Board of Trustees is committed to the proposition that students, faculty, and staff should be able to engage in the scholarly pursuits of teaching, learning discourse, and research free from illegal drug use and/or abuse. Knowing the dangers of illicit drug use, the Board of Trustees has adopted a policy to safeguard the welfare and integrity of the University community. The University rules and regulations on illegal drugs are designed to promote academic integrity and an appropriate learning atmosphere for students, faculty members, administrators, and all other employees. To accomplish these goals, the possession, use, and/or trafficking of illegal drugs is strictly prohibited at Winston-Salem State University. Students, faculty members, administrators, and other employees of Winston-Salem State University are responsible, as citizens, for knowing about and complying with the provisions of North Carolina law that make it a crime to possess, sell, deliver or manufacture those drugs designated collectively as "controlled substance" (Article 5 of Chapter 90 of the North Carolina General Statute). Any member of the university community who violates this law is subject both to prosecution and punishment under state criminal law and to disciplinary proceedings by Winston-Salem State University. The University will impose penalties in the event of a violation of state and federal drug laws consistent with due process.

### **Guidelines**

#### Education, Counseling, and Rehabilitation

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

1. Publicizing the University's policy in the Student Code of Conduct, the undergraduate and graduate catalogs, the Faculty Handbook, and other publications distributed to students, faculty, administrators, and other employees;
2. Continuing and expanding the drug education program conducted by Student Health Services
3. Continuing development of courses on drug education;
4. Increasing the awareness and utilization of the State's Employee Assistance Program (EAP), and local Drug Abuse Prevention Programs;
5. Encouraging academic departments to address substance abuse inappropriate health and physical education courses;

6. Emphasizing the incompatibility of the use or sale of illegal drugs with the goals of the university;
7. Emphasizing the ways in which illegal drugs jeopardize an individual's present accomplishments and future opportunities;
8. Highlighting the medical implications of the use of illegal drugs; and
9. Stressing the legal consequences of involvement with illegal drugs

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

#### Campus-Based Resources

1. Drug Prevention/Education Programs
2. Seminars
3. Films
4. Videocassette Presentations
5. Use of the Campus Radio Station
6. Student Newspaper (News-Argus)
7. Development of courses on drug education
8. Evaluation and referral services of the Counseling Center for out-patient and in-patient rehabilitation
9. Consultation and evaluation portions of the Student Health Service's drug education program

#### Community-Based Resources

1. Step One
2. Alcoholism Residential Care Authority (ARCA)

3. Salem Psychiatric Associates
4. Reynolds Health Center
5. Forsyth-Stokes Mental Health Center
6. Winston-Salem/Forsyth County Coalition on Alcohol and Drug Problems
7. State Employee Assistance Program

#### Notification of Law Enforcement Personnel

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

### **Roles and Responsibilities**

#### Implementation and Reporting

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

### **Applicability**

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

### **Compliance**

#### Enforcement and Penalties

1. WSSU shall take all actions necessary, consistent with state and federal law and applicable University policy, to eliminate illegal drugs from the university community. The institutional policy on illegal drugs shall be publicized in catalogs and other materials prepared for all enrolled and prospective students and in materials distributed to faculty members, administrators, and other employees.
2. Students, faculty members, administrators, and other employees are responsible, as citizens, for knowing about and complying with the provisions of North Carolina law that make it a crime to possess, sell, deliver, or manufacture those drugs designated collectively as "controlled substances" in Article 5 of Chapter 90 of the North Carolina General Statutes. Any member of the University community who violates that law is subject to both prosecution and punishment by the civil authorities and to disciplinary proceedings by the University. It is not "double jeopardy" for both the civil authorities and the University to proceed against and punish a person for the same specified conduct. The University will initiate its own disciplinary proceeding against a student, faculty member, administrator, or other employee when on-campus use, possession, or distribution of illegal drugs or improper use, possession, or distribution of prescription drugs is discovered and when the alleged conduct is deemed to affect the interests of the University. Conduct involving illegal drugs beyond campus boundaries may be considered harmful to the University. Disciplinary action may be instituted when such conduct occurs within Forsyth County and has resulted in felony-level charges of possession/trafficking.
3. Penalties will be imposed by the University in accordance with procedural safeguards applicable to disciplinary actions against students, faculty members, administrators, and other employees, as required by Section 502D (3) and Section 603 of The Code, by Board of Governor's policies applicable to other employees exempt from the State Personnel Act, by regulations of the State Personnel Commission, and by Faculty Tenure Regulations and the Student Handbook. The penalties to be imposed by the university may range from written warnings with probationary status to expulsions from enrollment and discharges from employment. However, the following minimum penalties will be imposed for the particular offenses described:

A. Trafficking in Illegal Drugs

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

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

#### B. Illegal Possession of Drugs

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

#### Suspension Pending Final Disposition

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

#### Enforcement of Federal and State Drug Laws

Winston-State University Police Officers enforce federal and state drinking laws as well as university policies. Any violations of this law by members of the university community subject the individual to prosecution both by university disciplinary proceedings and by civil authorities.

The university cannot attempt to shield students or employees from criminal prosecution by handling the matter through the university disciplinary process.

### *Controlled Substance Offenses - NCGS § 90-95*

It is illegal for any person to:

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

### **Possession of Small Amount of Marijuana**

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

### **Synthetic Marijuana**

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

### *Possession of Drug Paraphernalia Offenses N. C. G. S. § 90-113.22*

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

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



Violation of this section is a Class 1 misdemeanor.

### RISKS ASSOCIATED WITH DRUG AND ALCOHOL ABUSE

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

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

## DRUG AND ALCOHOL ABUSE EDUCATION PROGRAMS

Winston-Salem State University is in the process of establishing and maintaining a comprehensive program designed to help all members of the university community understand and avoid drug and alcohol abuse.

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

### *Resources for Students*

In summer 2013, WSSU implemented AlcoholEdu for College for all new incoming first-time freshman students. Each year incoming freshmen are required to complete the AlcoholEdu online course. WSSU also utilizes AlcoholEdu as a resource for other student interest groups that have been through the disciplinary process or referred to the Wellness Center.

Other programs and resources are offered to the student community:

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

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

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

### *Resources for Employees*

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

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

Employees are also welcomed to attend awareness and prevention events that take place on campuses such as Safety Day or the Police and Public Safety Luau.

## **XI. WSSU RESPONSE TO SEXUAL MISCONDUCT & GENDER VIOLENCE**

Winston-Salem State University believes that acts of sexual misconduct are reprehensible. WSSU prohibits dating violence, domestic violence, sexual assault, and stalking as defined by the Clery Act. Students and employees have the right to be free from abuse, personal force and violence or threats of violence. All students and employees are expected to conduct themselves in a manner that does not fringe upon the rights of others.

WSSU has in place policies and procedures to handle claims of sexual harassment and sexual violence. In addition, WSSU is dedicated to providing programming to students and staff in an effort to prevent dating violence, domestic violence, sexual assault, and stalking.

The following section outline WSSU's policies, procedures, and educational programming pertaining to sexual harassment and sexual violence. Readers will also find information concerning campus and community resources, risk reduction tips, and safe options for bystanders. The information addressed in this section applies to all students, faculty, staff, contractors, and visitors.

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

Office of Equal Employment Opportunity/Affirmative Action and Diversity

Blair Hall, Suite 115

Aniya Sutton Ward  
Interim Title IX Coordinator  
(336) 750- 8760

Quentin D. Gunter  
Equity & Inclusion Specialist  
(336) 750-8759

**See Appendix B for Complaints Involving Students**

## Defining Clery Act Crimes under the Violence against Women Act Amendments

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

### *Definitions for Clery Reporting*

Crime	Definition
Dating Violence	Violence is committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with the consideration of: a. The length of the relationship b. The type of relationship c. The frequency of interaction between the persons involved in the relationship.
Domestic Violence	A felony or misdemeanor crime of violence committed by: a. A current or former spouse or intimate partner of the victim b. by a person with whom the victim shares a child in common c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner d. by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred or e. By any person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred
Sexual Assault	Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
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 the victim.
Fondling	The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
Incest	Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
Statutory Rape	Sexual intercourse with a person who is under the statutory age of consent.
Stalking	Engaging in a course of conduct directed at a specific person that would cause a reasonable person to FEAR for the person's safety or the safety of others or suffer substantial emotional distress.

	<p>a. ‘Course of Conduct’ means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.</p> <p>b. ‘Reasonable person’ means a reasonable person under similar circumstances and with similar identities to the victim.</p> <p>c. ‘Substantial emotional distress’ means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.</p>
Sexual Harassment	<p>To conduct on the basis of sex that satisfies one or more of the following:</p> <p>a. An employee of the institution conditioning the provisions of an aid, benefit, or service of the institution on an individual’s participation in unwelcome sexual conduct;</p> <p>b. Unwelcome conduct determined by a reasonable person to be severe, pervasive, and objectively offensive that it effectively denies a person equal access to the institution’s education program or activity.</p>

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

### First Degree Rape – NCGS § 14-27

A person is guilty of rape in the first degree if the person engages in vaginal intercourse:

1. With a victim who is a child under age 13 years old and the defendant is at least 12 years old and is at least 4 years older than the victim;
2. With another person by force and against the will of the other person and; employs a dangerous or deadly weapon, or an article which the other person reasonably believes to be a dangerous or deadly weapon; or inflicts serious personal injury upon the victim or another, by one or more other persons.

### Second Degree Rape – NCGS § 14-27

A person is guilty of rape in the second degree if the person engages in vaginal intercourse with another person:

1. By force and against the will of the other person; or
2. Who is mentally defective, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know that the other person is mentally, or physically, helpless.

### First Degree Sexual Assault – NCGS § 14-27

A person is guilty of a sexual offense in the first degree if the person engages in a sexual act:

1. With a victim who is a child under the age of 13 years and the defendant is at least 12 years old and is at least 4 years older than the victim.
2. With another person by force and against the will of the other person and:
  - a. Employs a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon, or
  - b. Inflicts serious personal injury upon the victim or another, by one or more other persons, or
  - c. The person commits the offense aided and abetted by one or more other persons.

### Second Degree Sexual Assault – NCGS § 14-7

A person is guilty of a sexual offense in the second degree if the person engages in a sexual act:

1. By force and against the will of the other person, or
2. Who is mentally defective, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know the other person is mentally, or physically helpless.

### Statutory Rape – NCGS 14-27

A person is guilty of statutory rape if the person engages in vaginal intercourse or a sexual act with another person:

1. Who is 13, 14, 15 years old and the defendant is at least six years older than the person except when the defendant is lawfully married to the person.
2. Who is 13, 14, 15 years old and the defendant is more than four but less than six years older than the person except when the defendant is lawfully married to the person.

### Domestic Violence – NCGS § 50B-1

A person guilty of domestic violence if the person engages in one or more of the following acts upon an aggrieved party or upon a minor child residing with or in the custody of the aggrieved party by a person with whom the aggrieved party has or has had a personal relationship:

1. Attempting to cause bodily injury, or intentionally causing bodily injury; or
2. Placing the aggrieved party or a member of the aggrieved party's family or household in fear of imminent serious bodily injury or continued harassment, as defined in G.S. 14-277.3A (stalking), that rises to such a level as to inflict substantial emotional distress; or
3. Committing any act defines in G.S. 14-27.2 (First-Degree Rape) through G.S. 14-27.7 (other sex-based offenses).

### Stalking – NCGS § 14-277

A person is guilty of stalking if the person willfully, on more than one occasion, follows or is in the presence or otherwise harasses another person without legal purpose with the intent to:

1. Place the person in reasonable fear for that person's safety or for the safety of that person's immediate family or close personal associates or
2. Cause the person substantial emotional distress by placing the person in fear of death, bodily injury, or continued harassment, and that in fact causes the person substantial emotional distress.

### Consent

North Carolina does not have a state statute defining consent to sexual activity. WSSU's [Sexual Misconduct & Gender-Based Harassment Policy](#) and [Complaints Involving Students Procedures](#) provide the following definition and guidance concerning consent.

This means there must be clear and willing participation, through words or actions, for each sexual act. Submission to sexual activity that is the result of force, coercion, or threats is not valid consent.

Consent to one type of sexual activity does not imply consent to other types of sexual contact. There must be consent at every stage of the sexual encounter. Past consent to sexual activity does not imply consent to future sexual activity. Consent can be withdrawn at any time, including in the middle of a sexual encounter, if the withdrawal of consent is clearly indicated by words or actions.

Individuals who are incapacitated by voluntary or involuntary alcohol or drug use (legal, illegal, or prescription); asleep, unconscious, mentally impaired by disease or illness, or under 18 years old cannot give consent to sex (no matter what they say or do). If there is any question regarding whether a person may be incapacitated, do not engage in any type of sexual activity with that person.



Consent to sexual activity must be knowing,  
Intelligent, unambiguous, and voluntary.  
Consent is active, not passive.

### Dating Violence

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

Additionally, WSSU's [Complaints Involving Students Procedures](#) state the following about dating and domestic violence.

There are many forms of dating and domestic violence:

1. Physical Abuse – Dating and domestic violence that includes, but is not limited to, hitting, shoving, slapping, pushing, punching, burning, and stabbing. It can also include withholding someone from receiving needed medical care or medication.
2. Sexual Abuse – Dating and domestic violence that includes, but is not limited to, forced sex or forcing someone to have sex without protection, with an object, or with another person.
3. Psychological and Emotional Abuse – Dating and domestic violence that includes, but is not limited to, controlling someone's behavior or actions, isolating a person from friends and family, making threats against a person, their family, friends, colleagues, or pets using social media to make threats, and verbal abuse.
4. Economic Abuse – Dating and domestic violence that includes, but is not limited to, taking a partner's money, or not allowing a person, or disrupting a person's ability to work or go to school.

Dating violence is a pattern of controlling behaviors

Used by one partner to control the other partner.

### **Procedures Victims Should Follow**

Victims often have difficulty reporting a sexual assault for numerous reasons, such as knowing the perpetrator, fear of retaliation, fear of parents knowing about the incident, or fear of getting in trouble with law enforcement. Despite these concerns, it is vital to report such incidents to get help. The following information provides steps to follow should a sexual assault occur:

- Get to a safe place as soon as possible.
- Try to preserve all physical evidence. The victim should not bathe, shower, brush teeth, douche, use the toilet, or change clothing until s(he) has a medical exam.
- Contact a close friend or relative who can provide support and accompany the victim to the medical exam and/ or the Winston-Salem State University Police Department. Family Service of the Piedmont provides a 24-hour crisis line (336) 273-7273 to victims for support and provides an advocate upon request. Our office has a MOU with Forsyth Family Services here in Winston-Salem. They may be reached at (336) 722-4457. Get medical attention as soon as possible; an exam may reveal the presence of physical injury of which the victim is unaware. Following a sexual assault, antibiotics are typically given at the time of the exam to help prevent the victim from acquiring certain sexually transmitted diseases. Emergency contraceptive pills are offered to all victims at the time of the exam (if the victim presents within 120 hours), to help prevent pregnancy from occurring as a result of the rape. If the victim reports memory loss, loss of consciousness, or other circumstances suspicious for a drug-facilitated assault, a urine test may be done if the victim presents within 96 hours. Please note some of the commonly used “date rape” drugs are only detectable in the urine for 6-8 hours after ingestion. It is important to remember that simply reporting a crime is not the same as prosecuting the crime. The decision to prosecute may be made at another time. The final decision to prosecute is determined by the district attorney.
- Consider talking to a counselor. Seeing a counselor may be important in helping the victim understand his/her feelings and begin the process of recovery. Winston-Salem State University counselors are trained to assist victims immediately and make referrals to community agencies.
- If an incident of sexual assault, domestic violence, dating violence, or stalking occurs, it is important to preserve evidence to aid in the possibility of a successful criminal prosecution or obtaining a protection order. The victim of a sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical exam. Any clothing removed should be placed in a paper bag. Evidence of violence, such as bruising or other visible injuries, following an incident of domestic or dating violence, should be documented, including through the preservation of photographic evidence. Evidence of stalking, including any communication, such as written notes, voice mail, or other electronic communications, should be saved and not altered in any way.

## **Reporting Incidents**

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

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

Students can report an incident using the electronic student discipline system, [Incident Reporting Form](#) available from the Office of Student Conduct website. Students may also contact the Office of Equal Employment (EEO), Opportunity/ Affirmative Action (AA) & Diversity and Title IX at 336-750-8759, Blair Hall 115. In addition, students who reside on campus can report said incident to either their residence assistant (RA) or the hall director (HD), who in turn will file the report via Maxient. Student reports can also be received by The Division of Student Affairs as that division works collaboratively with the Office of EEO/AA & Diversity and Title IX.

Employees may report to the Office of EEO/AA & Diversity and Title IX at 336-750-8759, Blair Hall 115.

Any student or employee, who reports an incident of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off-campus, shall receive a written explanation of their rights and options.

## **Accommodations**

Whether or not a student or employee reports to law enforcement and/or pursues any formal action, Winston-Salem State University is committed to providing them as safe a learning or working environment as possible. Upon request, Winston-Salem State University will make any reasonably available change to a victim's academic, living, transportation, and or working situation. Students and employees may contact the Office of EEO/AA & Diversity and Title IX at 336-750-8759, Blair Hall 115, for assistance. In the case of an alleged incident of dating violence, domestic violence, sexual assault or stalking, WSSU will provide written notification to victims about options for available assistance and how to request changes to academic, living, transportation and working situation or protective measures. Accommodations and protective measures at WSSU minimize the burden on the victim.

Winston-Salem State University is committed to protecting victims from any further harm. The Office of EEO/AA & Diversity and Title IX at 336-750-8759, Blair Hall 115 may issue a temporary no-contact order pending the outcome of any conduct proceeding. If a victim reports to

Campus Police or another local law enforcement agency, the agency may assist them in obtaining a 50-B (no contact/restraining order) from a criminal court. Winston-Salem State University is committed to ensuring that any such order is fully upheld on all institutionally owned and controlled property.

### **Victim Confidentiality**

Winston-Salem State University recognizes the sensitive nature of sexual harassment/ violence and is committed to protecting the privacy of any individual who reports an incident of sexual harassment or sexual violence. Varying levels of privacy protection for victims are available with different offices on campus.

- Complete confidentiality can only be maintained by the university counselors in the Counselling Center. Reports made to university counselors will ensure that personally identifying information about the victim will not be made public.
- Unless confidentiality prevents the institution from providing accommodations or protective measures, WSSU will keep such measures confidential.
- Reports made to law enforcement, including if criminal prosecution is pursued, may be made public in accordance with N.C.G.S. 132-1.4 and shared with the accused.
- Winston-Salem State University ensures that all publicly available recordkeeping, including Clery Act reporting and disclosures, do not contain any personally identifying information.

### **Notice of Representation**

Students or student organizations that plan to have a licensed attorney or non-attorney advocate represent them during a disciplinary procedure must notify the administration that administers the disciplinary procedure (ex. the Office of Student Conduct, Office of Dean of Students, etc.) in writing of the attorney's or advocate's planned participation in a disciplinary procedure. This notice must specify:

- The identity of the licensed attorney or non-attorney advocate
- Whether the individual is a licensed attorney or a non-attorney advocate; and
- An address, telephone number, and email address where the licensed attorney or non-attorney advocate can be reached

To notify our office of who will be your attorney or non-attorney/advocate during the disciplinary proceedings, you must submit a certification using the "Notice of Attorney or Non-Attorney/Advocate Representation" form signed by the licensed attorney or non-attorney advocate stating that the licensed attorney or non-attorney advocate has read in their entirety and understood the following documents:

- The applicable Disciplinary or Conduct Rules
- Any additional rules, policies, or guidelines that Winston-Salem State University has enacted for its Disciplinary Procedure consistent with this Interpretive guidance
- Section 700.4.1. of the UNC Policy Manual

### **FERPA Authorization for Student(s) Involved in Disciplinary Process**

In order for a licensed attorney or a non-attorney advocate to represent a student or student organization during a disciplinary procedure or to speak with an official of Winston-Salem State University regarding the student or the members of a student organization, the student(s) involved in the disciplinary process must complete and submit a written authorization that meets the requirements of a valid consent as specified by the Family Educational Rights and Privacy Act (FERPA). Even if a student executes a valid FERPA consent authorizing the licensed attorney or non-attorney advocate to receive information or documents regarding the student, Winston-Salem State University may at all times correspond directly with the student or student organization. It is the student's or student organization's responsibility to communicate and share information with a licensed attorney or non-attorney advocate. The Winston-Salem State University office that administers the disciplinary procedure can supply students with an approved authorization form that meets the elements of valid consent in accordance with FERPA.

If you have any comments, questions, or concerns, feel free to contact the Office of the Dean of Students or Office of Student Conduct at 336-750-3356.

## **XII. CONDUCT PROCEEDINGS FOR TITLE IX**

From the Student Code of Conduct

WSSU's Office of EEO/AA & Diversity, which houses the Title IX Department, does not conduct judicial hearings. Per the resolution procedures above, at the conclusion of the investigation, the investigator's written report is submitted to the Office of Student Conduct. Below are the hearing procedures, standard of proof and possible sanctions should a hearing take place. These procedures can be found on the [Student Code of Conduct Webpage](#).

**See Appendix C for Student Code of Conduct**

### **XIII. SEX OFFENDER REGISTRATION**

#### **Campus Sex Crimes Prevention Act 35 CFR 68.46(b)(12)**

In accordance with the “Campus Sex crimes Prevention Act” (CSCPA) of 2000, which amends the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act and the Jeanne Clery Act, the Winston-Salem State University Campus Police Department provides links to the Forsyth County Sheriff’s Department Sex Offender website and the North Carolina Sex Offender and Public Protection Registry.

This act requires institutions of higher education to issue a statement advising the campus community where to obtain law enforcement information provided by the State concerning registered sex offenders. The Campus Sex Crimes Prevention Act also requires sex offenders to register and to provide notice to each institution if they are employed, have a vocation or are a student at a place of higher education. North Carolina law requires sex offenders that have been convicted of certain offenses to register with their county sheriff. Information about offenders is then entered into the Registry database by the sheriff’s office and transmitted to the NC SBI.

#### **Note:**

The NC SBI collects information submitted by the sheriffs in all 100 counties in the state and makes it available to the public via the Sex Offender and Public Protection Registry website.

The Forsyth County Sheriff’s Department is responsible for maintaining the database in Winston-Salem.

Sex offenders must go to the Sheriff’s Department every 3 to 6 months, depending on the degree in which they were charged to verify their address. The Sheriff’s Department, by statute can also perform random address checks of a sex offender within the county to ensure compliance with the laws. Sex offenders must notify the Sheriff’s Department when they start the school semester, end the school semester, are contracted to work on campus or at one of the institution's satellite locations, work full-time, part-time, or volunteer for Winston-Salem State University. Sex Offenders planning to work full-time, part-time, or do contract work at an educational facility are required by law to notify the Forsyth County Sheriff’s Department within three days of their arrival to Forsyth County. Failure to do so is a Class F Felony, G.S.14208.11

Citizens wishing to see a list of sex offenders up to a 5-mile radius of campus can go to the [Forsyth County Sex Offenders webpage](#) to receive notifications when a sex offender moves into the area. The number to the Forsyth County Sheriff’s Department sex offender registry unit is (336) 917-7003.

The website for other state registries are listed below:

[FBI Sex Offender Registry website](#)

[National Sex Offender Registry](#)

[NC Sex Offender and Public Protection Registry](#)

## XIV. ANNUAL FIRE SAFETY REPORT

Winston-Salem State University takes Fire Safety very seriously and continues to enhance its programs to the university community through education, engineering, and enforcement. The Higher Education Opportunity Act enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an Annual Fire Safety Report that contains information about campus fire safety practices and standards of the institution. The following report details all information required by this act for Winston-Salem State University.

### Annual Fire and Safety Report Definitions

Term	Definition
<b>On-Campus Student Housing</b>	Any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus.
<b>Fire</b>	Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.
<b>Fire Safety System</b>	Any mechanism or system related to the detection of fire, the warning is resulting from a fire or the control of a fire. This may include: <ul style="list-style-type: none"><li>• Sprinkler systems or other fire extinguishing systems</li><li>• Fire detection devices</li><li>• Standalone smoke alarms</li><li>• Devices that alert one to the presence of a fire</li><li>• Smoke controlled and reduction mechanisms</li><li>• Fire doors and walls that reduce the spread of a fire</li></ul>

### FIRE INCIDENT REPORTING

Students, faculty, and staff are instructed to call 911 to report a fire emergency.

Non-emergency reports (i.e., evidence that something has burned) should be made to Police and Public Safety at (336) 750-2911.

### ON-CAMPUS RESIDENCE HALLS FIRE SAFETY SYSTEMS

Winston-Salem State University has been a leader in ensuring the safety of students, faculty, staff, and visitors who live and work in University operated residences. Automatic sprinkler systems and fire alarm systems are recognized engineered building features that help to provide for a living environment that supports and enhances the life safety of building occupants. All University operated residence halls and apartments are equipped with automatic sprinkler systems, smoke detectors, and building fire alarm systems to provide early detection and warning of a possible fire emergency. WSSU maintains and tests all fire alarms and automatic fire suppression systems in



accordance with the appropriate National Fire Protection Association Standard to ensure system readiness and proper operation in the event of a fire emergency.

\*Rams Commons Buildings 1 and 3 were off-line from October 22, 2020 – July 28, 2021 for construction. Students did occupy these buildings starting spring 2020.

#### Fire/Life Safety Provisions

Residence Hall	Fire Alarm Monitoring	Residential Sprinkler Equipped	Smoke Detectors	Evacuation Plans	Number of Fire Drills in 2020
Atkins Residence Hall	Communication Center	Yes	Yes	Yes	2
Atkins Residence Hall	Communication Center	Yes	Yes	Yes	2
Foundation Heights Residence Hall	Security Innovations	Yes	Yes	Yes	2
Gleason-Hairston Terrace Residence Halls (GHT)	Security Innovations	Yes	Yes	Yes	2
H. Douglas Covington Residence Hall	Security Innovations	Yes	Yes	Yes	2
Martin-Schexnider Residence Hall (MSX)	Security Innovations	Yes	Yes	Yes	2
Moore Residence Hall	Communications Center	Yes	Yes	Yes	2
Rams Commons 1 Residence Hall	Security Innovations	Yes	Yes	Yes	0
Rams Commons 2 Residence Hall	Security Innovations	Yes	Yes	Yes	2
Rams Commons 3 Residence Hall	Security Innovations	Yes	Yes	Yes	0
Rams Commons 4 Residence Hall	Security Innovations	Yes	Yes	Yes	2

Wilson Residence Hall	Communications Center	Yes	Yes	Yes	2
WSSU Flats	Security Central	Yes	Yes	Yes	2

## See Appendix E for Rules and Policies Governing Residence Halls

### UNIVERSITY POLICY 800.10 FIRE AND LIFE SAFETY

#### **Executive Summary**

Winston-Salem State University (WSSU) voluntarily engages in a compliance program with the Occupational Safety and Health Act of North Carolina. This program is designed to provide a safe and healthy working, teaching, and learning environment, as well as an atmosphere of safety and health awareness. This policy identifies responsibilities for compliance, implementation, prevention through planning and activities related to assuring all campus buildings maintain a high degree of life safety for building occupants. The Environmental Health & Safety (EHS) Director shall develop and implement procedures pertinent to assuring a high degree of life safety in the prevention of fire-related incidents.

#### **Policy Statement**

WSSU holds the safety of its community in the highest regard with respect to its function as an employer and an institution of higher learning. This policy includes elements consistent with established laws, regulations, and activities consistent with best practices in relation to fire prevention and safety of life.

#### **Guidelines**

Any questions relating to fire and life safety matters should be brought to the attention of the EHS Director or his/her designee.

University buildings are equipped with fire detection and/or fire suppression systems. Residence halls shall be equipped with both fire identification and fire suppression systems in accordance with the NC Fire Code and the NFPA Life Safety Code applicable to the time in which the building was completed.

Incendiary devices that are likely to cause fires are prohibited in University buildings. Devices that have a history of or have been proven to spontaneously combust are prohibited in all University buildings. In certain cases, electric-powered devices (e.g., space heaters) may be permitted, provided such devices are evaluated and approved by the EHS Director or his/her designee. Open flames of any type are prohibited in any University building.

#### **Roles and Responsibilities**

The EHS Director shall develop and implement procedures pertinent to assuring an environment that is free from conditions likely to lead to fires and both the identification and elimination of University conditions that can or are likely to adversely impact life safety in any University occupied building. Such procedures shall be in accordance with the most current edition of the National Fire Protection Association's Life Safety Code.

### **Applicability**

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

### **Compliance**

WSSU shall comply with all applicable federal and state safety regulations, including but not limited to Occupational Safety and Health Act, NC State Building Code, the National Fire Protection Association, and the NC Fire Code, as these may be amended from time to time.

Tampering with, disengaging, impeding, or otherwise disabling any fire detection device is strictly prohibited in any University building.

Violators will be subject to discipline by the body responsible for student discipline or disciplinary action deemed appropriate within the guidelines administered by any authority regulating discipline pertinent to employees of the State of North Carolina. Violators may also be subject to penalties or criminal prosecution.

Tampering with, disengaging, impeding, or otherwise disabling any fire detection device is strictly prohibited in any university building.

Violators will be subject to discipline by the body responsible for student discipline or disciplinary action deemed appropriate within the guidelines administered any authority regulating discipline pertinent to employees of the State of North Carolina. Violators may also be subject to penalties or criminal prosecution.

### **POLICY REGARDING FIRE SAFETY EDUCATION AND TRAINING PROGRAMS**

Educational programs are presented throughout the year to staff and students, so they are aware of university rules and safe practices. These programs include identification and prevention of fire hazards, actual building evacuation procedures and drills, specific occupant response to fire emergencies, and hands-on use of fire extinguishers.

On an annual basis (prior to the start of the Fall semester), EHS provides training to Housing & Residence Life staff on fire and life safety procedures. Staff is instructed on procedures in the event of a fire, how to assist during fire drills, and fire extinguisher usage. Fire drills are performed in each residence hall, no less than once per semester, the Fall and Spring of each year. Periodically, supplemental training is provided on fire and life safety from the City of Winston-

Salem Fire Department. Special emphasis is given to fire detection devices, maintaining access to means of egress, and cooking safety. A focal point for EHS is to stay abreast of advances in the field of fire safety (with a special focus on fire safety in the residence life sector) as well as trends pertaining to occupant safety. When available, as a way to observe National Fire Safety month, the City of Winston-Salem Fire Department will hold a Q & A session with Housing & ResidenceLife staff or provide hands-on sessions relative to an emerging topic associated with residential fire safety. Additionally, Resident Assistants and other Housing & Residence Life staff provide fire safety training to residence hall students during the first-floor meeting of the academic year, which occurs shortly after move-in.

Campus Police Officers are also trained in procedures for initial response to fire incidents occurring at university facilities. Officers provide assistance in building evacuation and extinguishment/confinement of small fires.

General safety and fire safety information is available to students, faculty, and staff on the [EHS webpage](#).

#### GENERAL CAMPUS EMERGENCY PROCEDURES: FIRE/EXPLOSION

Definition: A fire or explosion involving the structural components of various campus buildings.

Introduction: Fires and explosions, whether accidental or intentional, are a common threat on university campuses. Should you be in an area of campus where a fire or explosion has occurred, the following procedures should be followed to protect yourself and others.

#### **Procedures:**

If your smoke detector goes off, if you see a fire, smell smoke, or witness an explosion:

- Remain calm and get out. Do **not** use an elevator!
- If you see smoke under the door, find another way out.
- Feel the door with the back of your hand before you open it. If it is hot, find another way out.
- Drop to the floor to avoid smoke and fumes. Crawl to safety.
- If your clothes catch fire, STOP where you are, DROP to the ground, and ROLL over and over to smother the flames.
- Call 9-1-1 or campus police (336) 750-2911
- Notify firefighters on the scene if you suspect someone may be trapped inside the building.

If you are trapped during a fire:

- Wet and place cloth material around and under the door to prevent smoke from entering.
- Close as many doors as possible between you and the fire.
- Be prepared to signal someone outside, but do not break glass until absolutely necessary as smoke may be drawn into the room.

If caught in smoke:

- Drop to the floor and crawl toward an exit.
- Stay as low as possible.
- Take shallow breaths through your nose and use a shirt or towel as a filter.

#### HOUSING & RESIDENCE LIFE FIRE SAFETY EVACUATION RESIDENCE HALL PROTOCOL

Housing and Residence Life's Fire Safety Evacuation Protocol will divide buildings into zones, so no matter how many staff are available to help can organize the evacuation effectively and efficiently.

Zone 1: Area by the main front desk with high traffic in the area

Zone 2: (Safety Area) Outside of the building for a safe area at least 100 feet away from the building

Zone 3: Stairwell on 1<sup>st</sup> floor

Zone 4: Basement stairwell if applicable

Zone 5: Additional crowd control from additional exits

Need to check rooms with any students with disabilities requiring assistance getting out of the building with elevators disengaged by fire alarms.

After the all-clear, the residence will use the stairs to return to their rooms to allow anyone needing the elevators to have priority access to them and not to overload the elevators, causing a malfunction.

**Residence****Hall Evacuation Sites**

Atkins Hall	Area past stop sign on the side of Martin-Schexnider Hall
Brown Hall	Convene in the grass area at the top of Whitaker Gym
Foundation Heights Hall	Gaines Gymnasium
Gleason-Hairston Terrace Hall	Wellness Center back of the building
H. Douglas Covington Hall	Parking Lot N and the Courtyard
Martin-Schexnider Hall	Clock tower in the middle of campus
Moore Hall	Clock tower in the middle of campus
Rams Commons Hall	<u>Rams 1</u> : Grass area behind Rams 1 near Vargrave Street <u>Rams 2</u> : Courtyard area towards Rams 4 and handicap parking lot if needed <u>Rams 3</u> : Courtyard area heading closer to Rams 1 and Wilson parking lot <u>Rams 4</u> : Courtyard near Rams 2 or handicap parking lot
Wilson Hall	Parking lot in front of Wilson Hall behind the gate towards RAMS Commons
WSSU Flats	Convene in the overflow parking lot across the street

**Fire Drills**

Fire drills are conducted in all on-campus residence halls once per semester during the school year to allow occupants to become familiar with and practice their evacuation skills. The drills are conducted by the Environmental Health & Safety (EHS) department with assistance from the following Housing & Residence Life staff: Area Coordinators, Graduate Hall Directors, and Resident Advisors, and Campus Police.

**Plans for Future Improvements in Fire Safety at WSSU**

Winston-Salem State University continues to monitor trends related to Residence Hall fire incidents and alarms to provide a fire-safe living environment for all students. New programs and policies are developed as needed to help ensure the safety of all students and staff.

**Rams Commons Residence Hall – Fire Alarm**

### Annual Disclosure of Fire Statistics

Location	Year	Total Fires in Each Building	Fire Number	Cause of Fire	Number of Injuries that Required Medical Treatment at a Medical Facility	Number of Deaths Related to a Fire	Estimated Value of Property Damage Caused by Fire
Atkins Residence Hall	2018	0	0	N/A	N/A	N/A	N/A
Atkins Residence Hall	2019	0	0	N/A	N/A	N/A	N/A
Atkins Residence Hall	2020	0	0	N/A	N/A	N/A	N/A
Brown Residence Hall	2018	0	0	N/A	N/A	N/A	N/A
Brown Residence Hall	2019	0	0	N/A	N/A	N/A	N/A
Brown Residence Hall	2020	0	0	N/A	N/A	N/A	N/A
Foundation Heights Residence Hall	2018	0	0	N/A	N/A	N/A	N/A
Foundation Heights Residence Hall	2019	0	0	N/A	N/A	N/A	N/A
Foundation Heights Residence Hall	2020	0	0	N/A	N/A	N/A	N/A
Gleason-Hairston Terrace Residence Hall	2018	0	0	N/A	N/A	N/A	N/A
Gleason-Hairston Terrace	2019	0	0	N/A	N/A	N/A	N/A

Residence Hall							
Gleason-Hairston Terrace Residence Hall	2020	0	0	N/A	N/A	N/A	N/A
Harold Douglas Covington Residence Hall	2018	0	0	N/A	N/A	N/A	N/A
Harold Douglas Covington Hall	2019	0	0	N/A	N/A	N/A	N/A
Harold Douglas Covington Hall	2020	0	0	N/A	N/A	N/A	N/A
Martin-Schexnider Residence Hall	2018	0	0	N/A	N/A	N/A	N/A
Martin-Schexnider Residence Hall	2019	0	0	N/A	N/A	N/A	N/A
Martin-Schexnider Residence Hall	2020	0	0	N/A	N/A	N/A	N/A
Moore Residence Hall	2018	0	0	N/A	N/A	N/A	N/A
Moore Residence Hall	2019	0	0	N/A	N/A	N/A	N/A
Moore Residence Hall	2020	0	0	N/A	N/A	N/A	N/A
Rams Commons Residence Hall Building 1	2018	0	0	N/A	N/A	N/A	N/A



Rams Commons Residence Hall Buildings 1	2019	0	0	N/A	N/A	N/A	N/A
Rams Commons Residence Hall Building 1	2020	0	0	N/A	N/A	N/A	N/A
Rams Commons Residence Hall Building 2	2018	0	0	N/A	N/A	N/A	N/A
Rams Commons Residence Hall Building 2	2019	0	0	N/A	N/A	N/A	N/A
Rams Commons Residence Hall Building 2	2020	0	0	N/A	N/A	N/A	N/A
Rams Commons Residence Hall Building 3	2018	0	0	N/A	N/A	N/A	N/A
Rams Commons Residence Hall Building 3	2019	0	0	N/A	N/A	N/A	N/A
Rams Commons Residence Hall Building 3	2020	0	0	N/A	N/A	N/A	N/A
Rams Commons Residence Hall Building 4	2018	0	0	N/A	N/A	N/A	N/A

Rams Commons Residence Hall Building 4	2019	0	0	N/A	N/A	N/A	N/A
Rams Commons Residence Hall Building 4	2020	0	0	N/A	N/A	N/A	N/A
Wilson Residence Hall	2017	0	0	N/A	N/A	N/A	N/A
Wilson Residence Hall	2018	0	0	N/A	N/A	N/A	N/A
Wilson Residence Hall	2019	0	0	N/A	N/A	N/A	N/A
WSSU Flats Residence Hall	2019	0	0	N/A	N/A	N/A	N/A

*\*Rams Commons Buildings 1 and 3 were off-line from October 22, 2020-July 28, 2021, for construction.*

All residence halls have the following address except for WSSU Flats:

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

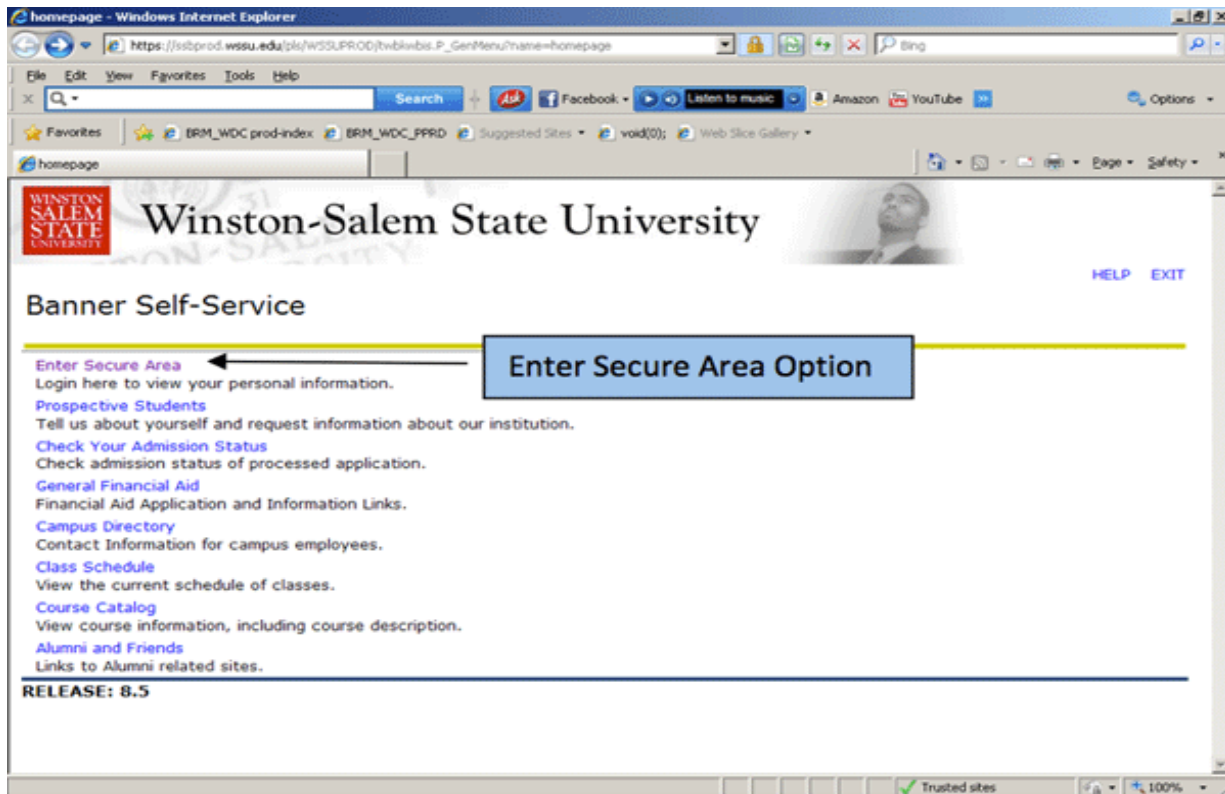
WSSU Flats address is:

222 South Church Street  
Winston-Salem, NC 27110

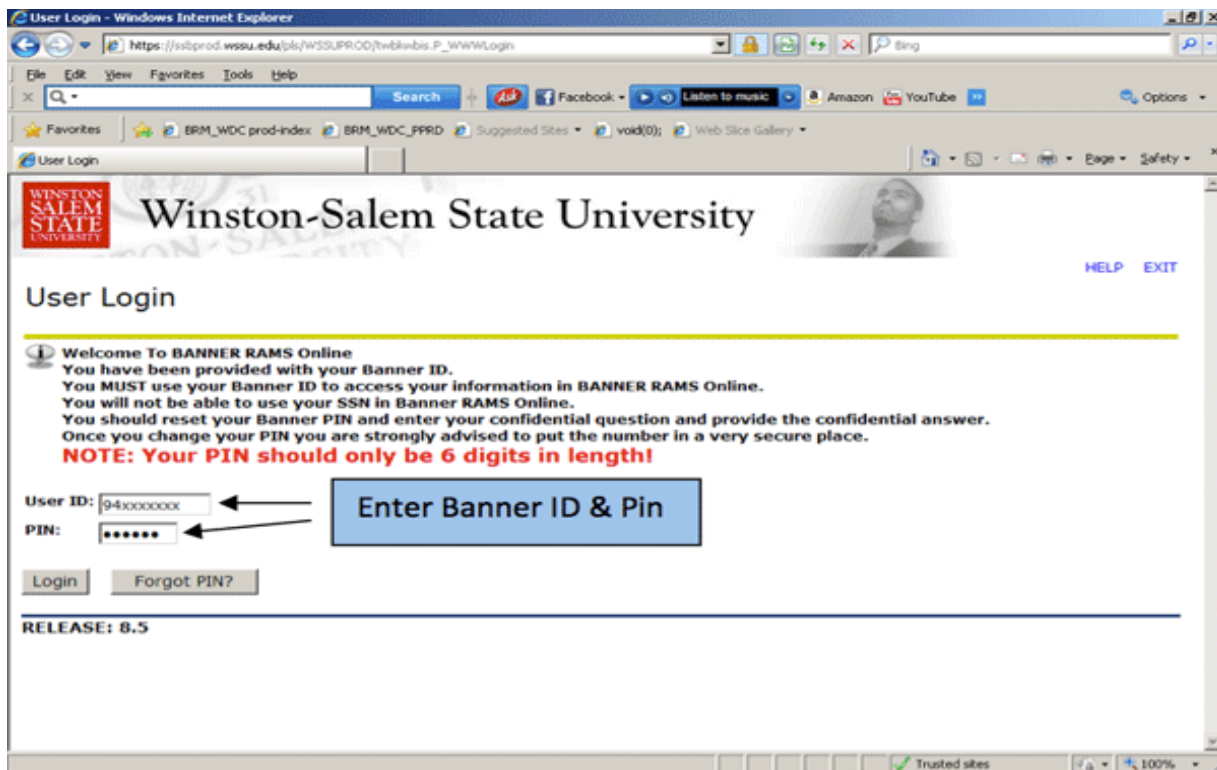
WSSU Flats Residence Hall began leasing in the fall of 2019.

## XV. APPENDIX A – SIGN UP FOR RAMALERT

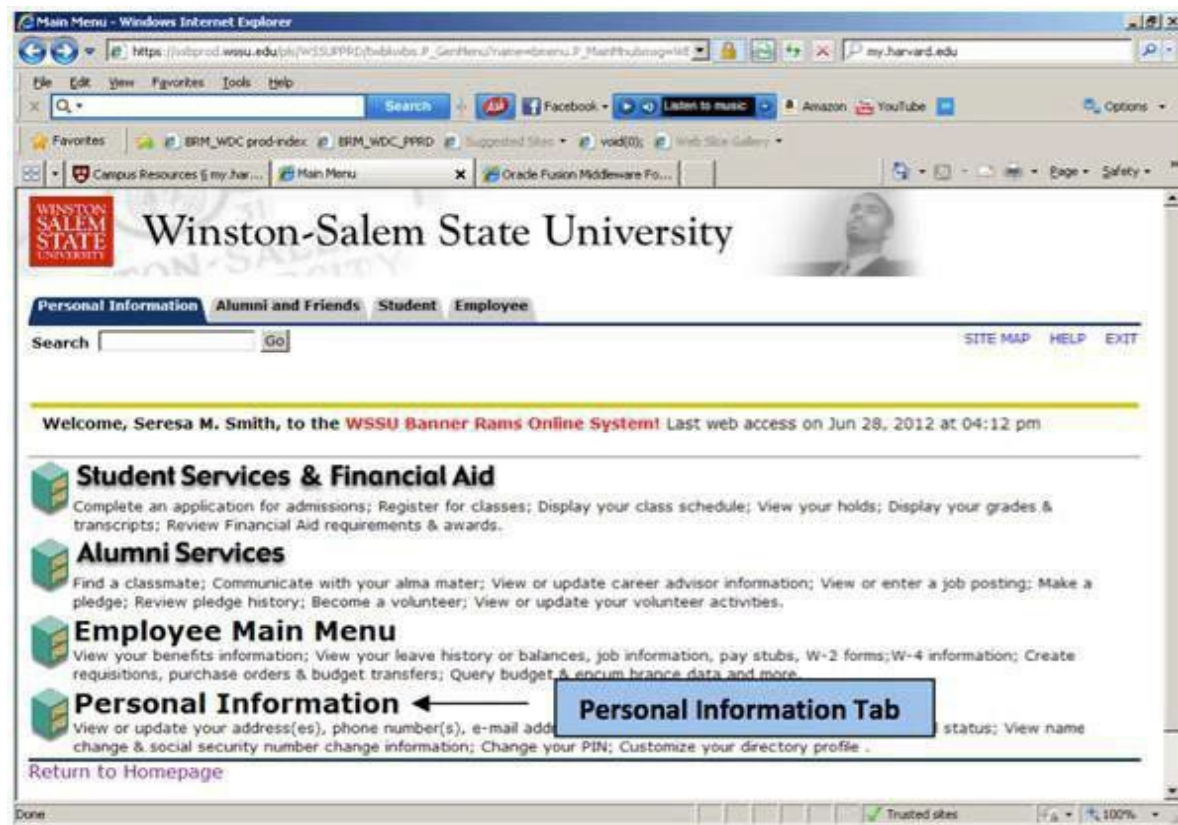
**Step One:** Go to the [Banner Rams Online](#) and choose **Enter Secure Area**



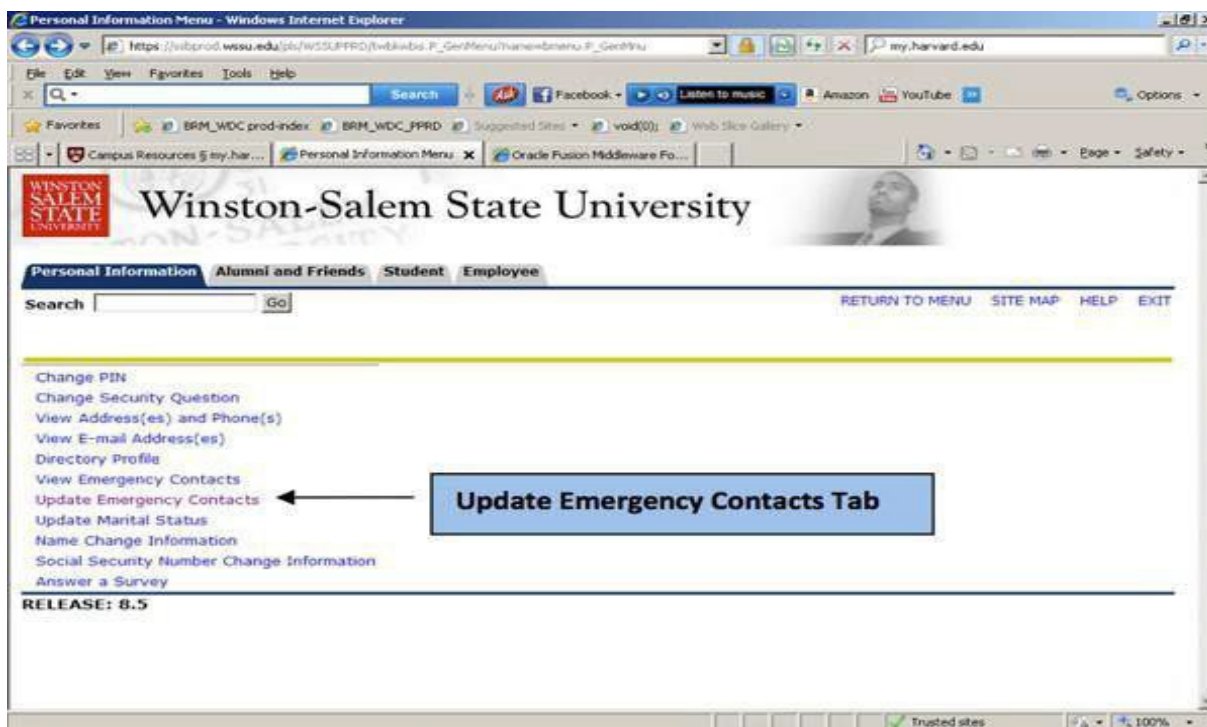
**Step Two:** Key in your Banner Id and PIN. Choose Login



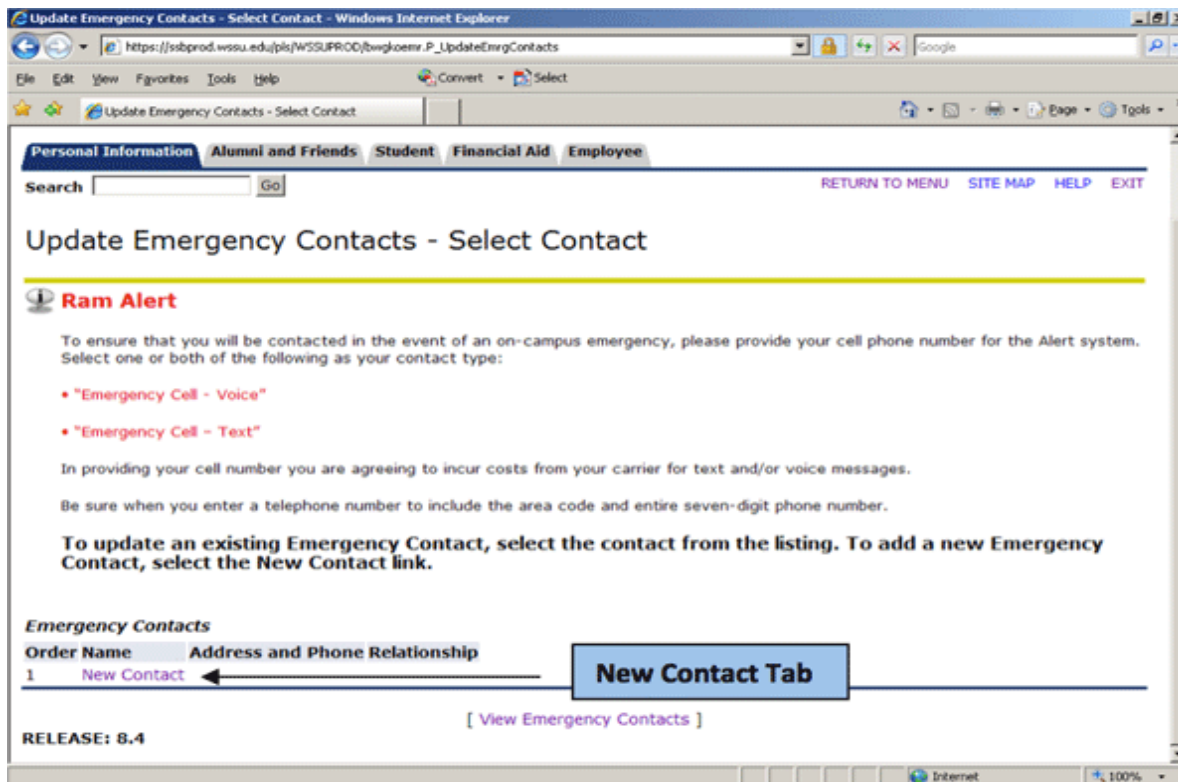
Step Three: Choose the 'Personal Information' option.



Step Four: Choose the “Update Emergency Contacts” option.



Step Five: Select ‘New Contact’



Step Six:

**To receive RAMALERT SMS/Text Messages** – Select “**Emergency Cell-Text**” from the drop-down box of the Relationship field. Enter your First and Last name in the appropriate fields and your cell phone number in the Telephone field. Choose “**Submit Changes**”.

**To receive RAMALERT VOICE MESSAGES** –First repeat step 5, then select “**Emergency Cell – Voice**” from the drop-down box of the relationship field. Enter your First and Last name in the appropriate fields and your mobile telephone number in the telephone field. Choose “**Submit Changes**.”

Update Emergency Contacts - Windows Internet Explorer

https://ssbprod.wssu.edu/pls/WSSUPROD/bwgiocent.P\_DispatchFormPds?priority\_in=5

File Edit View Favorites Tools Help

Search

Facebook Listen to music Amazon YouTube

Options

Update Emergency Contacts

Remove Contact: ☐

Order: 5

Relationship: Emergency Cell - Text

First Name: Not Applicable

Middle Name: Advisor or Sponsor

Last Name: An Ex-spouse

Address Line 1: Brother

Address Line 2: Brother or Sister

Address Line 3: Child

City: Embassy

State or Province: Emergency Cell - Text

Zip or Postal Code: Emergency Cell - Voice

Country: Employer

Telephone: Father

Submit Changes Reset

Extension

[ View Emergency Contacts ]

RELEASE: 8.4

Done Trusted sites 100%

\*To receive both text AND voice notifications, you must complete both phases of Step 6

## **XVI. APPENDIX B - COMPLIANTS INVOLVING STUDENT PROCEDURES**



**WINSTON-SALEM**  
STATE UNIVERSITY

### **Complaints Involving Students Procedures**

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## Prohibited Conduct

In determining whether alleged conduct constitutes Prohibited Conduct under this policy, the University will look at the entire record as a whole and consider the totality of the circumstances. This inquiry will examine information such as the nature of the conduct and the context in which the alleged incidents occurred. All determinations regarding whether a Respondent has engaged in Prohibited Conduct will be based upon a thorough and comprehensive review of the facts and made on a case-by-case basis utilizing the preponderance of the evidence standard.

The following forms of conduct, including attempting to engage in such conduct, are expressly prohibited by this policy (“Prohibited Conduct”):

- A. Sexual Assault** – Any act of vaginal or anal intercourse or penetration, however slight, by a person’s penis, finger, other body part or object; oral-genital contact; or intentional touching of a person’s breasts, buttocks, groin, genitals, or other intimate parts without Consent. Touching may be over or under clothing and may include the Respondent touching the Complainant, the Respondent making the Complainant touch the Respondent or another person, or the Respondent making the Complainant touch the Complainant’s own body.
- B. Sexual Harassment** - Unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when:
  - 1) submission to such conduct is made an explicit or implicit a term or condition of a person’s instruction, academic standing, employment or participation in any University program, act;
  - 2) submission to, or rejection of, such conduct is used as a basis for evaluation in making academic or personnel decisions; or
  - 3) such conduct creates a hostile environment. A hostile environment exists when the conduct is sufficiently severe, persistent, or pervasive, both subjectively and objectively, that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the University’s educational, employment, residential, and/or campus experience.

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

**Examples of Sexual Harassment** - The following examples are illustrative of conduct that, if proven, may be considered by the University to establish sexual harassment:

- 1) unsolicited, unwelcomed flirtations, advances, and/or propositions of a sexual nature;
- 2) insults, jokes, or anecdotes that belittle or demean an individual or a group's sexuality, gender, gender identity, gender expression, non-conformance with gender stereotypes, or sexual orientation;
- 3) unwelcomed sexually oriented gestures, verbal expressions, or comments of a sexual nature about an individual's body, clothing, or sexual experience;
- 4) inappropriate displays of sexually suggestive objects or pictures;
- 5) unnecessary and inappropriate touching, such as hugging, or brushing against an individual's body, patting, pinching

- 6) suggestions that submission to or rejection of sexual advances will affect decisions regarding such matters as an individual's employment, work assignments, status, salary, academic standing, grades, receipt of financial aid, or letters of recommendation.

**C. Gender-Based Discrimination or Harassment** - Any intentional or unintentional act that results in an individual being excluded from participation in, denied the benefits of, or subjected to discrimination or harassment under any academic, extracurricular, research, occupational training, or other education program or activity, based upon the individual's gender, gender identity, gender expression, non-conformance with gender stereotypes, or sexual orientation. Gender-Based Discrimination or Harassment may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do

Gender-Based Harassment also includes harassment based upon the individual's gender, gender identity, gender expression, non-conformance with gender stereotypes, or sexual orientation when:

- 1) submission to, or rejection of, such conduct is made either explicitly or implicitly a term or condition of a person's instruction, academic standing, employment or participation in any University program, activity or benefit; or
- 2) submission to, or rejection of, such conduct is used as a basis for evaluation in making academic or personnel decisions; or
- 3) such conduct creates a hostile environment. A hostile environment exists when the conduct is sufficiently severe, persistent, or pervasive, both subjectively and objectively, that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the University's educational, employment, residential and/or campus experience.

As used in this policy, gender, gender expression, gender identity, and sexual orientation are defined as follows:

- Gender - The sex of an individual, male or female, based on reproductive anatomy.
- Gender Identity - A person's self-conception of being a man or woman, boy or girl, transgender, or gender fluid.
- Gender Expression - The physical manifestation of one's gender identity, usually expressed through clothing, grooming, mannerisms, chosen names, and social interactions that associate with the social definitions of masculinity and femininity, rather than birth sex.
- Sexual Orientation - An individual's natural preference when developing emotional and/or sexual relationships with people of the same sex (homosexual relationships), opposite sex (heterosexual relationships), or either sex (bisexual relationships).

**Examples of Gender-Based Discrimination or Harassment** - Specifically, under this policy, in providing any aid, benefit, or service to a student, no person shall, on the basis of gender, gender identity, gender expression, non-conformance with gender stereotypes, or sexual orientation:

- 1) treat one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service;
- 2) provide different aid, benefits, or services, or provide aid, benefits, or services in a different manner
- 3) deny any person any aid, benefit, or service;
- 4) subject any person to separate or different rules of behavior, sanctions, or other treatment;
- 5) apply any rule concerning the domicile or residence of a student or applicant, including eligibility for fees and tuition;

- 6) aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of gender, gender identity, gender expression, non-conformance with gender stereotypes, or sexual orientation; or
- 7) otherwise limit any person in the enjoyment of any right, privilege, advantage, or opportunity.

**D. Sexual Exploitation** - Any act where one person violates the sexual privacy of another or takes unjust or abusive sexual advantage of another without their consent. Sexual exploitation may include, but is not limited to:

- 1) surreptitiously observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved;
- 2) recording, photographing, transmitting, showing, viewing, streaming, or distributing intimate or sexual images, audio recordings, or sexual information without the knowledge and consent of all parties involved; or
- 3) exposing one's genitals or inducing another to expose their own genitals in nonconsensual circumstances.

**E. Dating and Domestic Violence** - A pattern of controlling behaviors used by one partner to control the other partner. There are many forms of dating and domestic violence:

- 1) Physical Abuse - Dating and domestic violence that includes, but is not limited to, hitting, shoving, slapping, pushing, punching, burning, and stabbing. It can also include withholding someone from receiving needed medical care or medication.
- 2) Sexual Abuse - Dating and domestic violence that includes, but is not limited to, forced sex, or forcing someone to have sex without protection, with an object, or with another person.
- 3) Psychological and Emotional Abuse - Dating and domestic violence that includes, but is not limited to, controlling someone's behavior or actions, isolating a person from friends and family, making threats against a person, their family, friends, colleagues, or pets, using social media to make threats, and verbal abuse.
- 4) Economic Abuse - Dating and domestic violence that includes, but is not limited to, taking a partner's money, or not allowing a person, or disrupting a person's ability, to work or go to school.

**F. Stalking** - A course of conduct that is unwanted, unwelcome and unreciprocated that is directed at a specific person that would cause a reasonable person to feel fear, to experience substantial emotional distress, or to fear for their safety or the safety of a third party such as a family member, friend, colleague, or pet. Acts that together constitute stalking may be direct actions or may be communicated by a third party, and can include, but are not limited to, threats of or actual harm to self, others, or property; pursuing or following; non-consensual (unwanted) communication by any means; unwanted gifts; trespassing; and surveillance or other related types of observation. Stalking also includes cyber-stalking through electronic media, such as social networks, blogs, cell phones, or text messages.

Additional examples of stalking behaviors include, but are not limited to:

- (1) Waiting outside a person's class or residence;
- (2) Sending unwanted letters, phone calls, emails, texts, posts to a person;
- (3) Sending information to others about the person; or
- (4) Tracking the person's computer and internet use.

**G. Retaliation** - This policy prohibits acts or words taken against an individual or group of individuals involved in a protected activity. Protected activity includes making a good faith report under this policy; filing an external complaint; or opposing in a reasonable manner and consistent with University policy an action reasonably believed to constitute a violation of this policy. Retaliation may also include acts or words taken against an individual or group of individuals because they have participated in proceedings under this policy.

Retaliation can take many forms including, but not limited to, adverse action or violence, threats, and intimidation that would discourage a reasonable person (under similar circumstances and with similar identities to the Complainant) from engaging in protected activity. Actions in response to a good faith report or response under this policy are considered retaliatory if they have a materially adverse effect on the working, academic, or living environment of an individual, or if they hinder or prevent the individual from effectively carrying out their University responsibilities. All individuals and groups of individuals are prohibited from engaging in retaliation and will be held accountable under this policy.

Concerns or questions about retaliation should be immediately reported to a Title IX investigator or the Title IX Coordinator.

**H. Complicity** – Any act that knowingly aids, facilitates, promotes, or encourages the commission of Prohibited Conduct by another person.

## **I. Additional Guidance Regarding Consent and Incapacitation**

The following definitions clarify key terminology as it is used throughout the policy:

**Consent:** Consent is the voluntary, informed, and freely given agreement, through words and/or actions, to participate in mutually agreed-upon sexual acts. Consensual sexual activity happens when each partner willingly and affirmatively chooses to participate in a particular sexual act.

In evaluating whether consent has been freely sought and given, the University will consider the presence of any force, threat of force, or coercion; whether the Complainant had the capacity to give consent; and whether the communication (through words and/or actions) between the parties would be interpreted by a reasonable person (under similar circumstances and with similar identities) as a willingness to engage in a particular sexual act.

Consent cannot be obtained through physical force or where there is a reasonable belief of the threat of physical force, when one person takes advantage of the physical or psychological limitations of another person, or by taking advantage of another person's incapacitation.

Important points regarding consent include:

- Consent to one act does not constitute consent to another act;
- Consent on a prior occasion does not constitute consent on a subsequent occasion;
- Consent to an act with one person does not constitute consent to an act with any other person;
- The existence of a prior or current relationship does not, in itself, constitute consent; even in the context of a relationship, there must be mutual consent for particular sexual acts;
- Consent can be withdrawn or modified at any time, and sexual contact must cease immediately once consent is withdrawn;

- Consent cannot be inferred from silence, passivity, or lack of resistance, and relying on nonverbal communication alone may result in a violation of this policy; and
- Consent cannot be given by an individual under the legal age of consent.

Incapacitation: Incapacitation is the inability, temporarily or permanently, to give consent because the individual is mentally and/or physically helpless, either voluntarily or involuntarily, or the individual is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. In addition, an individual is incapacitated if they demonstrate that they are unaware at the time of the incident of where they are, how they got there, or why or how they became engaged in a sexual interaction.

Alcohol and other drugs impact each individual differently and determining whether an individual is incapacitated requires an individualized determination based on the available information.

The University does not expect community members to be medical experts in assessing incapacitation. Individuals should look for the common and obvious warning signs that show that a person may be incapacitated or approaching incapacitation. 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.

A Respondent's voluntary intoxication is never an excuse for, or a defense to, Prohibited Conduct, and it does not diminish the responsibility to determine that the other person has given consent.

## Reporting Obligations

Issues of privacy and confidentiality play important roles in this policy and may affect individuals differently. While they are closely related, the concepts of privacy and confidentiality are distinct terms that are defined below.

**A. Confidentiality** - Confidentiality refers to the protections provided to information disclosed in legally-protected or privileged relationships, including licensed professional mental health counselors, licensed medical professionals, and ordained clergy. These confidential resources can engage in confidential communications under the law when the information is disclosed within the scope of the provision of professional services. When an individual shares information with a confidential resource (on campus or in the community) as a confidential communication in the course of a protected relationship, the confidential resource cannot disclose the information (including information about whether an individual has received services) to any third party without the individual's written permission, or unless required by ethical or legal obligations which compel the professional to reveal such information. For example, information may be disclosed when the individual gives written consent for its disclosure, there is an imminent concern that the individual will likely cause serious physical harm to self or others or poses a threat to the campus community as a whole, or the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18.

Confidential resources submit non-personally identifying information about Clery-reportable crimes to the Winston-Salem State University Police Department for purposes of the anonymous statistical reporting under the Clery Act.

**B. Privacy** - Privacy refers to the discretion that will be exercised by the University in the course of any investigation or disciplinary processes under this policy. Information related to a report of Prohibited Conduct

may be shared with a limited circle of University employees who need to know in order to assist in the assessment, investigation, and resolution of the report and related issues. University employees receive training in how to safeguard private information.

The University will make reasonable efforts to investigate and address reports of Prohibited Conduct under this policy, and information may be disclosed to participants in an investigation as necessary to facilitate the thoroughness and integrity of the investigation. In all such proceedings, the University will take into consideration the privacy of the parties to the extent reasonably possible.

The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act (FERPA). The privacy of an individual's medical and related records generally is protected by the Health Insurance Portability and Accountability Act (HIPAA), excepting health records protected by FERPA. Access to an employee's personnel records is governed by the policy stated in the Employee Handbook.

It is important to understand the different responsibilities of University employees. Every employee is designated as either a Confidential Employee or a Responsible Employee:

**C. Confidential Employee** - Confidential Employees include any employee who is a licensed medical, clinical, or mental-health professional (e.g., physicians, nurses, physician's assistants, psychologists, psychiatrists, professional counselors, and social workers, and those performing services under their supervision), when acting in that professional role in the provision of services to a patient; and any employee providing administrative, operational, and/or related support for such health care providers in their performance of such services. Confidential employees also include clergy and other religious or spiritual advisors when serving in their religious or spiritual capacity and any employee providing administrative, operational, and/or related support to such as clergy or other religious or spiritual providers. Confidential Employees will not disclose information about Prohibited Conduct without the individual's permission or as set forth in the Confidentiality section above. When individuals who otherwise may be Confidential Employees receive information outside of the provision of confidential services, the Confidential Employee is required to share that information with the Title IX Office.

**D. Responsible Employee** – With the exception of University employees designated as Confidential Employees, every individual employed by Winston-Salem State and anyone employed or retained under contract in a security or safety position or in a University residence hall is considered to be a Responsible Employee. ALL Responsible Employees are required to report any information regarding a known or suspected violation of this policy to a Title IX Officer as soon as the Responsible Employee learns of it, no matter how they learn of this information.

Student workers are also considered Responsible Employees when they learn of potential violations of this policy in the scope of their employment. Student workers who are Responsible Employees include but are not limited to resident assistants, teaching assistants, graduate assistants, and tutors provided through any University programs or offices.

Responsible Employees must report all information that they have obtained, including the identities of the parties, the date, time and location, and any details about the reported incident to the Title IX Office. Responsible Employees cannot promise confidentiality or withhold information about Prohibited Conduct. Failure by a Responsible Employee to report information regarding possible Prohibited Conduct in a timely manner may subject them to appropriate discipline.

Responsible Employees are not required to report information disclosed: at public awareness events (e.g., “Take Back the Night,” candlelight vigils, protests, “survivor speak-outs,” or other public forums in which students may disclose Prohibited Conduct;) The University may provide information about Title IX rights and available University and community resources and support at public awareness events.

**E. Clery Act Reporting** - Pursuant to the Clery Act, the University includes statistics about certain offenses in its annual security report and provides those statistics to the United States Department of Education in a manner that does not include any personally identifying information about individuals involved in an incident. The Clery Act also requires the University to issue timely warnings to the University community about certain crimes that have been reported and which may continue to pose a serious or continuing threat to campus safety. Consistent with the Clery Act, the University withholds the names and other personally identifying information of Complainants when issuing timely warnings to the University community.

## **Resources & Reporting Options**

All University community members are urged to promptly report information regarding Prohibited Conduct to the University and/or law enforcement. A Complainant or witness will not be reprimanded, retaliated against, or discriminated against in any way for initiating an inquiry or making a good faith report.

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

### **A. Emergency Resources and Law Enforcement**

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

#### **1. Law Enforcement Assistance**

University community members are encouraged to immediately contact the WSSU Police Department and/or the Winston-Salem Police Department in order to report potential criminal conduct to law enforcement.

The WSSU Police Department may be reached at:

Patricia D. Norris Police &  
Public Safety Building

601 S. Martin L. King Jr. Dr.  
Winston-Salem, NC 27110

[336-750-2911](tel:336-750-2911) (emergency)

[336-750-2900](tel:336-750-2900) (non-emergency)

101 North Main Street  
Winston-Salem, NC 27101  
Phone: [336-727-8000](tel:336-727-8000) or 311 within Winston-Salem city limits  
Email: [citylink@cityofws.org](mailto:citylink@cityofws.org)

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

## **2. Health Care Options (Off Campus) to seek treatment for injuries and preventative treatment for STIs**

- Forsyth County Health Department  
799 North Highland Avenue  
Winston-Salem, NC 27101  
336-703-3100
  - POSSE – Prevent Ongoing Spread of STI's Everywhere
- Guilford County Public Health  
1100 Wendover Avenue E.  
Greensboro, NC 27405  
336-641-7777
- Davidson County Health Department  
915 Greensboro St.  
Lexington, NC 27292
- Novant Health Forsyth Medical Center  
3333 Silas Creek Pkwy  
Winston-Salem, NC  
336-718-5000  
(SANE exams offered)
- Wake Forest Baptist Medical Center  
1 Medical Center Blvd.  
Winston-Salem, NC 27157  
336-716-2011  
(SANE exams offered)
- High Point Regional Health Center  
601 N Elm St.  
High Point, NC 27262  
336-878-6000  
(SANE exams offered)
- Novant Health Kernersville  
1750 Kernersville Medical Pkwy  
Kernersville, NC 27284



336-564-4000  
(SANE exams offered)

## **2. Local Rape Crisis Centers**

- Family Services of Forsyth County  
200 S. Broad St.  
Winston-Salem, NC  
336-722-8173
- Family Services of the Piedmont  
315 E Washington St.  
Greensboro, NC 27401  
336-387-6161
- Davie Domestic Violence Services & Rape Crisis Center  
172 S Clement St #2  
Mocksville, NC 27023  
336-751-4357
- Family Services of Davidson County Inc.  
PO Box 607  
Lexington, NC 27293  
336-249-0237

## **B. Campus Confidential Resources**

Licensed University Counselors (Confidential)

The Counseling Center  
A.H. Ray Student Health Services  
Winston-Salem State University  
601 Martin Luther King Jr. Dr. Suite 244  
Winston-Salem, NC 27110  
[336-750-3270](tel:336-750-3270)  
[WSSU Counseling Center](#)

## **C. Other Campus Resources**

- Office of Interpersonal Violence Prevention  
  
Ms. LaKrista Page, Director  
301- H Thompson Student Center  
601 Martin Luther King Jr. Dr. Suite 244  
Winston-Salem, NC 27110  
[336-750-3313](tel:336-750-3313)  
[pagell@wssu.edu](mailto:pagell@wssu.edu)  
[WSSU Office of Interpersonal Violence Prevention](#)

## **D. Reporting Options**

An individual may make a report to the University, to law enforcement, to neither, or to both. Campus Title IX processes and law enforcement investigations operate independently of one another, although the University will coordinate information with the WSSU Police Department and/or local law enforcement when both an administrative proceeding and criminal investigation are on-going.

Anyone may make a report as follows:

- Make a report to a Title IX Officer in person, by telephone, or by email;
- If on campus, contact the WSSU Police Department or Winston-Salem Police Department for assistance in filing a criminal complaint and preserving physical evidence; or
- If off campus, contact local law enforcement to file a criminal complaint.

An individual may pursue some or all of these steps at the same time (e.g., one may simultaneously pursue a Title IX report and a criminal complaint). When initiating any of the above options, an individual does not need to know whether they wish to request any particular course of action nor how to label what happened. As part of a report to the Title IX Office, an individual can also request interim remedial measures and support. University community members are encouraged to consult with the Title IX Coordinator if they have any questions regarding this policy or reporting Prohibited Conduct.

### **1. Reports to Responsible Employees**

As explained above, all University employees, with the exception of those designated as Confidential Employees, are considered to be Responsible Employees. All reports that are brought to the attention of a Responsible Employee are not confidential and must be promptly submitted to the Title IX Coordinator by the Responsible Employee.

### **2. Timeframe for Reporting**

There is no time limit for reporting Prohibited Conduct. University community members are urged to make a report as soon as possible after the conduct has occurred to maximize the University's ability to respond promptly and effectively. Reports under this policy may be made at any time without regard to how much time has elapsed since the incident(s) in question.

If the Respondent is no longer a student or employee at the time of the report, the University may be limited in its ability to take disciplinary action against the Respondent. The University will still seek to meet its Title IX obligations by providing support for the Complainant and taking steps to end the prohibited behavior, prevent its recurrence, and address its effects. The University may assist the Complainant in identifying and contacting law enforcement and other external enforcement agencies.

## **UNIVERSITY ACTION UPON RECEIPT OF A REPORT**

The University is committed to providing a prompt, thorough, equitable, and impartial resolution of all reported violations of this policy. The University uses two processes to resolve reports of Prohibited Conduct under this policy: Disciplinary Resolution, which involves an investigation, adjudication, and, if appropriate, the

imposition of sanctions, and Alternative Resolution, which includes informal or restorative options for resolving reports that does not involve the possibility of disciplinary action against a Respondent. The Title IX Coordinator will determine the appropriate resolution process after making an initial assessment of the reported information, considering the stated preference of the Complainant regarding process, campus safety, and the University's obligation to maintain an environment free from harassment and discrimination.

The initial response by the Title IX Office will include an initial assessment of the context and circumstances of the report, and identification of reasonably available and appropriate interim measures for Complainant and Respondent.

## Disciplinary Resolutions

The University is committed to providing a prompt, thorough, equitable, and impartial resolution of all reported violations of this policy. The University uses two processes to resolve reports of Prohibited Conduct under this policy: Disciplinary Resolution, which involves an investigation, adjudication, and, if appropriate, the imposition of sanctions, and Alternative Resolution, which includes informal or restorative options for resolving reports that does not involve the possibility of disciplinary action against a Respondent. The Title IX Coordinator will determine the appropriate resolution process after making an initial assessment of the reported information, considering the stated preference of the Complainant regarding process, campus safety, and the University's obligation to maintain an environment free from harassment and discrimination.

### Interim Measures

The initial response by the Title IX Office will include an initial assessment of the context and circumstances of the report, and identification of reasonably available and appropriate interim measures for a Complainant and a Respondent.

Interim remedial (to remedy the effect) measures may include:

- Access to counseling and medical services
- Assistance in obtaining a sexual assault forensic examination
- Assistance in arranging rescheduling of exams and assignments and extensions of deadlines
- Academic support
- Assistance in requesting long-term academic accommodations through the Office of Student Services, if the Complainant qualifies as an individual with a disability
- Change in the Complainant's campus housing
- Assistance navigating off campus housing concerns
- Imposition of a "no contact order," an administrative remedy designed to curtail contact and communications between two or more individuals
- Referral to resources which can assist in obtaining a protective order, or other legal remedy
- Referral to resources which can assist with financial aid other administrative concerns
- Any other remedial measure that can be used to achieve the goals of this policy.

**Interim remedial measures are available to the Complainant regardless of whether the Complainant pursues an investigation or seeks formal disciplinary action.**

The University will consider a number of factors in determining which measures to take, including the needs of the student or employee seeking remedial and/or protective measures; the severity or pervasiveness of the alleged conduct; any continuing effects on the Complainant; whether the Complainant and the Respondent share the same residence hall, academic course(s), or job location(s); and whether judicial measures have been taken to protect the Complainant (e.g., protective orders).

Requests for interim measures may be made by the Complainant to the Title IX Office. The Title IX Office is responsible for ensuring the implementation of interim measures and coordinating the University's response with the appropriate offices on campus. The Title IX Office has the discretion to impose and/or modify any interim measure based on all available information, and is available to meet with a Complainant or Respondent to address any concerns about the provision of interim measures. The

University will maintain the privacy of any remedial and protective measures provided under this policy to the extent practicable and will promptly address any violation of interim remedial or protective measures.

All individuals are encouraged to report to the Title IX Office any concerns about the failure of another to abide by any restrictions imposed through an interim protective measure

At the conclusion of the initial assessment the University will proceed with one of the following options:

- Proceed with an investigation under the Disciplinary Resolution process. This will occur when a Complainant requests an investigation; where the Title IX Coordinator determines that an investigation must be pursued even when a Complainant requests that no investigation be pursued; or where Alternative Resolution is not appropriate or available.
- Proceed with Alternative Resolution. This will always require the consent of the Complainant. The consent of the Respondent is also required when the form of resolution involves the Respondent.
- If outside the scope of this policy, refer the matter to another appropriate office or department for resolution under the relevant policy.

When the Title IX Coordinator decides to initiate an investigation, impose interim protective measures i.e. interim suspension, or take any other action that impacts a Respondent, the Title IX Coordinator will also ensure that Respondent is notified and receives written information on available resources and options, consistent with the list outlined above.

### Request for Anonymity

In order to protect the safety of the campus community, the Title IX Coordinator may determine that it is necessary to proceed with an investigation even if a Complainant specifically requests that the matter not be investigated. The Title IX Office may also initiate an investigation of potential violations of this policy even absent a formal report or identified Complainant or Respondent, and even if a report has been withdrawn. In such a circumstance, the Title IX Coordinator will take into account the Complainant's articulated concerns, the safety of the campus community, fairness to all individuals involved, and the University's obligations under Title IX.

A Complainant may request that their name or other personally identifiable information not be shared with a Respondent, that no investigation be pursued, or that no disciplinary action be taken. In these instances, before taking any further investigative steps, a member of the Title IX Office will discuss any concerns with the Complainant and seek to address and remedy barriers to reporting based upon concerns about retaliation or other lack of clarity in understanding procedural options and potential outcomes.

The Title IX Coordinator will balance the Complainant's request against the following factors in reaching a determination as to whether the University's need to proceed with an investigation outweighs the considerations expressed by the Complainant:

- the totality of the known circumstances;
- the nature and scope of the alleged conduct, including whether the reported behavior involves the use of a weapon or drugs;

- the respective ages and roles of the Complainant and Respondent;
- the risk posed to any individual or to the campus community by not proceeding, including the risk of additional violence;
- whether there have been other reports of Prohibited Conduct or other misconduct by the Respondent; • whether the report reveals a pattern of misconduct related to Prohibited Conduct (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group;
- the Complainant's interest in the University's not pursuing an investigation or disciplinary action and the impact of such actions on the Complainant;
- whether the University possesses other means to obtain relevant evidence;
- fairness considerations for both the Complainant and the Respondent;
- the University's obligation to provide a safe and non-discriminatory environment; and • any other available and relevant information.

The Title IX Coordinator will consider what steps may be possible or appropriate when a Respondent is unknown or the Complainant requests anonymity, and what other measures or remedies might be considered to address any effects of the reported behavior on the campus community. The Title IX Coordinator will make a determination regarding the appropriate method of resolution under the policy. The University will seek resolution consistent with the Complainant's request, if it is possible to do so, based upon the facts and circumstances, while also protecting the health and safety of the Complainant and the University community.

Where the Title IX Coordinator determines that a Complainant's request(s) can be honored, the University may still take other appropriate steps to eliminate the reported conduct, prevent its recurrence, and remedy its effects on the Complainant and the University community. Those steps may include offering appropriate remedial measures to the Complainant, providing targeted training and prevention programs, providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred, and/or providing or imposing other remedies. The Title IX Coordinator may also request that a report be re-opened and pursued under this policy if any new or additional information becomes available, and/or if the Complainant later decides that they would like for the University to pursue an investigation.

In those instances when the Title IX Coordinator determines that the University must proceed with an investigation despite the Complainant's request that it not occur, the Title IX Coordinator will provide written notification to the Complainant that the University intends to initiate an investigation. The Complainant is not required to participate in the investigation or in any of the actions taken by the University.

The University's ability to investigate and respond fully to a report may be limited if the Complainant requests anonymity or declines to participate in an investigation. The University will, however, pursue other steps to limit the effects of the potential Prohibited Conduct and prevent its recurrence. In all cases, the final decision on whether, how, and to what extent the University will conduct an investigation and whether other interim remedial or protective measures will be taken in connection with a report of Prohibited Conduct will be made in a manner consistent with this policy.

**University Amnesty Statement:** The University recognizes that an individual who has been drinking or using drugs at the time of the incident may be hesitant to make a report because drinking and drug use may be a violation of the Student Code of Conduct and/or local law. In order to encourage reporting and remove barriers to doing so, any individual who reports Prohibited Conduct under this policy, either

as a Complainant or as a third-party witness, will not be subject to disciplinary action by the University for their own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health, safety or well-being of any other person at risk. The University may, however, advise a student to engage in an educational discussion regarding the dangers of alcohol consumption or drug use or to pursue other educational and counseling activities regarding such use.

## General Information Regarding Disciplinary Resolution

### **A. Timeframe for Investigation and Resolution**

The Title IX Office endeavors to complete the investigation and resolution process within a reasonable timeframe - approximately 60 calendar days following the notice of the investigation. This policy outlines reasonable timeframes for the major stages of the investigation and resolution process. The University may extend or modify these timeframes within the 60-day period provided that the investigation is completed within a reasonable time. The Title IX Coordinator, in consultation with the investigator, has the authority to determine whether an extension is required or warranted by the circumstances. If an investigation or resolution will not be completed within 60 days from the notice of investigation, the University will provide written notice to the parties which will include a statement of the reason(s) necessitating the extension.

An extension may be required to ensure the integrity and thoroughness of the investigation; to comply with a request by law enforcement; in response to the unavailability of the parties or witnesses; or for other legitimate reasons, such as intervening breaks in the University calendar, University finals periods, the complexity of the investigation, the volume of information or length of the written record, and/or the severity and extent of the alleged misconduct. While requests for delays for good cause by the parties may be considered, the University cannot unduly or unreasonably delay the prompt resolution of a report under this policy. Reasonable requests for delays by the parties, if granted, will serve to extend the 60 calendar daytime period for resolution of the report.

Although cooperation with law enforcement may require the University to suspend the fact-finding portion of a Title IX investigation temporarily, the University will promptly resume its Title IX investigation upon notification from the law enforcement agency that proceeding with the Title IX investigation will not jeopardize the law enforcement investigation. The University will not, however, wait for the conclusion of a criminal proceeding to begin its own investigation, and will promptly initiate the process of assessing and providing appropriate interim remedial measures for the Complainant.

Investigations will proceed according to the timeframes in this policy to the extent possible during the summer and at other times when classes at the University are not in session, or during holidays, or other scheduled days when the University is closed. The Title IX Office will work with the parties to balance the need for promptness and the preference for in-person meetings regarding the investigation. Timeframes for all phases of the disciplinary process including the investigation, any related disciplinary proceedings, and any related review of the finding, apply equally to both Complainant and Respondent.

### **B. Expectations of the Parties**

The University affords both the Complainant and the Respondent an equal opportunity to participate fully in the investigation and adjudication process, including the opportunity to receive a written notice of investigation; to participate in the investigation; to review and present information and evidence; to be accompanied by an advisor of their choice to any meeting; to timely and equal access to information that will be used in disciplinary proceedings; to timely notice of meetings at which their presence will be requested or required; to simultaneous written notice of the outcome, sanction, and rationale; and to seek review of the finding as stated in this policy.

All University community members are expected to provide truthful information in any report or proceeding under this policy. Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an incident of Prohibited Conduct is prohibited and subject to disciplinary sanctions. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated or no policy violation is found to have occurred.

Winston-Salem State University expects all members of the University community to cooperate fully with the investigation and disciplinary procedures. It is understood that there may be circumstances in which a Complainant or Respondent wish to limit their participation, and the University will respect the choice of the Complainant or Respondent as to how to engage in proceedings under this policy. The University may, however, move forward with an investigation and disciplinary action without the participation of one or more parties. Should the Respondent opt not to participate, that refusal will not preclude the continuation of the investigation process and a resolution of the investigation, including possible sanctions against the Respondent if a violation of this policy is found by a preponderance of the evidence.

If a Complainant or Respondent chooses not to answer any or all questions in an investigation for any reason, the University will continue its process; and the University will issue any discipline or sanctions, as appropriate. The University will not draw any adverse inference from a Complainant's or Respondent's decision not to participate in the investigation or any form of resolution under this policy. However, the Complainant and Respondent should be aware that declining to participate in the investigation may impact the timing and outcome of the investigation.

At any time, the University may place an administrative hold on the Respondent's University transcript or defer or withhold the award of the Respondent's degree. Although a Respondent may withdraw from the University while the investigation is pending, the Title IX Coordinator may decide to proceed with the investigation and resolution process, and may impose appropriate sanctions, up to and including expulsion from the University. The University may note on the Respondent's transcript that the withdrawal is pending investigation.

#### **C. Advisor of Choice**

Throughout the investigation and resolution, all parties have the right to consult with an advisor of their choosing. The advisor may be any person, including an attorney, who is not otherwise a party or witness involved in the investigation. The parties may be accompanied by their chosen advisor at any meeting or proceeding related to the investigation and resolution of a report under this policy.

**See Requirements and Guidelines to Follow for the Participation of a Licensed Attorney or Non-Attorney Advocate during Disciplinary Proceedings**

#### **D. Safeguarding Privacy**



Individuals involved in investigations or disciplinary proceedings under this policy are encouraged to exercise discretion in sharing information in order to safeguard the integrity of the process and to avoid the appearance of retaliation. While discretion regarding the process is important, Complainants and Respondents are not restricted from discussing and sharing information with others who may support or assist them during the process. However, doing so with the intent to harass another individual, retaliate against another individual who is involved in the investigation, or to influence the outcome of the investigation, will subject an individual to sanctions under this policy.

All participants in any investigation or other proceeding under this policy, including all parties, are encouraged to maintain the privacy of information gathered or learned through their participation in the process.

#### **E. Investigation Investigator**

When the University receives a report alleging a violation of this policy, the Title IX Coordinator will appoint one or more investigators to conduct a prompt, thorough, fair, and impartial investigation. The investigator may be a University employee and/or an experienced external investigator. Any investigator used by the University will receive annual training on this policy and on the issues related to sexual and gender-based harassment, sexual assault, dating violence, domestic violence, and stalking, and on how to conduct an investigation that is fair and impartial, provides parties with notice and a meaningful opportunity to be heard, and protects the safety of Complainants while promoting accountability. The investigator will be impartial and free from conflict of interest or bias.

## **Investigation Procedures**

Upon submission of a report to the Title IX Office, a prompt, thorough, and impartial review will be conducted.

1. In the event that a report of alleged sex discrimination or sexual misconduct is made to the Title IX Office, the Title IX Coordinator or designee will review the report and determine if the allegations are related to sex discrimination or sexual misconduct. If they are, and if the Complainant wishes, a private interview will be conducted by the Title IX Coordinator or designee with the Complainant to capture the conduct and the nature of the remedy desired.
2. Once the initial information is gathered, a threshold determination will be made whether, presuming the facts underlying the allegation(s) to be true and accurate, the substance of the allegation(s) constitutes a violation of this Policy. This preliminary determination will typically be made within ten class days from the date of the initial intake and may include a determination of whether a formal investigation is required and/or whether appropriate interim measures are necessary in order to comply with the requirements of federal and state law.
3. The investigation may include, but is not limited to, interviewing witnesses, collecting documentation, and seeking any additional information as necessary. The Title IX Coordinator or designee and Title IX Investigator shall have unrestricted access to all pertinent materials, records, reports, and documents within the possession or control of the University and shall be afforded the opportunity to interview all persons possessing relevant information.
4. The Deputy Title IX Coordinator or the Title IX Investigator, in conjunction with the Title IX Coordinator, may refer the Complainant to any other appropriate investigating authority or resources for assistance if the allegations are not sufficient to warrant an investigation. Reported incidents that do not rise to the level of adjudication through a Student Conduct hearing involve those (including but not limited to) where the Responding Party's name is not identified, or the Complainant does not wish to proceed with a formal process.
5. At the conclusion of the investigation, the investigator will prepare a written summation of their findings and submit it to University's Office of Student Conduct
6. The Respondent may choose to plead responsible to all charges and waive his/her right to a hearing before a judicial panel. In that event, the Title IX Coordinator, or his/her designee, will consult with appropriate officials, inclusive of the Dean of Students, and other parties involved and determine the appropriate sanction. A written document stating that the Respondent waives his/her right to a hearing and will accept the sanctions levied by the Title IX Coordinator, or his/her designee, must be signed by the Respondent and made a part of the record.
7. If a student chooses to move forward with a judicial hearing, a three-five-person panel consisting of faculty and staff members will hear the case and determine responsibility. Both the Complainant and the Respondent shall have the right to attend the hearing. All witnesses, including the parties, may be cross-examined. However, the parties will not be allowed to personally question or cross-examine each other during the hearing; all cross-examination of parties must be done through the Committee Chair.

## **Presumption of Non-Responsibility**

It shall be presumed that there has been no violation of any University policy by a Respondent unless and until a thorough and comprehensive investigation has been conducted and there is a final administrative finding, by a preponderance of the evidence, or an admission of responsibility for a policy violation.

### **Prior Sexual History**

The sexual history of the Complainant or Respondent will never be used to prove character or reputation. Evidence related to the prior sexual history of the parties is generally not used in determining whether a violation of this policy has occurred and will only be considered under limited circumstances when relevant and appropriate. For example, if consent is at issue, the sexual history between the parties may be relevant to determine the nature and manner of communications between the parties, which may inform the determination whether consent was sought and reasonably appeared to have been given during the incident in question. As set forth in the consent definition, even in the context of a relationship, consent to one sexual act does not constitute consent to another sexual act, and consent on one occasion does not constitute consent on a subsequent occasion. In addition, prior sexual history may be relevant to explain injury, to provide proof of a pattern, or to address another specific issue raised in the investigation. The investigator will determine the relevance of this information and both parties will be informed if evidence of prior or subsequent conduct is deemed relevant.

### **Cooperation with Law Enforcement**

If there is a criminal investigation or other legal proceeding, the University may be obligated to provide investigative records to law enforcement or a court in response to a subpoena, search warrant, or court order.

### **Standard of Proof**

A finding of responsibility based on a preponderance of evidence means that based on all relevant evidence and reasonable inferences from the evidence, the greater weight of information indicates that it was more likely than not the policy violation occurred.

## **F. Procedures for Sanctioning**

The University will take reasonable steps to end Sex Discrimination, Sexual Misconduct, Retaliation, and Complicity; to prevent recurrence; and to remedy the effects. Any person who is found to have violated this Policy shall be subject to disciplinary action, up to and including expulsion from educational programs. The specific penalties imposed on violators will be commensurate with the level of offense and in accordance with applicable laws and University regulations, policies, and procedures. The University recognizes that some offenses are so serious that suspension or expulsion may be warranted on the first occurrence. Factors that will be considered in determining the appropriate level of discipline include:

- Seriousness of offense (e.g., effect of the misconduct on the University's mission, isolated or repeated offense, deliberate or inadvertent misconduct, etc.);
- Prior misconduct (e.g., disciplinary record, similarity of past offenses to current misconduct);
- Consistency of Penalty (e.g., is the disciplinary action consistent with treatment of similar misconduct in other cases);
- Potential for rehabilitation (e.g., self-disclosure prior to investigation, seeking assistance with problem);

- Effectiveness of a lesser sanction; and
- Other aggravating and mitigating circumstances.

# **Requirements and Guidelines to Follow for the Participation of a Licensed Attorney or Non-Attorney Advocate during Disciplinary Proceedings**

In order for a licensed attorney or non-attorney advocate to represent a student(s) or student organization(s) in disciplinary proceedings, the student(s) or student organization(s) must provide The Office with the three (3) documents described below. These three (3) documents must be submitted to The Office **no later than two (2) days before the scheduled Winston-Salem State University Student Conduct Council Hearing**. Consistent with this interpretive guidance and the rules, policies, or guidelines governing Winston-Salem State University's disciplinary procedure, licensed attorneys or non-attorney advocates may fully participate in disciplinary procedures only to the extent afforded to the student or student organization they represent. Additionally, licensed attorneys and non-attorney advocates may not delay, disrupt, or otherwise interfere with a disciplinary procedure.

An attorney or other individual representing Winston-Salem State University may participate in disciplinary procedures in which a licensed attorney or non-attorney advocate represents a student or a student organization.

The following are requirements that must be completed before information may be disseminated to the student's advocate/advisor/attorney: **1) Notice of Representation** and **2) FERPA Authorization**.

## **1. Notice of Representation**

Students or student organizations that plan to have a licensed attorney or non-attorney advocate represent them during a disciplinary procedure must notify the administration that administers the disciplinary procedure (ex. the Office of Student Conduct, Office of Dean of Students, etc.) in writing of the attorney's or advocate's planned participation in a disciplinary procedure. This notice must specify:

- The identity of the licensed attorney or non-attorney advocate
- Whether the individual is a licensed attorney or a non-attorney advocate; and
- An address, telephone number, and email address where the licensed attorney or non-attorney advocate can be reached.

To notify our office of who will be your attorney or non-attorney/advocate during the disciplinary proceedings, you must submit a certification using the attached "*Notice of Attorney or Non-Attorney/Advocate Representation*" form signed by the licensed attorney or non-attorney advocate stating that the licensed attorney or non-attorney advocate has read in their entirety and understood the following documents:

- The applicable Disciplinary or Conduct Rules
- Any additional rules, policies, or guidelines that Winston-Salem State University has enacted for its Disciplinary Procedure consistent with this Interpretive Guidance
- Section 700.4.1. of the UNC Policy Manual.

## **2. FERPA Authorization for Student(s) Involved in Disciplinary Process**

In order for a licensed attorney or a non-attorney advocate to represent a student or student organization during a disciplinary procedure or to speak with an official of Winston-Salem State University regarding the student or the members of a student organization, the student(s) involved in the disciplinary process must complete and submit a written authorization that meets the requirements of a valid consent as specified by the Family Educational Rights and Privacy Act (FERPA). Even if a student executes a valid FERPA consent authorizing the licensed attorney or non-attorney advocate to receive information or documents regarding the student, Winston-Salem State University may at all times correspond directly with the student or student organization. It is the student's or student organization's responsibility to communicate and share information with a licensed attorney or non- attorney advocate. The Winston-Salem State University office that administers the disciplinary procedure can supply students with an approved authorization form that meets the elements of a valid consent in accordance with FERPA. Please see attached forms.

If you have any comments, questions, or concerns, feel free to contact the Office of the Dean of Students or Office of Student Conduct at 336-750-3356.



## Notice of Attorney or Non-Attorney/Advocate Representation

In accordance with N.C.G.S. 116-40.11 students or student organizations accused of violating the Student Code of Conduct may be represented, at their own expense, by a licensed attorney or non-attorney advocate of their own choosing. In order for a licensed attorney or non-attorney advocate to represent a student (s) or student organization (s) during a disciplinary procedure, the respondent (student or student organization) must submit this completed form to the Office of the Dean of Students or office generating the hearing notification letter. The completed form must be submitted **no later than two (2) days before the scheduled Winston-Salem State University disciplinary proceeding (e.g. Administrative or Student Conduct hearings).**

In addition to the documents listed below, the student or student organization (respondent) must complete and submit to the Office of the Dean of Students the Family Educational Rights and Privacy Act (FERPA) Release form, which is attached to the hearing notification letter. The FERPA Release form must be submitted no later than two (2) days before the scheduled hearing conference.

### I. Attorney or Non-Attorney Advocate Information

Name: \_\_\_\_\_ Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Phone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Licensed Attorney: \_\_\_\_\_ Yes \_\_\_\_\_ No

Non-Attorney Advocate Relationship to Student: \_\_\_\_\_

### II. Certification

In preparation to participating in any University disciplinary proceeding, the attorney or non-attorney advocate must initial each statement and sign below, acknowledging that you have read, understood, and agreed to comply with each of the following documents:

\_\_\_\_\_ The applicable Disciplinary or Conduct Rules

\_\_\_\_\_ Any rules, policies, or guidelines that Winston-Salem State University has enacted for its Disciplinary Procedure consistent with this Interpretive Guidance

\_\_\_\_\_ Section 700.4.1. of the UNC Policy Manual

By signing below, I acknowledge that I have read, and understood the above-listed documents. I further understand that this is an administrative process and that neither the formal rules of civil procedure nor the rules of evidence apply. The only evidence that applies in these proceedings is the preponderance of information.

-----  
Attorney or Non-Attorney Advocate's Signature

\_\_\_\_\_  
Date

Updated August 2016

This form is for use in disciplinary proceedings held by designated hearing officers and/or university officials from the Office of the Dean of Students, Office of Student Conduct, and Office of Housing and Residence Life.



**WINSTON-SALEM**  
STATE UNIVERSITY

# STUDENTS' CODE OF CONDUCT

2020



The information in this document applies to the 2020 Spring Semester and is accurate and current, to the extent possible, as of January 2020. Winston-Salem State University (“WSSU” or “university”) reserves the right to change programs of study, academic requirements, teaching staff, the calendar, and other matters described herein without prior notice, in accordance with established procedures.

It is the policy of the State of North Carolina to provide equal opportunity in education and employment to all qualified persons, and to prohibit discrimination based on race, color, national origin, creed, religion, sex, sexual orientation, age, veteran status, disability, genetic information, or political affiliation. This university also prohibits sexual harassment, including sexual violence. The Director of EEO/AA and Diversity Officer has been designated to handle inquiries regarding non-discrimination policies and to serve as the overall campus Title IX Coordinator, EEO/AA and Diversity Officer. For further information on nondiscrimination and/or sexual harassment, contact the EEO/AA & Diversity Officer and Title IX Coordinator, Ms. Aniya Ward, by telephone at 336-750-8759, by email at [casseusa@wssu.edu](mailto:casseusa@wssu.edu), or in person by visiting 115 Blair Hall. Alternatively, individuals may contact the Office of Civil Rights, U.S. Dept. of Education by visiting: <https://ocrcas.ed.gov/contact-ocr>

Questions or comments about domestic violence, dating violence, and stalking can be directed to the EEO/AA & Diversity Officer and Title IX Coordinator, Ms. Aniya Ward by telephone at 336-750-8759, or in person by visiting 115 Blair Hall. If you suspect a crime has been committed, please contact university Police at (336) 750-2900 for emergencies, for non-emergencies contact (336)-750-2911.

This university is prepared to make reasonable academic adjustments and accommodations to allow students with disabilities full participation in the same programs and activities available to students without disabilities. In order to receive consideration for reasonable accommodations under Section 504 of the Rehabilitation Act or the Americans with Disabilities Act (ADA), a student must have a physical or mental impairment that substantially limits one or more major life activities such as, but not limited to, hearing, seeing, speaking, breathing, performing manual tasks, walking, caring for oneself, and learning. Substantially limiting refers to an impairment that prevents an individual from performing a major life activity or significantly restricts the condition, manner, or duration under which an individual can perform a major life activity.

Students requesting accommodations under the provisions of Section 504 or the ADA (e.g., academic, housing, etc.) must consult Ms. Myra Waddell with the Department of Disabilities Services at (336) 750-8658 or by email at [dds@wssu.edu](mailto:dds@wssu.edu). WSSU recognizes and utilizes electronic mail as a medium for official communications. The university provides all students with e-mail accounts as well as access to e-mail services from public places if students do not have personal computers of their own. All students are expected to access their e-mail accounts on a regular basis to check for and respond as necessary to such communications.

Allegations of Students’ Code of Conduct violations may be presented to the Office of Community Standards & Civility, via the Maxient Conduct System, from WSSU Campus Police or through an Incident Report filed by residence life staff, students, faculty, and/or staff. To report an incident, use the following link to the Maxient Conduct Incident Report Form. You can also find the link listed on the Office of Community Standards & Civility Homepage, which is located on WSSU’s website.

Incidents that violate the Students’ Code of Conduct shall be submitted as soon as possible after it takes place and factual information should be provided to support the charge.

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# **Letter to Students**

Dear WSSU Students:

Please utilize this Handbook and Students' Code of Conduct ("the Code") and all information contained within it as a resource guide. Familiarize yourself with all policies, services, rights and responsibilities, and any other information that you deem pertinent to your needs.

Our university is growing and continually evolving. In such an environment it is essential to maintain order, provide safety and meet the needs of each student. This handbook has been prepared to inform you about the many opportunities and services available to you while matriculating here. It is my sincere hope and expectation that you will take the time to read it, place it in a safe place and refer to it whenever necessary.

May your time here be fruitful, enlightening, and enjoyable. We look forward to serving you. On behalf of Chancellor Elwood L. Robinson, I welcome you to Ram Country. Go Rams!

Any modifications or updates to the Code shall be posted on the university website in the Online Student Handbook on the university website.

Sincerely,

Mel C. Norwood, II

Associate Provost/ Vice Chancellor for Student Development and Engagement

# **How to Get Help**

## ***ON-CAMPUS RESOURCES:***

To get help in case of an emergency, or to report suspected criminal activity (including criminal sexual misconduct), please contact:

**WSSU Police Department**  
Emergency Telephone: (336) 750-2911  
Non-Emergency Telephone: (336) 750-2900  
Email: [campussafety@wssu.edu](mailto:campussafety@wssu.edu)  
Patricia Norris Police & Public Safety Building  
601 S. Martin L. King Jr. Dr.  
Winston-Salem, NC 27110

To report suspected incidents of sexual misconduct, including sexual violence or sexual harassment, to WSSU on a non-emergency basis, please contact:

**WSSU Title IX Coordinator**  
Ms. Aniya Ward  
Telephone: 336-750-8759  
Email: [wardas@wssu.edu](mailto:wardas@wssu.edu)  
115 Blair Hall  
601 Martin Luther King, Jr. Drive  
Winston-Salem, NC 27110

-or-

**Office of Interpersonal Violence Prevention**  
Ms. LaKrista Page, Director  
Telephone: (336) 750-3313  
Email: [pagell@wssu.edu](mailto:pagell@wssu.edu)  
300 Thompson Student Center  
601 Martin Luther King Jr. Dr. Suite 244 Winston-Salem, NC 27110

To speak with someone confidentially on campus, including related to matters of drug or alcohol abuse/addiction, mental health, suicidality, sexual misconduct, or similar concerns, please contact:

**The WSSU Counseling Center**  
Telephone (8am-5pm): (336) 750-3270  
After Hours Call Dept. of Public Safety  
at (336) 750-2911  
A.H. Ray Student Health Services  
601 Martin Luther King Jr. Dr. Suite 244  
Winston-Salem, NC 27110

[WSSU Counseling Center](#)

**OFF-CAMPUS RESOURCES:**

To get help in case of an emergency, or to report suspected criminal activity (including criminal sexual misconduct), please contact:

**Winston-Salem Police Department**

Dial 911 (within city limits)

Telephone: (336) 727-8000

For off-campus healthcare options and support, including information on seeking treatment for injury, contraception and the treatment of STIs, individuals may contact:

<b>Forsyth County Health Department</b> Telephone: (336) 703-3100 799 North Highland Avenue Winston-Salem, NC 27101	<b>Guildford County Public Health</b> Telephone: (336) 641-7777 1100 Wendover Ave. E Greensboro, NC 27405
<b>Novant Health Forsyth Medical Center</b> Telephone: (336) 718-5000 3333 Silas Creek Pkwy Winston-Salem, NC (SANE Exams Offered)	<b>Wake Forest Baptist Medical Center</b> Telephone: (336) 716-2011 1 Medical Center Blvd. Winston-Salem, NC 27157 (SANE Exams Offered)

For information on local rape crisis centers, please see below:

<b>Family Services of Forsyth County</b> Telephone: (336) 722-8173 200 S. Broad St. Winston-Salem, NC	<b>Family Services of the Piedmont</b> Telephone: (336) 387-6161 315 E. Washington St. Greensboro, NC 27401
<b>Davie Domestic Violence Services &amp; Rape Crisis Center</b> Telephone: (336) 751-4357 172 S. Clement St. #2 Mocksville, NC 27023	<b>Family Services of Davidson County Inc.</b> Telephone: (336) 249-0237 1303 Greensboro St. Extension Lexington, NC 27295

# **Mission and University Values**

WSSU is a bold and energetic institution that fosters the creative thinking, analytical problem-solving, and depth of character needed to transform yourself and your world. Rooted in a liberal education, WSSU's curriculum prepares students to be thought leaders who have the skills and knowledge needed to develop innovative solutions to complex problems.

## **Our Mission**

WSSU is a comprehensive, historically Black university offering innovative undergraduate programs and exceptional graduate programs grounded in the tradition of liberal education. Students engage in active and experiential learning offered through flexible delivery modes. The university is dedicated to the holistic development of students by faculty dedicated to excellence in teaching, research, and service. As a constituent institution of the University of North Carolina, WSSU contributes to the social, cultural, intellectual and economic growth of North Carolina, the region, and beyond.

## **Our Vision**

WSSU develops graduates who thrive in a dynamic and global society. Committed to the transformative power of liberal education, WSSU integrates diverse learning environments, student development opportunities, and campus and community life to build knowledge, cultivate talent and mold character. Guided by the motto "Enter to Learn, Depart to Serve," WSSU develops leaders who advance social justice by serving the world with compassion and commitment.

## **Our Values**

Student-Centeredness – WSSU is committed to ensuring that all students achieve academic, personal, and professional development through their education. The university takes responsibility for creating and sustaining an environment that values students' unique backgrounds and learning abilities, providing a nurturing culture that supports student success.

Excellence – WSSU is committed to an uncompromised standard of quality and distinction in teaching, learning, scholarship, service, and operations. The university advances a dynamic, responsive, and accountable academic community where a desire to achieve the highest standards is evident both among individuals and across the institution.

Stewardship - WSSU understands the unique mission of the university and the value it provides through the knowledge produced and the graduates it educates. To ensure the highest levels of public trust and confidence, the university is committed to structuring institutional policies, processes, and incentives to ensure highly efficient and reliable operations; professional competence and knowledge; and careful management of resources.

Integrity – WSSU holds a deep commitment to personal and institutional fairness and honesty to ensure that the welfare of students and the university is placed foremost in all affairs and transactions.

Social Justice – WSSU believes in a deep individual and institutional responsibility to creatively respond to injustice and work toward the establishment of just, equitable, and sustainable cultural, economic, political and social principles and practices that affirm the worth, value, and dignity of all people.

Trust – WSSU is committed to building and reinforcing enduring bonds of goodwill among all members of our community based on an ethic of accountability, fairness, openness and transparency.



# **Student Rights & Responsibilities**

## **Academic Rights**

WSSU is a constituent institution of The University of North Carolina that supports the right to academic freedom for every student. In accordance with UNC Policies, the rights of students to engage in the responsible pursuit of knowledge or their right to the fair and impartial evaluation of academic performance shall not be abridged.

## **First Amendment**

WSSU embraces and strives to uphold the freedoms of expression and speech guaranteed by the First Amendment of the U.S. Constitution and the North Carolina Constitution, as they may be amended from time to time. WSSU has the right under appropriate circumstances to regulate the time, place, and manner of exercising these and other constitutionally protected rights. WSSU fully supports the right of a student to assemble peacefully and to express him or herself in a manner in which order is maintained. The university has the right under appropriate circumstances to regulate the time, place, and manner of exercising these and other constitutionally protected rights in a manner consistent with applicable laws and policies, as they may be amended from time to time.

## **Freedom to Learn**

The UNC Board of Governors has prescribed that all students shall be responsible for conducting themselves in a manner that helps enhance an environment of learning in which the rights, dignity, worth, and freedom of each member of the academic community is respected.

## **Right of Confidentiality (FERPA)**

WSSU will comply with The Family Educational Rights and Privacy Act (FERPA) as it may be amended from time to time. No information or documentation referring to a student's academic or personal life may be released to any party outside the university without the expressed written consent of the student. Any request from a current student, former student, or graduate to release information to a third party must be made in writing and include the student's signature. Students also have the right to inspect and review their own official records, except letters of recommendation.

## **Participation in Institutional Governance**

Students are encouraged to participate in activities associated with the governance of the university by serving on various committees, councils and taskforces charged with making decisions.

## **Student Grievances**

Students who believe that their rights under the law or university policy have been violated by an employee, agent or member of the university community should refer to the WSSU Student Grievance and Appeals Procedure: <https://www.wssu.edu/academics/distance-learning/student-grievance-and-appeals-procedures.html>

## **Student Conduct**

Students who attend the university are expected to behave in a manner consistent with life at an academic institution. The Code is intended to reinforce this expectation and governs the behaviors and

disciplinary process for violations.

**Right to be Heard**

Students who have been charged with violations of the Code are entitled to due process. Students accused of violating standards of conduct will be subject to disciplinary action in accordance with this document.

**Responsibilities**

All students are responsible for conducting themselves in a manner that helps enhance an environment of learning in which the rights, dignity, worth, and freedom of each member of the academic community are respected. WSSU expects all students and their guest to behave in a manner consistent with campus policies and applicable state and federal laws. Students are expected to observe and adhere to the university's standards of conduct outlined within the Code in the classroom, on-campus, and off-campus.

# **Students' Code of Conduct**

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

## **I. Jurisdiction of Student Conduct**

The Code and the processes for its administration and enforcement exist for the protection and advancement of the university community's institutional interests. The Code applies to enrolled students and university affiliated student organizations, and it is used to enforce university policies and regulations. The Code applies to conduct that occurs on university premises, at university-sponsored activities, and to off-campus conduct (whether in NC, another state, or a foreign country) that adversely affects the university community, its mission, programs, the pursuit of its objectives, or poses a serious risk of danger to, or disruption or interference with, a member of the University community. The Director of Community Standards & Civility with other university officials shall determine whether the Code applies to off-campus conduct.

Under applicable UNC Policy, it is the duty of the Chancellor to exercise full authority in the regulation of student affairs and student's conduct. The authority of the Chancellor to regulate student's conduct and discipline, and the authority to enforce policies, regulations, and sanctioning decisions has been delegated to the Associate Provost /Vice Chancellor for Student Development and Engagement, who may delegate this authority to additional designees from time to time.

## **II. Violations of Law and Disciplinary Action**

Students may be accountable to the university and/or to criminal or civil authorities for acts that constitute violations of law and of this Code. The university has the right to proceed with its disciplinary procedures regardless of whether criminal investigation/charges are pending, and regardless of whether criminal charges involving the same incident have been dismissed, resolved, or reduced.

### III. Offenses Under the Code

- a. **Academic Misconduct**<sup>1</sup> – Definitions regarding academic misconduct are set forth in writing in order to give students general notice of prohibited conduct. They should be read broadly and are not designed to define academic misconduct in exhaustive terms. Attempts to commit acts prohibited by the Code may also be addressed through the conduct process. If a student is in doubt regarding any matter relating to the standards of academic integrity in each course or on a given assignment, that student must consult with the faculty member responsible for the course before presenting the work.
  1. **Cheating.** Intentionally and knowingly using unauthorized materials, information, or study aids in any academic exercise or matter.
  2. **Plagiarism.** Intentionally and knowingly representing in any academic exercise or matter the words or ideas of another as one's own.
  3. **Fabrication.** Intentionally and knowingly falsifying or inventing information or citations in an academic exercise.
  4. **Facilitating Academic Dishonesty.** Intentionally and knowingly helping or attempting to help another to commit an act of cheating, plagiarism, or fabrication.
- b. **Alcohol Violation.**
  1. Possessing, consuming, and/or using alcoholic beverages in an unauthorized manner at locations on university owned property or at a student activity on campus;
  2. Possessing or using alcohol paraphernalia including but not limited to empty alcoholic bottles, alcoholic carton, beer bongs, funnels, kegs;
  3. Consuming alcohol while under the statutory legal age, as it may be amended from time to time;
  4. Providing alcohol to a minor or any person not of the statutory legal age to consume alcoholic beverages;
  5. Being publicly intoxicated; or
  6. Other conduct that could form the basis of any charge relating to a violation of North Carolina laws regarding the purchase, possession, manufacture, and consumption of alcoholic beverages or driving while under the influence.
- c. **Computer and Network Abuse.** Means the theft or misuse of university computing resources,

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<sup>1</sup> WSSU Policy 301.1 "Academic Integrity" exclusively addresses prohibited conduct, the complaint process, the resolution process, and other matters pertaining to **Academic Misconduct**.

including violations of applicable WSSU policies that related to computer usage [See WSSU Acceptable Use of Computing and Information Resources Policies, Chapter 400.6. Violations include:

1. Misusing university or organizational names and images;
  2. The unauthorized entry into or transfer of electronic files;
  3. Using another person's computing identification and/or password without authorization or permission;
  4. Using university IT resources to interfere with the work of another student, faculty member, or other University employee;
  5. Using university IT resources to send obscene or harassing messages that would constitute unlawful discrimination or sexual harassment as defined;
  6. Using university IT resources to interfere with normal operations of the university computing system.
- d. **Creating a Safety Hazard.** Any act that intentionally or recklessly creates a safety hazard, including but not limited to:
1. Starting or attempting to start a fire or failing to exit a building when a fire alarm is sounded;
  2. Tampering with or misusing fire and/or other safety equipment, including fire alarms, closed circuit televisions, or elevators;
  3. Failing to comply with campus traffic laws while on a pedestrian conveyance (bicycle, skateboard, scooter, etc.);
  4. Throwing objects from an elevated position in the direction of persons below;
  5. Leaving loose paper, cans, bottles, trash, etc. or littering as defined by state statutes, in common/public areas (internally and externally) of residence hall or university building;
  6. Assisting another person in the commission or attempted commission of a crime, infraction, or act that violates the Code; or
  7. Hosting a non-student who commits a violation to the university's Code.
- e. **Damage to Property.** Engaging in an act that intentionally or recklessly damages, destroys, or defaces property of the university or another.

**f. Disorderly Conduct.**

1. Engaging in conduct that disrupts class including, but not limited to, the use of cell phones or other electronic devices for voice or text communication, unless permitted by the faculty member;
2. Conduct that disrupts, interrupts, or attempts to force the cancellation of any university-sponsored activity or authorized non-university activity, including educational activities, meetings, ceremonies, scheduled events, essential university processes, and authorized solicitation activities;
3. Obstruction that unreasonably interferes with freedom of movement or safe passage, either pedestrian or vehicular, on university premises;
4. Any unauthorized use of electronic or other devices to make an audio or video record of any person without his/her prior knowledge, or without his/her consent when such a recording is likely to cause injury or distress; or
5. Engaging in any activity that deliberately threatens, harasses, intimidates another individual, or places an individual in reasonable fear of harm to the individual or damage to the individual's property that has the effect of substantially disrupting the orderly operation of the individual's daily life.

**g. Disruption of the Student Conduct Process.**

1. Attempting to discourage an individual's proper participation in, or use of, the conduct system;
2. Attempting to influence the impartiality of the Hearing Officer, conduct board member, or appeal administrator;
3. Harassment and/or intimidation of a Hearing Officer, conduct board member, or appeal administrator prior to, during, and/or after a student conduct proceeding; or
4. Influencing or attempting to encourage another person to commit an abuse of the conduct system; or

**h. Drug Violations.**

1. Illegal possession or use of controlled substances as defined by the North Carolina General Statutes § 90-86 through § 90-113.8;
2. Manufacturing, selling, or delivering any controlled substance or possession with intent to manufacture, sell or deliver any controlled substance;
3. Misusing any legal pharmaceutical drugs; (If you are a student who has been

prescribed any narcotic by a licensed health care professional, you may possess or use such drugs in the manner as directed by the health care professional and must possess, and provide upon request, written documentation for verification purposes).

4. Knowingly breathing, inhaling, or ingesting any substance for the unlawful purpose of inducing a condition of intoxication;
  5. Possessing drug-related paraphernalia. Drug-related paraphernalia may include drug residue, stems, "Dutch guts," cigarillo shavings, cigarillo wrappers, "roaches," roach clips, grinders seeds, powder, crystals, scales, products containing CBD, and CBD vaping devices; or
  6. Attempting to purchase or obtain any controlled and/or illegal substance on, around, or in university- controlled property, including prescription medicine.
- i. **Failure to Comply.**
1. Failing to comply with the directions of university employees, including university Police in performance of their duties;
  2. Failing to submit identification upon request to duly authorized and properly identified university officials; or
  3. Failing to comply with the sanctions imposed under this Code.
- j. **Gambling.** Gambling on university-owned property including, but not limited to, buildings, streets, and parking lots.
- k. **Hazing.** Any activity related to organizational membership or potential membership that involves pressuring or coercing a student into violating state or federal law; any brutality of a physical nature, such as striking in any manner, whipping, beating, branding, exposure to the elements, forced consumption of food, liquor, drugs, or other substances, or other forced physical activities that would adversely affect the health or safety of the student. Hazing also includes any activity that would subject the student to extreme mental stress, such as sleep deprivation, forced exclusion from social contacts, forced conduct that would be extremely demeaning, or would result in extreme embarrassment, or any other forced activity that could adversely affect the mental health or dignity of the student. Additionally, any activity as described above, or any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for purposes, including, but not limited to, recruitment, initiation, acceptance, or admission into or affiliation with a university sanctioned organization, shall be presumed to be hazing and a "forced" activity, the willingness or consent of an individual to participate in such activity notwithstanding.
- l. **Hostile Environment Harassment.** No student shall engage in unlawful harassment leading to a hostile environment. A hostile environment is created when the behavior is: a) directed toward a particular person or persons; b) based in whole or in part upon any of the protected statuses included in Section 103 of The Code of The UNC Board of Governors; c) unwelcome;

d) severe or pervasive; e) objectively offensive; and f) so unreasonably interferes with the target person's employment, academic pursuits, or participation in university-sponsored activities as to effectively deny equal access to the university's resources and opportunities.

In determining whether student conduct violates these provisions, all relevant facts and circumstances shall be considered. Care must be exercised in order to preserve freedoms of speech and expression, as articulated in current legal standards. Advice should be sought from campus attorneys, as appropriate.

**m. Infliction or Threat or Bodily Harm.**

1. Inflicting physical injury upon another;
2. Placing another in fear of, or at risk of, physical injury or danger;
3. Intentionally or recklessly acting in a manner that creates a substantial risk of bodily harm to another;
4. Communicating threats, either verbally or written to members of the university community;
5. Subjecting another individual, whether intentionally or unintentionally, in activity likely to cause physical injury, mental distress, or personal indignities of a highly offensive nature; or
6. Engaging in fighting. Consent to fighting is not a defense to this charge.

**n. Providing False Information.**

1. Furnishing false or misleading information on university records or forms by commission or omission;
2. Knowingly misrepresenting facts pertaining to university procedures;
3. Fraudulently misusing university or organizational names and images;
4. Furnishing false information to any member of the university community; or
5. Misusing documents, keys, or keycards.

**o. Relationship or Interpersonal Violence.** Relationship or interpersonal violence includes Dating Violence, Domestic Violence, and Stalking. Relationship or Interpersonal Violence occurs when one person in a social relationship of a romantic or an intimate nature uses abuse to maintain power over a partner. Abusive behaviors can be physical or emotional, including but not limited to, threats of self-harm or harm to others, pervasive and derogatory name calling, belittling,



isolation, engaging in sexual acts while in a dating or domestic relationship when one of the individuals does not consent.

1. **Dating Violence.** Conduct arising out of a social, personal, romantic, or intimate relationship or a dating relationship that: inflicts physical injury upon another person; or is a pattern of coercive behavior that is used by one person to gain power and control over another. It may include the use of physical and sexual violence, verbal and emotional abuse, or any conduct that places another in fear of, or at risk of, physical injury or danger.
  2. **Domestic Violence.** Conduct that arises out of a personal, romantic, or intimate relationship where the parties are current or former spouses, persons who live together or have lived together, persons who have one or more children in common, or are current or former household members, and inflicts physical injury upon a party to the relationship or shows a pattern of coercive behavior that is used by one person to gain power and control over another. It may include the use of physical and sexual violence, verbal and emotional abuse, or any conduct that places another in fear of, or at risk of, physical injury or danger.
  3. **Stalking.** Engaging in a course of conduct directed at a specific person, whether in the context of a social or intimate relationship or otherwise, that would cause a reasonable person to feel fear for their safety or safety of others or suffer substantial emotional distress. Stalking, including cyber stalking, may include, for example, non-consensual communication, including in-person communication or contact, surveillance, telephone calls, voice messages, text messages, email messages, social networking site postings, instant messages, postings of pictures or information on websites, written letters, gifts, or any other communications that are undesired and/or place another person in fear of, or at risk of, physical injury or danger.
- p. **Residence Hall Infraction.** Students who reside in, visit, or occupy residence halls are required abide by the rules enumerated in the *Guide to On-Campus Living*.
- q. **Retaliation.** Mistreatment or any act of reprisal, interference, restraint, coercion, penalty, discrimination, harassment - overtly or covertly - against any individual within the university's control when the person engages in a protected activity. A protected activity includes opposing discrimination or participating in the investigatory process under the Code or other university policy or process. Examples of other protected activities include, filing or being a witness to a complaint under the Code or a formal grievance, communicating with a supervisor or manager about unlawful discrimination, answering questions during an investigation, refusing to follow orders that would result in Hostile Environment Harassment or Sexual Misconduct, requesting a disability accommodation, or availing oneself of rights protected under the Family and Medical Leave Act ("FMLA").

- r. **Sexual Misconduct.** Sexual Misconduct includes **Sexual Harassment** and **Sexual Violence**, as defined in WSSU Policy 900.2 "Sexual Misconduct and Gender-Based Harassment."
1. **Sexual Harassment.** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct when: (1) submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment or academic advisement; (2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or academic environment.
  2. **Sexual Violence.** A physical act perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual may also be unable to give consent due to an intellectual or other disability. Several acts fall into the category of sexual violence including rape, sexual assault, sexual battery, and sexual coercion. All such acts of sexual violence are forms of sexual harassment covered under Title IX of the Education Amendments of 1972, (20 U.S.C §§ 1681 et seq., 34 CFR Part 106).
- s. **Theft.**
1. Stealing or attempting to steal another's property, money, or services;
  2. Knowingly possessing, purchasing, or exchanging stolen or embezzled property, money, or services;
  3. Unauthorized use or access to private or confidential information in any medium;
  4. Possession and/or use of another WSSU student's identification (Ram Card) for the purpose of defrauding university officials and/or to gain entry/access to university property; or
  5. Unauthorized possession, duplication, or use of keys or card access to any university premises.
- t. **Trespass.**
1. Entering into or using university facilities without authorization;
  2. Misusing restricted areas; or
  3. Violating rules governing university residence facilities, including but not limited to the key policy and co-ed visitation policy.
- u. **Unauthorized Use of Property.** Attempted or actual use of property of the university, property

of a university community member, or other personal or public property without proper authorization, or in a manner for which the property was not intended.

- v. **Violation of any University Policies, Regulations, or Rules.** Violation of any written policies, regulations, or rules of the university, as adopted by the university and as may be amended from time to time.
- w. **Violation of Law.** Violating local, state, and/or federal laws, as they may be amended from time to time.
- x. **Weapons.**
  - 1. Possessing or carrying, whether openly or concealed, any gun, rifle, pistol, or other firearm on campus, or to a curricular or extracurricular activity sponsored by the university; or
  - 2. Possessing or using weapons, included but not limited to: BB guns, air rifle, air pistol, bowie knife, dirk, dagger, slingshot, switchblade knives, blackjack, metallic knuckles, swords, bow and arrows, razors or razorblades (except solely for personal shaving), fireworks or other explosive materials in any university-owned buildings, grounds, housing units, or student activities. Students with any of these items on campus must register and store them with Campus Police;
  - 3. Possession of any firearm paraphernalia while residing within university property or university associated property. Firearm paraphernalia includes, but not limited to magazine clips, gun clips, bullets, scopes, lasers; or
  - 4. The use of any allowed substance and/or weapon (mace, pepper spray, knife that is under 4 inches, etc.) in a manner that is intended to provoke fear or create physical harm.

## IV. Disciplinary Process

There are two (2) broad categories for the resolution of allegations of misconduct under the Code.<sup>2</sup>

- **General Code Infractions;** and
- **Equal Opportunity** which includes allegations related to **Hostile Environment Harassment, Sexual Misconduct,** and **Relationship Violence.**

These distinctions will be referenced occasionally below.

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<sup>2</sup> WSSU Policy 301.1 “Academic Integrity” address prohibited conduct, the complaint process, the resolution process, and other matters pertaining to Academic Misconduct.

**a. General Provisions.**

Allegations of Code of Conduct violations will be presented to the Office of Community Standards & Civility, via the Maxient Student Conduct System, from the WSSU Campus Police, the WSSU Title IX Coordinator, or through an Incident Report completed by residence life staff, students, faculty, general staff, or the public at large. To report an incident through an Incident Report, any individual may use the following Maxient Student Conduct Incident Reporting Form. You can also find the link listed on the Office of Community Standards & Civility homepage, which is located on WSSU's website. Incidents that violate the Code of Conduct should be submitted as soon as possible after it takes place and factual information should be provided to support the charge. Any individual who has notice of a possible violation of the Code should contact the Office of Community Standards & Civility. The above and below provisions apply to all current WSSU students and registered student organizations.

**b. Notification of Charge.**

A student or organization may be accused of a violation only with a formal *Notification of Allegation(s)* from Director of Community Standards & Civility, designated members of the Department of Housing & Residence Life, the Title IX Coordinator, or their respective designees. The *Notice of Allegation(s)* will be sent to the student by electronic notification. A student's university-assigned email shall be the method of official communication.

Student or organization's conduct proceedings may be instituted against a student/organization charged with violation of a law that is also a violation of the Code, without regard to criminal arrest, criminal charges, prosecution, or civil litigation. Proceedings under the Code are generally carried out without awaiting the conclusion of civil or criminal proceedings off-campus as such proceedings have no bearing on student conduct proceedings.

**c. Attorney or Non-Attorney Advisor, Civility Advisors and Observers.**

**1. Definitions**

"Civility Advisor" means a faculty, staff, or student member who has been trained by the Office of Community Standards & Civility to have a solid knowledge of the conduct process. The Civility Advisor gives advice or consultation to a student who is charged with a violation under the Code or student bringing forth information. The Civility Advisor is a student, faculty or staff member who is not an Attorney. While the Respondent and Complainant are responsible to explain their version of the events in question, the Civility Advisor acts merely in the capacity of advisement and cannot take the place of the Complainant or Respondent.

"Attorney" means any person licensed to practice law in the state of North Carolina. Consistent with the Students' Code of Conduct and Student Discipline Procedures, an Attorney must complete specific documents prior to representing a student.

"Non-Attorney Advisor" means any person, who is not a licensed attorney in North Carolina, a student selects to assist them in the student conduct process. Consistent with the Code, this person must complete specific documents prior to assisting the student.

“Observer” means any person, other than an Attorney, who the student selects to play this role. The Observer is a non-speaking role and may not participate as a Non-Attorney Advocate or witness in the process.

## **2. Scope of Participation**

Respondents charged with or under investigation for misconduct under the Code may be represented by an Attorney or Non-Attorney Advisor as prescribed in UNC Policy 700.4.1[R]. Otherwise, representation is not permitted in any university disciplinary proceeding. Representation is at the party’s own expense. If a party is represented, the Attorney or Non-Attorney Advisor may not interfere with the hearing, disrupt, or delay it. Full responsibility for understanding the procedures remain with the Respondent and Complainant even where an Attorney or Non-Attorney Advisor provides representation.

Respondents who will be represented by an Attorney or Non-Attorney Advisor in the conduct process must, at least three (3) calendar days prior to any proceeding in which the Attorney or Non-Attorney Advisor intends to participate, notify the Director of Community Standards & Civility in writing of: 1) the name of the Attorney or Non-Attorney Advisor; 2) whether the Attorney or Non-Attorney Advisor is a licensed attorney or Non-Attorney Advisor; and 3) an address, telephone number and email address where the Attorney or Non-Attorney Advisor may be reached. At least two (2) calendar days prior to the proceeding, Respondents being represented by an Attorney or Non-Attorney Advisor must submit a *Notice of Attorney or Non-Attorney/Advocate Representation Form* signed by the Attorney or Non-Attorney Advisor verifying that the Attorney or Non-Attorney Advisor has read and understood the Code, as well as Section 700.4.1 of the UNC Policy Manual. Respondents being represented in a conduct process must also complete and submit a signed FERPA release consenting to the Attorney or Non-Attorney Advisor to receive information and documents regarding the Respondent. The Attorney or Non-Attorney Advisor will not be allowed to participate in the hearing if the required forms are not executed prior to the Pre-Hearing Conference.

Nothing in the Code shall be construed to create a right for any student to be represented during a disciplinary or conduct procedure at the universities or the public’s expense.

In addition to an Attorney or Non-Attorney Advocate (when allowed) or Advisor, Respondents (and Complainants in cases involving Equal Opportunity), may bring a single Observer to the hearing. An Observer may be a parent, friend, or other person of the Respondent’s choice. During the hearing, Observers may not confer with the Respondent, provide representation, actively participate, or disrupt or delay the hearing.

### **d. Interim Suspension.**

Interim Suspension is a temporary separation of a student from the campus when university officials believe such separation is necessary:

- To ensure the safety and well-being of members of the university community or preservation of university property;
- To ensure the student's own physical or emotional safety and well-being;

- Because the student poses a reasonably definite threat of interference with the normal operations of the university; or
- When a student possesses a gun on campus in violation of N.C.G.S. Sec. 14-269.2(b).

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

The *Notice of Interim Suspension* will also include instructions on how to contest and appeal the interim suspension via the electronic appeal form which will be listed at the bottom of the interim suspension letter. Persons subject to interim suspension must provide their appeal in writing within twenty-four (24) hours of delivery of the *Notice of Interim Suspension* to the student. Additional time will be allotted pertaining to mitigating circumstances.

To obtain additional information or clarification, the Assistant Dean of Students does have the ability to contact the student to obtain said new information. When reviewing an interim suspension appeal, it will be limited to the following issues: 1) the reliability of the information concerning the student's behavior; or 2) whether the conduct and surrounding circumstances reasonably indicates that the continued presence of the student on the university campus poses a threat.

A written decision shall be rendered by the Assistant Dean of Students or designee no later than five (5) calendar days after the submission and completion of the interim suspension appeal. The written decision will contain a statement of reasons for any determination to continue interim suspension. The decision regarding interim suspension shall be final and not subject to appeal.

**e. Failure to Respond or Participate.**

In cases where a student fails to respond to a *Notice of Allegation(s)*, does not attend the Pre-Hearing Conference, or otherwise fails to respond to notifications regarding the disciplinary process, or participate in the disciplinary process, the university, will proceed with the disciplinary process (including hearings) whether or not the student is present. Likewise, individuals who refuse to abide by the hearing procedures may be removed from the hearing and unable to participate.

**f. Transcript Holds & Notations.**

A temporary hold may be placed on a student's record while disciplinary proceedings or a suspension/expulsion is pending. While on hold, a student may not, at the discretion of university personnel, register for classes or receive an official copy of his or her transcript. At the discretion of university personnel, students may not graduate while a disciplinary action is pending.

Students who have been suspended or expelled will have their names entered into the UNC System database for suspended/expelled students. Students who have been expelled from WSSU will not be admitted to another UNC System constituent institution.

**g. Minor Violations.**

Minor Violations are those in which the possible sanctions are not suspension and/or expulsion. When a matter is referred to an official, students accused of a Minor Violation will receive a *Notice of Allegation(s)* with information regarding:

- Each charge with a brief recitation of the factual allegations supporting each charge;
- The right to be advised or assisted by an Attorney or Non-Attorney Advisor, with appropriate forms;
- Instructions to contact the Director of Community Standards & Civility, residential living staff, or the Title IX Coordinator in matters related to Equal Opportunity, or their respective designee regarding the allegation, and that the failure to do so may constitute a violation of the Code;
- Alternative dispute resolution in appropriate circumstances; and
- The hearing date if scheduled.

The hearing date shall not be scheduled for at least five (5) calendar days after the student receives the notice unless the student agrees to an earlier hearing date in writing.

**1. Administrative Hearings**

The Director of Community Standards & Civility, residential living staff, or their designee shall schedule an Administrative Hearing with the Respondent. The Administrative Hearing shall not be scheduled for at least five (5) calendar days after the student receives the *Notice of Allegation(s)* unless the student agrees to an earlier hearing date in writing. During this time, the Respondent shall provide an address (permanent and local) and his/her WSSU email address for notice of proceedings. A student's university-assigned email shall be the method of official communication. The Respondent will also be provided the following:

- An opportunity to review allegations and their case file. The case file consists of written materials received or generated by the Office of Community Standards & Civility that are considered relevant to the misconduct charge;
- Opportunity to review procedures under the Code;
- An opportunity to explain their version of the events in question;
- An opportunity for an Attorney or Non-Attorney Advisor to ask questions for clarification; and
- An opportunity to submit additional information regarding the allegations.

A student/organization wishing to accept responsibility and the proposed sanction(s) must do so by a signed writing. This writing shall: 1) memorialize the charges, alleged facts supporting the charges, and

sanctions; 2) contain the dated signature of the Respondent. In cases of Minor Violations, Respondent shall have their case heard as part of an Administrative Hearing.

## **2. Conduct of the Administrative Hearing**

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

A hearing official who has a conflict with bias about or interest in the case should recuse himself or herself. If the committee member or the hearing official refuses to recuse himself of herself, the Assistant Dean of Students or designee shall make the recusal decision.

Respondents may present testimonial and documentary evidence, provided that such evidence is relevant to the charge or other evidence presented and does not otherwise infringe the rights of other students/organizations. Likewise, university personnel may present testimonial and documentary evidence.

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

## **3. Appeals from Administrative Hearings**

The decision letter transmitted to the student will contain information on appeals. Appeals from matters related to housing and residential living will be heard by the Assistant Director of Housing & Residence Life. Appeals from the Director of Community Standards & Civility will be heard by the Assistant Dean of Students or designee. Additional information on appeals may be found in section V. below.

### **h. Serious Violations**

Serious Violations are those in which the possible sanctions include suspension and/or expulsion. When a matter is referred to a hearing body or official, students accused of a Serious Violations will receive a *Notice of Allegation(s)* with information on:

- Each charge with a brief recitation of the factual allegations supporting each charge;
- The possible sanctions;
- The right to be advised or assisted by an Attorney or Non-Attorney Advisor as provided in section IV.c. above, with appropriate forms;



- Instructions to contact the Director of Community Standards & Civility or the Title IX Coordinator in matters related to Equal Opportunity, or their respective designee regarding the allegation, and that the failure to do so may constitute a violation of the Code;
- Notice of which charges could result in expulsion and that expulsion precludes matriculation to any UNC constituent institution;
- Notice that the matter has been referred to a hearing body and the hearing date if scheduled.

The council hearing date should not be scheduled for at least two (2) calendar days after the student concludes the Pre-Hearing Conference unless the student agrees to an earlier hearing date. Reasonable extensions of time for either party to prepare for the hearing should be allowed.

### **1. Pre-Hearing Conference**

The Director of Community Standards & Civility or designee shall schedule a Pre-Hearing Conference with the Respondent prior to the council hearing. The Pre-Hearing Conference shall not be scheduled for at least five (5) calendar days after the student receives the *Notice of Allegation(s)* unless the student agrees to an earlier hearing date in writing. The notice will include the date, time, and location of the Pre-Hearing Conference and the Community Standards & Civility Council hearing. The notification will be sent to the Respondent's university email address, and/or the contact information provided by the student/organization, through a means in which receipt can be verified.

The Pre-Hearing Conference is an informal process designed to provide the Respondent with critical information about the student conduct process. During the Pre-Hearing Conference, the Director of Community Standards & Civility or designee shall provide to the Respondent the following:

- An opportunity to review allegations and their case file. The case file consists of written materials received or generated by the Office of Student Conduct that are considered relevant to the misconduct charge;
- Opportunity to review procedures under the Code;
- Notice of means of resolving formal charges through written acceptance of responsibility and proposed sanctions;
- An opportunity for an Attorney or Non-Attorney Advisor to ask questions for clarification; and
- An opportunity to submit additional information regarding the allegations.

At the Pre-Hearing Conference, or before as directed by a university official, the student must provide an address (permanent and local) and his/her WSSU email address for notice of proceedings. A student/organization's university-assigned email shall be the method of official communication.

### **2. Student Conduct Council Hearings**

In matters involving serious sanctions, hearings shall be conducted by the Community Standards & Civility Council.

#### **i. Composition of Conduct Council**

The Community Standards & Civility Council shall be composed of the SGA Attorney General, the Director of Community Standards & Civility or a designee who shall serve as Chairperson. The Chairperson is a nonvoting member of the Council. The hearing panelists shall consist of a minimum of three voting members, consisting of faculty, staff, or students. (In cases of **Equal Opportunity**, the Director of Community Standards & Civility shall serve as Chairperson, and the hearing panelists will be selected from faculty and staff only and no student shall be appointed to sit on the Council).

#### **ii. Scheduling of Hearing**

Hearings may be postponed once for a good cause, including but not limited to illness, unavailability of witnesses or evidence, upon request of either the Respondent or the Complainant party. This postponement will not exceed ten (10) calendar days unless there exist an extraordinary circumstance. The Chairperson of the hearing body shall determine whether good cause exists to postpone a hearing.

#### **iii. Steps to Take Prior to Hearing**

The Respondent shall be afforded reasonable access to the case file, including the list of potential witnesses. The case file will be retained in the Office of Community Standards & Civility. At a reasonable time prior to the hearing, the Respondent must be given the opportunity to review any written evidence that will be used at the hearing and to review a list of witnesses.

The names of the Council panelists will be provided to each party prior to the hearing, if possible. Any party may challenge Council member for cause. However, the Respondent and Complainant, or anyone acting on their behalf, may not speak to or contact a Council member prior to the hearing. Decisions as to whether a Council member should be removed for cause will be made by the Director of Community Standards & Civility. Council members who have information that may affect their ability to remain neutral must recuse themselves from the hearing.

#### **iv. Conduct Council Hearings**

The following procedures will be followed for Community Standards & Civility Council hearings:

- A. The Respondent will have the ability to review the case file, including a list of potential witnesses. The case file will be retained in the Office of Community Standards & Civility prior to that time.
- B. A university representative shall present the information supporting the charge(s) to the Council on behalf of the university. The university representative may be a university Police Officer, the Complainant, a university administrator, or the Chairperson.
- C. Although it is responsibility of the Complainants and Respondents to secure the presence

of their witnesses, university officials may request attendance of witnesses. Witness attendance notices must be approved by the Director of Community Standards & Civility and be delivered by a delivery method that can verify receipt of the notice.

- D. If a Respondent fails to appear at the hearing after proper notice, the university Representative will proceed with presenting the information regarding the alleged violation. The case will be decided based on the information in the record.
- E. Hearings will be closed to the public. The Respondent may bring an Attorney or Non-Attorney Advisor, Civility Advisor or Observer.
- F. The Chairperson shall exercise control over the proceedings to avoid needless consumption of time and to achieve orderly completion of the hearing. The Chairperson may recess the hearing if the Council determines that the presence of additional information or witness testimony is needed to decide (with consultation of university personnel). Any person, including but not limited to the Respondent, Complainant, Attorney, Advisor, Civility Advisor, and/or Observer, who disrupts a hearing may be excluded by the Chairperson.
- G. Hearings, but not deliberations, shall be recorded. No other recordings or broadcasts shall be permitted. The recording will be maintained with the Respondent's case file and will be available to the student as part of his/her student record, with appropriate redaction of information related to other students unless such information is a necessary part of an appeal.
- H. Witnesses shall be asked to affirm or swear that their testimony is truthful. Witnesses who intentionally provide false information may be subject to university disciplinary action.
- I. Prospective witnesses, other than the Complainant and Respondent, will be sequestered at the beginning of the hearing and excluded from the hearing during the testimony of other witnesses. In addition, all parties and witnesses shall be excluded during Council deliberations. The Chairperson will observe deliberations, and may inform Council members of applicable university policies, regulations, and rules, as well as the range of sanctions that can be implemented, but will not participate in discussions or attempt to influence the outcome of the hearing.
- J. The Council's determination shall be made based on the preponderance of the evidence, that is, whether the information presented has shown that it is "more likely than not" that the Respondent violated the Code. The Respondent's past disciplinary record will be available during the sanctions portion of the hearing only.
- K. Formal rules of evidence or civil procedure shall not apply in student disciplinary proceedings. Unduly repetitious or irrelevant information or witnesses may be excluded by the Chairperson. Hearsay information may be presented unless the Chairperson determines it is unreliable. The opposing party shall have an opportunity to rebut any hearsay information.

- L. Written witness statements are the student disciplinary equivalent of affidavits, but without the formalities. They shall not be admitted into evidence unless signed by the witnesses as observed by a staff member in the Office of Community Standards & Civility. Exceptions to the observed requirement may be approved by the Office of Community Standards & Civility staff for good cause. Written statements from others regarding insight into the Respondent's decision-making and character introduced at the sanctioning portion of the hearing need not be witnessed.
- M. Upon timely request by a party or a witness and for good cause, the Chairperson may allow for testimony to be presented through closed-circuit or web-based technology (particularly where a party or witness would otherwise be unable to participate in the hearing). Testimony through this mode is at the sole discretion of the Chairperson.
- N. Charges against multiple students involved in the same incident may be heard in a single hearing only if each Respondent consents to such a proceeding.
- O. The sequence of a Conduct Council Hearing shall be as follows:
- The Chairperson shall read statements regarding the expectations for truthfulness and confidentiality, then sequester the witnesses in the case, except as provided in the Code.
  - The Chairperson shall read the charge(s) and record whether the Respondent accepts or denies responsibility for the charge(s).
  - The university representative shall present the case, including any witnesses. The Council and Respondent may question the university representative and witnesses after the presentation.
  - The Respondent shall present his or her case including any witnesses. The Council, university representative and Complainant may question the Respondent and witnesses after the presentation.
  - Questions from the parties shall be directed through the Council. The Chairperson may limit questioning that is redundant, irrelevant, or abusive.
  - The university representative, Complainant and Respondent may make a closing statement. A closing statement is a short summary of the information previously presented, and conclusions the speaker wishes the Council to draw from the information. Either party may submit information, including written statements from character witnesses, or make statements concerning the appropriate sanction to be imposed. The past disciplinary record of the Respondent shall not be supplied to the Council prior to this portion of the hearing, except in cases where the charge includes failure to follow through on previous sanctions, recommendations, directives, or violations of behavioral contracts. In those instances, the allegations of the complaint would already reflect the past disciplinary record of the Respondent.
  - The Council will enter a period of deliberation. A decision will be made by majority vote. Only the Council members and the Chairperson may be present at deliberations. Deliberations are not recorded.

- The Council will determine its finding on each charge. Decisions of the Conduct Council may be “responsible” or “not responsible,” and sanctions will be recommended. A decision will be made by majority vote. Procedures for this deliberation are the same as for deliberation of responsibility on the charge(s).
- P. As the designee for the Assistant Dean of Students, if the Council determines that suspension or expulsion is the appropriate sanction, the Council will forward a recommendation of the Respondent’s suspension or expulsion to the Assistant Dean of Students or designee, who will then issue a final decision on the sanction of suspension or expulsion.
- Q. A written decision that includes an explanation of the findings and reasoning supporting the Council’s decision will be sent to the student within five (5) calendar days of the decision through a means where delivery can be verified. An extended timeframe of submission will be allotted under mitigating circumstances. The time limit for filing an appeal begins upon delivery or attempted delivery of the written notification of the decision to the student.

## V. Appeals

Each student who has received a disciplinary sanction shall be notified in writing of his or her appeal rights. This notice must be given no later than the date the written decision is delivered to the student/organization (or the date delivery is properly attempted, in the event delivery is not successful). Students/Organizations who have been found responsible for a conduct violation may appeal. Complainants involving Equal Opportunity infractions have the same appeal rights as the Respondent, and appropriate notice of these rights shall be delivered to Complainants.

### a. Grounds for Appeal

During a Conduct appeal, the appealing party has the burden of showing either (1) a violation of due process; or (2) a material deviation from Substantive and Procedural Standards adopted by the Board of Governors.

- i. **Violation of Due Process.** Due Process requires notice and an opportunity to be heard. A violation of due process means that the appealing party was not provided the required notice or an opportunity to be heard due to specified procedural errors, or errors in interpretation of university policies or regulations, that were so substantial as to effectively deny the Respondent a fair hearing. Reasonable deviations from the procedures set out in this Regulation will not invalidate a decision or proceeding unless the Respondent can show that, but for the deviation or error, there likely would have been a different outcome in the case.
- ii. **Material Deviation from Substantive and Procedural Standards.** Material Deviation from Substantive and Procedural Standards require that the decision reached be neither arbitrary nor capricious. A material deviation from substantive standards means that there is a lack of information in the record that could support the decision or sanction(s). This does not mean the information presented at the hearing can be re-argued on appeal; rather, it requires a

showing that no reasonable person could have determined the Respondent was responsible or could have imposed the sanction that was issued, based on the information in the record. A material deviation from procedural standards means that a lack of information in the record that could support the decision is due to a procedural error that resulted in the proffered evidence or testimony being excluded.

**b. Record on Appeal**

In all cases resulting in an appeal, the decision, the complete record of the proceeding (including documentary evidence and any recording or transcript of testimony), the appeal materials filed by the student/organization, and any other relevant information, will be compiled by the Director of Community Standards & Civility and delivered to the person designated to review the appeal.

During the timeframe to appeal, the Respondent shall be afforded reasonable access to the case file.

**c. Appeals from Minor Violations**

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

**d. Appeals for the Sanction of Suspension**

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

**e. Appeals for the Sanction of Expulsion**

Except where the Respondent has waived his or her right to appeal, appeals for a sanction of expulsion may be made to the 1) Assistant Dean of Students, then to the 2) Associate Vice Chancellor/Dean of Students, then the 3) the Associate Provost/Vice Chancellor for Student Development and Engagement, and end with 4) the Chancellor.

**f. Deadline and Place for Delivery of Notice of Appeal**

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

The appeal must contain the following:

- i. State the sanction being appealed;

- ii. A detailed written statement specifying the grounds for appeal, a list of alleged errors in the decision or procedure, an explanation for why those decisions are in error, and the complete factual basis for the appeal;
- iii. A requested remedy; and

For appeals of cases concerning Equal Opportunity, within ten (10) calendar days of receipt of an appellant's appeal, the non-appealing party may submit for consideration a response to the appeal.

#### **g. Appeal Review**

The imposition of punitive sanctions may be deferred during the pendency of appellate proceedings, at the discretion of the person(s) reviewing the appeal, and upon written request of the Respondent. However, the educational sanctions are still required for completion. Where sanctions are deferred during the pendency of the appellate proceedings and the student's appeal is ultimately unsuccessful, students may fail to receive grades or credit for courses or assignments already completed while awaiting a decision, or, in cases resulting in the sanction of suspension or expulsion, cause a student to pay back previously received financial aid for the semester completed. Students are encouraged to consult with Office of Community Standards & Civility regarding the ramifications of any delay in the enforcement of sanctions before submitting a written request for such deferral.

Appeals will be decided on the record of the original proceedings. New hearings will not be conducted on appeal. However, the person(s) reviewing the appeal may choose to ask the parties to submit written statements of their positions on appeal, beyond the information in the appeal notice. If the hearing body is alleged to have violated these procedures, a written response may be solicited from the hearing body or the Office of Community Standards & Civility on its behalf. Any such written statements from the parties or the Office of Community Standards & Civility must be drawn on information in the record; they cannot include new information or facts bearing on responsibility that were not presented at the hearing. These written statements become part of the record. Any decision to allow new information in the appeals process will be made by the person(s) reviewing the appeal.

#### **h. Appeal Decisions**

Following their review, the person(s) reviewing the appeal may decide:

- i. To affirm the findings and sanction(s) imposed by the original Council/staff member.
- ii. To reverse or modify the decision and/or sanction(s) of the Council/staff member. Such reversal or modification shall take place only upon a showing of clear and material error on the part of the Council/staff member and which error affected the outcome of the case.
- iii. To remand the case to the Council/staff member. Cases will only be remanded based on:
  - A. Specified procedural errors or errors in interpretation of university policies or regulations that were so substantial as to effectively deny a fair hearing; or
  - B. New and significant material information that has become available and was not

available previously to a person exercising reasonable diligence, which information could have affected the outcome of the proceeding.

- iv. To dismiss the entire case. Dismissal will occur only if there is insufficient information to support a finding of responsibility.

## **VI. Disciplinary files, Records & Transcript Notations**

### **a. Record Retention**

All conduct records related to a case will be kept in a conduct file in the name of the Respondent. Conduct records will be retained in the Office of Community Standards & Civility consistent with the university Records Retention and Disposition Schedule.

Consistent with the Records Retention and Disposition Schedule, student files with sanctions resulting in suspension or expulsion will be retained in the Office of Community Standards & Civility on a permanent basis. After eight (8) years, only those items which are necessary to understand the factual allegations involved will be retained.

### **b. Disclosure of Records**

Disciplinary records for Respondents who were found responsible may be reported to third parties, in accordance with university regulations and applicable laws, including but not limited to FERPA.

### **c. Transcript Holds and Notations**

A temporary hold may be placed on a student's record while disciplinary proceedings or a suspension/expulsion is pending. While on hold, a student may not, at the discretion of university personnel, register for classes or receive an official copy of his or her transcript. At the discretion of university personnel, students may not graduate while a disciplinary action is pending.

Students who have been suspended or expelled will have their names entered into the UNC System database for suspended/expelled students. Students who have been expelled from WSSU will not be admitted to another UNC System constituent institution.

## **VII. RECONSIDERATION OF EXPULSION**

### **a. Timing of Petition**

After an expulsion has become final, the former student may submit a written petition to the Chancellor requesting approval for reinstatement. A petition for approval of reinstatement will not be considered prior to the expiration of two (2) calendar years after the effective date of the expulsion. In addition, repeat petitions will not be considered until at least one (1) calendar year has passed since the filing of the previous petition.



#### **b. Contents of Petition**

A petition for approval of reinstatement should list reasons why the former student deserves to be readmitted to the university. The reasons should focus primarily on the former student's activities and behavior after the expulsion and why the student believes that he or she should be given a new opportunity to pursue higher education. Re-argument of the merits of the expulsion is inappropriate unless exonerating information has become available that could not have been discovered at the time of expulsion.

#### **c. Procedure for Review**

The Chancellor will forward the petition for approval of reinstatement to the Associate Provost / Vice Chancellor for Student Development and Engagement. The Associate Provost / Vice Chancellor for Student Development and Engagement will coordinate the gathering of the information and disciplinary record for review. The Associate Provost / Vice Chancellor for Student Development and Engagement may request additional information from the former student and/or the Office of Community Standards & Civility when necessary.

The Associate Provost / Vice Chancellor for Student Development and Engagement along with the Office of Community Standards & Civility will form a committee to review the petition. The committee may interview the former student and/or ask for additional information from the appropriate resources pertinent to the petition and in evaluating the petition.

The committee will make a recommendation regarding the petition to the Chancellor, who will render a decision and notify the petitioner. The decision whether to approve the petition for reinstatement shall be entirely at the Chancellor's discretion.

Any student who successfully petitions for approval of reinstatement and returns to the university will be placed on disciplinary or academic integrity probation for the remainder of his or her academic career. In addition, the student must comply with any additional requirements the Chancellor may impose for readmission. The transcript of a student who is successful in petitioning for approval for reinstatement will retain the expulsion notation and the phrase "Approved for Reinstatement" will be added to the transcript.

No institutional appeal is available. However, the former student may re-petition provided that one (1) year has elapsed from the denial of any previous petition.

### **VIII. Special Provisions for Equal Opportunity Allegations (Hostile Environment Harassment, Sexual Misconduct & Relationship Violence)**

#### **a. General Provisions**

Generally, matters related to student conduct and the complaint resolution process for Equal Opportunity allegations will be governed by the same processes as described above for General

Infractions, including both Minor Violations and Serious Violations. What follows are special provisions which may modify the sections above.

For further information on Equal Opportunity, individuals may consult for all parties Policy 900.2, "Sexual Misconduct and Gender Based Harassment" which details procedures of EEO cases and updated federal mandated regulations.

#### **b. Reporting**

Conduct proceedings may be instituted against a student charged with violation of a law that is also a violation of the Code, without regard to criminal arrest, criminal charges, prosecution, or civil litigation. Proceedings under the Code are generally carried out without awaiting the conclusion of civil or criminal proceedings off-campus as such proceedings have no bearing on student conduct proceedings.

Individuals may report suspected incidents of criminal sexual misconduct or other suspected criminal activity to university personnel by contacting:

##### **WSSU Police Department**

Emergency Telephone: (336) 750-2911  
Non-Emergency Telephone: (336) 750-2900  
Email: [campussafety@wssu.edu](mailto:campussafety@wssu.edu)  
Patricia Norris Police & Public Safety Building  
601 S. Martin L. King Jr. Dr.  
Winston-Salem, NC 27110

To report suspected incidents of sexual misconduct or other **Equal Opportunity** concerns to WSSU on a non-emergency bases, please contact:

##### **WSSU Title IX Coordinator**

Ms. Aniya Ward  
Telephone: 336-750-2000  
Email: [wardas@wssu.edu](mailto:wardas@wssu.edu)  
115 Blair Hall  
601 Martin Luther King, Jr.  
Drive Winston-Salem, NC  
27110

-or-

##### **Office of Interpersonal Violence Prevention**

Ms. LaKrista Page, Director  
Telephone: (336) 750-3313  
Email: [pagell@wssu.edu](mailto:pagell@wssu.edu)  
300 Thompson Student Center  
601 Martin Luther King Jr. Drive  
Winston-Salem, NC 27110

#### **c. How to Make a Report**

Any student, faculty, staff, third-party contractor, or members of the general public may make a report of suspected Equal Opportunity violations as follows:

- i. By making a report to a Title IX Officer in person, by the Incident Reporting Form, by telephone, or by email.

- ii. If on campus, by contacting the WSSU Campus Police Department or Winston-Salem Police Department for assistance in filing a criminal complaint and preserving physical evidence;

Under the WSSU Policy 900.2, "Sexual Misconduct and Gender Based Harassment," all university employees, with the exception of those designated as Confidential Employees, are considered to be "Responsible Employees." As such, all reports that are brought to the attention of a Responsible Employee must be promptly submitted to the Title IX Coordinator by the Responsible Employee.

Students may make a report to the Title IX Coordinator, to law enforcement, to neither, or to both. The campus Title IX process and law enforcement investigations operate independently of one another, although the university will coordinate information with the WSSU Police Department and/or local law enforcement when both an administrative proceeding and criminal investigation are on-going. University community members are encouraged to consult with the Title IX Coordinator if they have any questions regarding this policy or reporting prohibited conduct.

University community members may raise concerns about the university's application of Equal Opportunity with the United States Department of Education Office for Civil Rights ("OCR"). The address and telephone number of the appropriate OCR District are as follows:

U. S. Department of Education  
Office for Civil Rights  
District of Columbia Office  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-1475  
Telephone: (202) 453-6020  
FAX: (202) 453-6021

#### **d. Timeframe for Reporting**

There is no time limit for reporting prohibited conduct. University community members are urged to make a report as soon as possible after the conduct has occurred to maximize the university's ability to respond promptly and effectively. Reports under this policy may be made at any time without regard to how much time has elapsed since the incident(s) in question.

If the responding party is no longer a student or employee at the time of the report, the university may be limited in its ability to take disciplinary action against the Respondent. The university will still seek to meet its Title IX obligations by providing support for the Complainant and taking steps to end the prohibited behavior, prevent its recurrence, implement supportive measures to the parties, and address its effects. The university may assist the Complainant in identifying and contacting law enforcement and other external enforcement agencies.

#### **e. Supportive Measures**

Both the Complainant and Respondent may request supportive measures during the disciplinary investigation. Supportive measures mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve access to the university's education program or activity without unreasonably burdening the other party; protect the safety of all parties and the institution's educational environment; and deter sexual harassment. The university will maintain as confidential any supportive measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Supportive measures may include one or more of the following:

- i. Access to counseling and medical services;
- ii. Assistance in obtaining a sexual assault forensic examination;
- iii. Assistance in arranging rescheduling of exams and assignments and extensions of deadlines;
- iv. Academic support;
- v. Assistance in requesting long-term academic accommodations through the Office of Student Services, if the Complainant qualifies as an individual with a disability;
- vi. Change in the Complainant's campus housing;
- vii. Assistance navigating off campus housing concerns;
- viii. Imposition of a "no contact order," an administrative remedy designed to curtail contact and communications between two or more individuals;
- ix. Referral to resources which can assist in obtaining a protective order, or other legal remedy;
- x. Referral to resources which can assist with financial aid other administrative concerns; or
- xi. Any other remedial measure that can be used to achieve the goals of this policy.

Requests for supportive measures may be made to the Title IX Office. The Title IX Office has the discretion to impose and/or modify any supportive measures based on all available information and is available to meet with a Complainant or Respondent to address any concerns about the provision of supportive measures. All individuals are encouraged to report to the Title IX Office any concerns about the failure of another to abide by any restrictions imposed through an interim protective measure.

#### **f. Sanctioning**

The university will take reasonable steps to end Equal Opportunity violations; to prevent recurrence; and to remedy the effects. Any person who is found to have violated this Policy shall be subject to disciplinary action, up to and including expulsion from educational programs. The specific penalties imposed on violators will be commensurate with the level of offense and in accordance with applicable laws and university regulations, policies, and procedures. The university recognizes that some offenses are so serious that suspension or expulsion may be warranted on the first occurrence. Factors that will

be considered in determining the appropriate level of discipline include:

- i. Seriousness of offense (e.g., effect of the misconduct on the university's mission, isolated or repeated offense, deliberate or inadvertent misconduct, etc.);
- ii. Prior misconduct (e.g., disciplinary record, similarity of past offenses to current misconduct);
- iii. Consistency of Penalty (e.g., is the disciplinary action consistent with treatment of similar misconduct in other cases);
- iv. Potential for rehabilitation (e.g., self-disclosure prior to investigation, seeking assistance with problem); Effectiveness of a lesser sanction; and
- v. Other aggravating and mitigating circumstances.

## **XVIII. APPENDIX D - RAPE AGGRESSION DEFENSE (RAD)**

Rape Aggression Defense (RAD) System is a program of realistic self-defense tactics and techniques. It is a comprehensive course for women and men that begins with awareness, risk reduction and avoidance while progressing on to the basics of hands-on defense training. The RAD Systems curriculum is taught at over 400 colleges and universities across the United States and Canada.

RAD is not a martial arts program. Rape Aggression Defense is a hand-on training program for women and men that gives participants a realistic but safe experience of what it is like to be attacked and how difficult it can be to escape.

**XIX. APPENDIX E - RULES AND POLICIES GOVERNING RESIDENCE  
HALLS**

# **Living On Campus Housing Guide**

**Collaboration, Accountability, Responsibility,  
Service, Leadership**



601 S. Martin Luther King Jr. Drive  
Thompson Center 301  
Winston-Salem, NC 27110  
Office phone: (336) 750-3471

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# WELCOME

Welcome to your community! In a University, you learn just as much outside the classroom as you do within it — and much of that learning will happen right here, in your experiences in Housing and Residence Life at Winston-Salem State University.

Here, you will encounter many people with similar interests; you will also meet and live alongside others who are different from you. That is what makes living in Housing and Residence Life unlike anywhere else. And it is why we work to create an environment that celebrates the unique cultures, social identities, histories, and narratives that our residents bring into the community.

Housing and Residence Life values inclusion and being a supportive place for residents of all identities. We strive for every resident to call Housing and Residence Life home. It is our sincere hope that you will find that your community is a place where you can express yourself and make lifelong connections. You belong here. We are so glad you are home.

## **Housing and Residence Life – Health Crises Guidelines/Procedures**

Instrumental to the mission of Housing and Residence life (HRL) at WSSU is to provide a safe, secure, and comfortable living conditions which are conducive to the pursuit of academic excellence. The below guidelines and procedures apply to all residential students to promote health and safety.

Winston-Salem State University may adjust the housing services schedule contained herein, temporarily close, and/or place restrictions on the use of housing facilities as necessary in Winston-Salem State University's sole discretion to preserve the health and safety of residents and the greater campus community. In the event of temporary closures, restrictions, and/or adjustments to the housing services schedule, Winston-Salem State University shall not have the obligation to issue a partial refund or credit for such interruptions or adjustments. Furthermore, during a health and safety emergency certain companies or staff contracted by Winston-Salem State University to provide certain services to campus housing facilities may not be available or may be significantly limited.

**Community of Respect** – It is expected that all members of the WSSU HRL community demonstrate respect for one another by demonstrating honesty, integrity, and civility. In the interest of the health of both residential students and Housing and Residence Life staff members and contractors, residential students are prohibited by engaging in conduct that creates a health or safety hazard within all Winston-Salem State University residential spaces both on and off campus. In the event, Winston-Salem State University requires a resident to vacate their housing assignment or move housing assignments, residents will be responsible for removing all valuable personal items at that time. In certain circumstances, Winston-Salem State University may remove possessions and/or furnishings from housing assignments for those assignments to be used for other emergency purposes. Winston-Salem State University will not be responsible for loss or damage to a resident's personal items that must be moved and stored in such instances.

**Health and Safety** – As Winston-Salem State University responds to health crises, residential students are expected to comply with health and safety laws, orders, ordinances, regulations, and guidance adopted by Winston-Salem State University. This may include face mask or social distancing guidance, limits on mass gatherings, changes to the visitation policy, testing, quarantine, and isolation procedures. Compliance with all health and safety guidelines extends to both residential students and all Housing and Residence Life staff members. If there is a health and safety emergency, residents may not be able to occupy campus housing or the resident's use of campus housing facilities may be significantly restricted.

**Quarantine and Isolation** – At any time, the university may request or require vacating their residence hall assignment when their presence may pose a risk to the health and safety of other members within the residential community. All residential students are required to comply with request from Housing and Residence Life officials if asked to leave their assigned space due to a public health emergency including COVID 19. Failure to adhere to these requests may subject a student to emergency removal or termination of the resident's housing contract. Housing and Residence Life has limited spaces for isolation and quarantine. Moreover, a resident may be recommended to self-isolate or quarantine in another space and will not be permitted to continue residing in their housing assignment. Removal or relocation from Housing to isolate or quarantine does not constitute a termination of the housing contract.

**Conflict** – In the event of a conflict between these guidelines/procedures and language in other documents, these guidelines/procedures will control and supersede existing documents.

### *MISSION STATEMENT*

The Mission of Housing and Residence Life at WSSU is to provide a Residential Experience that fosters a holistic-learning atmosphere which challenges a community of diverse scholars while encouraging collaboration, accountability, responsibility, service, and leadership preparing our students to engage in the global community.

Instrumental to the success of our mission is to provide:

- Safe, Secure, and comfortable living conditions which are conducive to the pursuit of academic excellence
- Programs that address cultural, physical, emotional, spiritual, social, and intellectual development of our students
- Technology that enhances intellectual pursuits and student success
- An awareness of the benefits and needs associated with community living

## *VISION*

Winston-Salem State University residence halls operate on a "living and learning" concept. Here, students are challenged to improve interpersonal relationship skills. Students are also challenged to live peacefully and to interact with others from different backgrounds. Our students enjoy a healthy range of adult freedom while carrying out their responsibilities at Winston-Salem State University.

We believe that:

- Service to the students at Winston-Salem State University is our highest priority. We serve by preparing our students to be tomorrow's leaders.
- Winston-Salem State University is committed to excellence, embracing those programs and activities that we can deliver at an exemplary level.
- A community of learners and scholars is built around high expectations. We expect all members to use their unique talents to make WSSU a better place.
- Each member of our community has the ability to contribute to the entirety of the community.

### **Winston-Salem State University residence hall communities incorporate the following living creed:**

<b>Education:</b>	to ensure teaching and learning takes place beyond the classroom;
<b>Openness:</b>	so ideas and thoughts can be discussed freely;
<b>Respect:</b>	to ensure individuality is honored so diversity can be pursued;
<b>Responsibility</b>	so the individual accepts obligations to the community and is held accountable for individual actions;
<b>Caring</b>	to ensure the individual's well-being is supported, and that community service is encouraged;
<b>Involvement:</b>	so the individuals have a voice in decisions concerning their community
<b>Ownership:</b>	to ensure all individuals care for their facilities and adjacent property and
<b>Celebratio</b>	so Winston-Salem State University history and culture is promoted and residence life and university traditions are shared.

## HOUSING AND RESIDENCE LIFE OFFICE AND STAFF

### RESIDENCE HALL DESK NUMBERS

Hall	Desk Numbers
Atkins	(336) 750- 8441
Brown	(336) 750- 8667
Covington	(336) 750- 2944
Foundation Heights	(336) 750- 8680
Gleason- Hairston Terrace	(336) 750- 3309
Martin-Schexnider	(336) 750- 8611
Moore	(336) 750- 8447
Rams Commons	(336) 750- 2172
Wilson	(336) 750- 3405

### *RESIDENCE LIFE STAFF ROLES*

**Area Coordinator (AC)** is a live-in master's degree professional staff member of the Housing and Residence Life department who assists in creating a community environment that promotes and supports residents' personal and academic success consistent with the mission of the university. The AC is responsible for the daily operations of the residence hall community and supervises a Graduate Hall Director and Resident Advisors.

**Graduate Hall Director (GHD)** is a live-in Housing and Residence Life department staff member who oversees the daily operations of a designated residence hall. The GHD works with the residents to promote and enhance students' educational, personal development and residence hall safety. The GHD supervises the Residence Advisors who reside on each floor of the residence hall.

**Resident Advisor (RA)** is a live-in student staff member of the Housing and Residence Life department who facilitates a safe, educational and social atmosphere for students living in the residence hall communities. The RA serves as a resource and creates programming opportunities for residents to engage with other students and the campus community.

**Desk Attendant (DA)** is a student staff member of the Housing and Residence Life department who serves as a resource to residents and provides customer service at the residence hall desk.

## **GETTING INVOLVED**

### **Residence Hall Association**

The Residence Hall Association (RHA) is a residential student-led organization serving as the overall governing body for residents at the University. RHA provides an opportunity for student involvement and leadership. The RHA Executive Board advocates for residential students and serves as a liaison between WSSU residents and the Department of Housing and Residence Life. RHA enhances the residential experience through programming that encourages student engagement and learning.

### **Hall Council**

Hall Council is an essential part of the residential experience. Each residence hall has an individual Hall Council that is governed under the umbrella of the Residence Hall Association (RHA). Student leaders who fulfill the various positions on their Hall Council host programs and help foster a sense of community in their residence hall. Hall Council members work closely with Resident Advisors and are advised by the Area Coordinator or Graduate Hall Director.

### **Residence Activities and Programming**

The Department of Housing and Residence Life operates on a living-learning concept. Opportunities for learning and growth outside of the classroom are provided through programming and community building activities. Throughout the year, professional staff members and Resident Advisors deliver weekday and weekend programming for residents in the community. Residents are strongly encouraged to take part in all programs and activities offered in their residence hall.

### **Residence Hall Meetings**

Residents are periodically required to attend hall, floor, or individual meetings in the residential community. These mandatory meetings may be informational, educational, or focused on community standards. Residents who have a scheduling conflict should discuss the matter with their respective Area Coordinator or Graduate Hall Director prior to the meeting.

## **EMPLOYMENT OPPORTUNITIES**

The department of Housing and Residence Life hires student leaders to fulfill the role of Resident Advisor or Desk Attendant. Throughout the academic year, the department's staff will actively seek out residents who perform well academically and demonstrate unique characteristics such as social maturity, openness to diversity and inclusion, ability to work with students without judgment, willingness to serve as leaders in the hall, the ability to take responsibility for personal actions and more. The recruitment and selection process takes place in the fall and spring semesters. The dates are announced via various venues on campus, including email to residents from the department.

# RESIDENCE HALL GUIDELINES, POLICIES, AND PROCEDURES

## *LIVING COMMUNITIES*

### **Traditional Style**

Traditional style residence halls consist of double occupancy rooms between residents of the same gender. The rooms open into the hallway and have a community bathroom shared by the floor residents. Residents are expected to pick-up after themselves and keep the bathrooms clean.

### **Suite and Apartment Style**

Suite and apartment style buildings are single to double occupancy bedrooms between residents of the same gender. Residents share a bathroom with other suitemates, and it is the responsibility of the residents to clean the suite and bathroom. The units in this style will have either a full kitchen or kitchenette

## *HOUSING APPLICATION AND CONTRACT POLICIES*

### **Housing Portal**

All Winston-Salem State University students have access to the housing portal, administered by Mercury. Students can access the housing portal through the housing website by using their WSSU credentials (RAM ID and password). Housing and Residence Life recommends that students access the housing portal using a desktop or laptop computer and use Firefox, Safari, or Internet Explorer for the best experience. Students can access services such as the housing application, housing cancellation, [maintenance request](#), and other housing related services.

### **Housing Requirement**

Winston-Salem State University has a 2 year (4 semester) live on requirement for all WSSU students that enter the university as a New First Time Freshman. This designation is assigned by the Office of Admissions and is not based on a student's incoming earned credit hours. For example, if high school student entering Winston-Salem State University has academic credit to be considered a sophomore, this does not release them from the live-on requirement. Should a student who is held to the live-on requirement not apply for housing in a timely manner, Housing and Residence Life will submit an application on the student's behalf and assign the student to a space at the discretion of the assignment's office. The student's account will be billed accordingly.

### **Consolidation**

Housing seeks to efficiently and effectively utilize all available spaces to accommodate the housing needs of all students. Prior to a semester beginning and during the course of a semester Housing and Residence Life reserve the right to consolidate students residing alone in multiple occupancy rooms.

If the occupancy of a space has begun, this means that a resident, upon notification, may be required to vacate their room and move into another space on campus. This process may be



conducted to use each room to its capacity and accommodate all residents' housing needs. If at any time, a resident's roommate should move out, the resident will be notified by Housing of their options which may include; finding a new roommate, moving into another Residential Space, or opting to pay for a "double as a single (if applicable)."

### **Administrative Room Changes**

Housing and Residence Life reserves the right and has the discretion to administratively change or adjust the assignment of any resident due to but not limited to the following reasons; facility related issues, as a result of a conduct issue, or occupancy management.

### **Room Change Requests**

Should a student desire to change the assignment to which they were originally assigned to or self-selected, they may do so during the room change process. If a student is requesting a room change due to problems or differences with a roommate(s), our office strongly encourages working with your Resident Advisor, Graduate Hall Director, or Area Coordinator. Many roommate conflicts can be resolved through mediation where a housing staff member facilitates a conversation among roommate to develop mutual expectations.

The room change process will typically occur between the third and twelfth week of a semester, please refer to the Housing and Residence Life calendar for specific dates. A student may request a room change through the housing portal, but a room change is not guaranteed. Students must meet the requirements of the community they are requesting to move to. Once your request is complete, you will be contacted by the housing staff member of the community you are requesting to move to when a space becomes available. If a student does not receive a room change at the conclusion of the room change period and has an outstanding request, that request will be cancelled, and the student may submit a new request the following semester.

### **Multiple Occupancies**

Residents that have an unoccupied bed space in their room are not allowed to take over or occupy the bed/space. Residents found using the empty bed/spaces will be charged \$30/day for improper usage of property and could be charged for violation of policy.

### **Improper Room Changes**

Room changes can only be approved by Housing and Residence Life staff. Should a resident choose to change rooms without prior authorization by Housing and Residence Life, they will be informed to remove all items from the space and will be charged either \$30/day or the daily rate of the improper bed space. Residents may also be charged for violation of policy.

### **Improper Occupancy**

If a student is found to be occupying a space without an official assignment, they will be informed to leave immediately or escorted off of the premises by University Police. The residents of the space may be held accountable through improper usage of property. The individual who is trespassing will be charged \$30/day for improper occupancy and may be charged for improper usage of property.

## *HOUSING ASSIGNMENT PROCESS AND PROCEDURES*

### **Academic Year Housing (Fall and Spring Semester)**

When a student applies for housing and submits an application, it is for the full duration of the academic year unless the student applies during the spring semester.

### **Spring Semester Housing**

New students (NFTF or Transfer) or continuing students who take classes during the spring semester may apply for housing for the spring semester. If a student cancelled a housing application for the current academic year, they may reactivate for the spring semester, please see Housing Reactivation for more information.

### **Break Housing (Spring Break, Winter Break)**

All residence halls close for Thanksgiving, Winter, and Spring break. As a result, all residents must vacate the hall prior to those periods. Students with extenuating circumstances may request to remain in university housing by submitting a request through the housing portal. Requests must be submitted at least two weeks prior to the break and the student may be charged for the entirety of the approved period at an approximate cost of \$30.00 per day.

### **Summer Semester Housing**

Housing and Residence Life offers summer housing for students taking courses for summer sessions. Students can select the housing length to match the length of their classes, namely Term I – 5 Week, 6 Week, 8 Week, 10 Week, and Term II – 5 Week. Interested students should submit a summer housing application through the housing portal

## **Student Rights, Responsibilities, and Conduct**

Residents are encouraged to familiarize themselves with the Student Rights, Responsibilities, and Conduct webpage to understand the standards of WSSU and students of the RAM family. <https://www.wssu.edu/student-life/student-handbook/student-rights-responsibilities-conduct.html>

## **SAFETY AND SECURITY**

### **RESIDENCE HALL SECURITY**

Security in the residence halls is a joint responsibility of the residents and the university. University Housing and the Police Department provide residential students with security resources, which include on-going educational programs, safety-related policies, sanctions for policy violations, and staff assistance for dealing with security issues and emergencies. However, the safety and security of our community is the responsibility of everyone. You are the most important part of our cooperative effort to provide a safe and secure community. Please do your part to keep your room and building safe and secure through the following:

- Lock your room door at all times

- Utilize the peep hole
- Do not keep large amounts of money in your room
- Store valuables in a safe place
- Make sure exterior doors are locked and not propped open
- Maintain possession of your key/access card
- Report stolen or damaged key/access cards to the office staff
- Report unaccompanied visitors in your building

Housing and Residence Life staff, WSSU Campus Security, and Police monitor activities in the residence hall. Staff complete rounds in the buildings getting to know residents and assist when needed.

### **Entry into the Residence Halls**

At Winston-Salem State University, campus residence halls are locked 24 hours a day. To gain access, students must use their RAMCard to enter their residence hall. Guests should contact their resident host. The host is required to let guests in and escort them to their assigned room. Students are only able to access the residence hall where they are assigned. Residents are responsible for their guests at all times.



## **PERSONAL SAFETY**

### **CARES Team**

We are here to assist and support. Often times faculty and staff are the first to notice when a student is struggling emotionally, or is demonstrating behaviors that seem troubling, disruptive, or threatening. We know that students can be successful if connected to the appropriate resources on campus. Reaching out to students will help them personally and enhance their academic success. If you see a student exhibiting a behavior that is of concern and you are not sure what to do, please call the Office of the Dean of Students at **336-750-3356** and/or the University Counseling Center at **336-750-3270** where a member of the CARES Team can provide assistance.

### **Interpersonal Violence Prevention**

The department of Interpersonal Violence Prevention (IVP) is dedicated to creating a safe and non-threatening environment for students on the campus of WSSU. The department of IVP provides services to students who are experiencing domestic violence, dating and violence, social media violence, and other personal threats. It is our goal to foster healthy, stable, and nurturing relationships through education, holistic student development, and community resources.

The department will assist students with referrals to community-based programs as well as our campus Wellness Center. WSSU's campus Wellness Center provides medical care and counseling fostering the goal of holistic student development. In addition, IVP provides workshops and trainings identifying abusive relationships and creating and maintaining healthy interpersonal relationships. The department of IVP offers:

- Workshops/trainings
- IVP literature
- Community resources
- Counseling services

For more information, please contact:

The Office of the Dean of Students, [deanofstudents@wssu.edu](mailto:deanofstudents@wssu.edu) 336-750-3356 Monday - Friday | 8:00 a.m.-5:30 p.m.

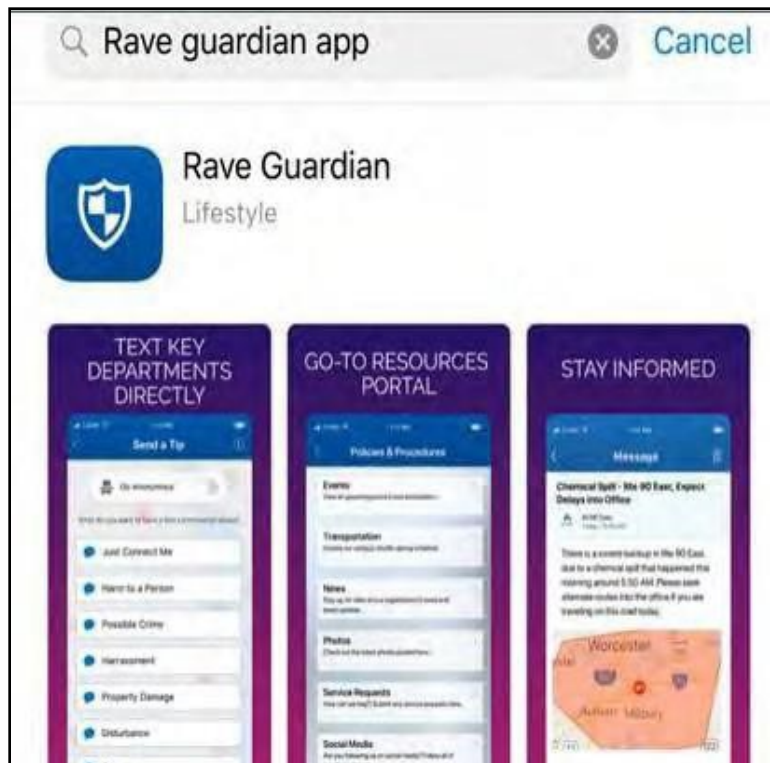
## PUBLIC SAFETY

### Rave Guardian

WSSU's **Rave Guardian** mobile application puts safety right into the hands of students, faculty, staff, and visitors. You can download **Rave Guardian** for free to your Apple or Android device and have an on-the-go, easy way to connect with WSSU campus police.



- <https://itunes.apple.com/us/app/raveguardian/id691246562?mt=8>
- <https://play.google.com/store/apps/details?id=com.ravemobilesafety.raveguardian&hl=en>
- Can easily be made into clickable buttons (like below) and published on the WSSU website or other clickable resources. Or Students can just search the app through their app store.



## CRISIS RESPONSE

Emergency procedures are intended for use by the Winston-Salem State University community. Please familiarize yourself with these procedures should an emergency situation occur. In the event of an emergency, they can serve as quick references for effective action. These procedures should be kept in an easily accessible location at all times, preferably at or near the telephone.

<https://www.wssu.edu/about/chancellors-office/chief-of-staff/police-public-safety/emergency-management/emergency-procedures/>

### *Fire Safety*

Fire prevention and safety are of paramount importance in residence hall living. Each residence hall has fire and emergency procedures that each student must know for both his/her own safety and for the safety of other residents. Fire drills are held each semester to ensure that all residents are familiar with emergency procedures. Failure to cooperate fully and in a timely fashion will result in a fine and/or disciplinary action. (See the “Fines and Charges” chart at the end of this document.) Periodically, as a result of equipment sensitivity or mischief, false fire alarms will inconveniently occur. You are still required to exit the building promptly. All fire alarms must be treated as if there was a fire.

### **Fire Drills**

The university provides its faculty, staff and students with the assurance that the environment in which they work, study and live in is safe from fire emergencies by assuring that if such emergency should develop, they have the knowledge to protect themselves and remain safe. When conducting drills, emphasis shall be placed on an orderly evacuation rather than on speed. Residents should become familiar with evacuation maps and routes in their hall.

Fire drills are required in each occupied building on campus and are conducted as required. Drills will be held at expected and unexpected times and under varying conditions to simulate the conditions that can occur in an actual emergency. Drills are scheduled each semester.

Fire drills are very vital and essential for emergency preparedness training. Drills shall include suitable procedures to assure all persons subject to the drill participate. All occupants shall take part in the fire drill and evacuate the building immediately. Residents not leaving the residence hall in a reasonable amount of time during a fire drill will be fined and receive disciplinary actions.

### **Fire Extinguishers**

Fire extinguishers are located in all buildings on campus in various locations. These fire extinguishers are provided for extinguishing fires when necessary. It is against the law to tamper with or remove fire extinguishers. They should only be used in an emergency. In the event that there is a malfunctioning extinguisher, please report it to the facility main office. If anyone is seen tampering with a fire extinguisher, this should be reported immediately.

### **Smoke Detectors**

Smoke detectors are provided throughout the residential halls for the safety and protection of everyone living in the building. It is against policy to tamper with, dismantle, or cover any smoke detector in any way. If the smoke detector in the room needs to be replaced which is indicated by a beep every few minutes, please alert the residence hall staff. Do not attempt to replace, remove, or tamper with a smoke detector. Rooms with dismantled smoke detectors are in violation and assigned resident(s) will be fined, referred to the Office of Community Standards and Civility for tampering with fire safety equipment.

### **Sprinkler Heads**

Sprinkler heads are located in the residential halls and in the apartments. The hanging of any materials from the sprinkler heads can activate the system and cause damage to the device and facility. In this instance, water profusely discharges in the building causing severe water damage to the immediate room and surrounding areas. Nothing should be hung on any sprinkler head at any time. Also, care must be taken to avoid accidental damage to the sprinkler heads. Violators will be fined and shall pay the cost of damages to the equipment and property of other residents, and the university

### **Title XI Misconduct**

The University is committed to providing an educational atmosphere in which students can achieve their goals and maximize their potential. When students experience sexual violence such as rape or dating violence, their sense of safety and trust are violated. Sexual misconduct is a serious, violent offense, and is a flagrant violation of the university's standards. In addition, sexual misconduct includes, but is not limited to, sexual harassment, non-consensual sexual contact, sexual exploitation, and relationship violence. Students who experience gender-based misconduct, or are in violent relationships, have a variety of resources and courses of action available to them. If you have experienced gender-based misconduct, please do the following:

1. Report the incident to the WSSU Police and Housing staff immediately. Seek medical assistance by contacting either the Student Health Center at (336) 750-3301, N.C. Baptist Hospital at (336) 716-2011, or Forsyth Memorial Hospital (336) 718-5000. In the instance of rape, avoid showering or changing clothes until medical assistance is provided in case a rape kit needs to be administered. This will be administered at a hospital emergency room.
2. Seek emotional support and victim advocacy through the University Counseling Center, located in the A.H. Ray Student Health Services Building located behind Gleason-Hairston Terrace Residence Hall (336) 750-3270.
3. Contact the Title IX office located in Blair Hall 123, (336) 750-8758. IX regarding resources available including Title IX protections.
4. Residence Life staff is also available for support.

## **RamALERT**

RamALERT is Winston-Salem State University's Emergency Notification System. In the event of a campus emergency or threat, RamALERT is activated to warn faculty, staff, and students of the situation and any appropriate precautions they should take. RamALERT utilizes multiple mechanisms to issue warnings on campus that includes SMS text messaging, voice (phone), e-mail, siren, and display monitors.

## **Weather**

The Winston-Salem area is subject to severe weather, which includes thunderstorms, tornadoes, etc. Local radio and television stations announce severe weather watches and warnings when the weather conditions dictate. Should a severe weather report dictate a tornado, or storm warning, the following procedures are to be followed:

1. Go to the lowest floor possible. If you cannot reach a lower floor, stay away from all windows and go to an interior hallway or bathroom.
2. Sit on the floor with your back to the stairwell or in the central portions of your room away from windows.
3. If a storm strikes, duck your head between your knees and cover the back of your head with your hands for protection.
4. Try to remain calm.
5. Do not move from shelter until the severe weather is well out of the area or instructed by a staff member.

## **CAMPUS LIFE SERVICES**

### **RESIDENTIAL SERVICES**

#### **Residence Hall Computer Use**

Computers are available in the residence halls for student usage. All users of the computers are responsible for compliance with the policies listed below. Violation of such policies may result in suspension of computer use privileges:

- Compliance with WSSU's [Technology Acceptable Use Policy](#)
- Access to the computers or computer-related equipment in the Winston-Salem State University labs is limited to current university students and staff.
- No food or drink is allowed in the computer labs.
- Absolutely no copyrighted software, music, or movies may be copied or taken from the labs.
- Absolutely no outside copyrighted software, music, or movies may be downloaded and/or copied onto the hard drive of any computer in the labs.
- Working documents must be saved on flash drives, or individual accounts if provided – not the computer's hard drive. Files left on the hard drive will be deleted.
- The computers are for educational purpose only. Using the computers to view pornographic sites is strictly prohibited. If you are caught accessing pornographic images,

hacking or sending content to someone that is deemed pornographic, etc. with the computers, your privileges may be revoked.

- Downloading music files and movies is not allowed.
- Deleting programs already installed on the system is prohibited.
- Repairing and/or tampering with computers is prohibited.
- Posted lab hours will be enforced. Users of the WSSU computer labs are expected to plan their work with the lab schedule in mind and to leave at the published closing time.
- Be considerate of others. The space is provided as a privilege for all students and these resources must be shared.

### **Laundry Facilities**

Students living in the residence halls will be provided with laundry services within their assigned buildings. Facilities are to be shared and students need to respect the belongings and rights of others. This service is only available to students who reside in the building when classes are in session. Students should keep track of laundry cycle completion.

Note that unattended laundry will be bagged and donated to a charitable organization. You are responsible for your own clothes in the laundry room. We recommend that you check each washer and dryer before using and stay with your laundry until it is finished. Operating instructions for the washers and dryers are posted in each laundry room. Report any issues with a machine by either downloading the QR code on the machine or call the phone number on the machine.

### **Vending Machines**

To request a refund for money lost in a vending machine, please report the loss to the office of Business and Auxiliary Services (336) 750- 2772. Be prepared to give your name, specific machine that took your money, and how much you lost. Please report all vending machines that are out of order to the residence hall staff. Proper care and utilization of these machines is expected.

### **Maintenance Requests**

Housing and Residence Life performs preventative and routine maintenance throughout the year to ensure facilities remain in appropriate living condition. From time to time, maintenance issues arise through normal wear and tear and should they, a maintenance request can be submitted by the student to address the issue or concern at no cost. Should damage be caused by a resident, or an obvious maintenance issue not reported, the damage will be documented and referred to Housing and Residence Life for investigation and possibly charged for repair.

Maintenance requests can be submitted by navigating to the Housing Portal or directly through our maintenance request website. Please ensure that you are utilizing a compatible web browser such as Firefox, Internet Explorer, or Safari.

When submitting your maintenance request, please provide as much detail as possible so that our maintenance staff can appropriately address your request. We ask that you provide your phone number as well so that our staff can contact you should there be any issues, concerns or additional follow-up is needed.



Please provide 1 to 2 business days for our staff to address and resolve your maintenance issue or concerns. If a request is submitted after business hours or on weekends, our staff will address the issues the following business day. If your request has not been resolved contact your Area Coordinator or Graduate Hall Director, do not submit an additional request.

Should a maintenance emergency occur that could cause injury or property damage (i.e., flood, power loss, water leak, etc.), please contact a housing staff member at your residence hall front desk or the Residence Advisor on-duty immediately.

### **Damages to Facilities or University Property (Individual)**

Students are responsible for maintaining the facility where they reside. Students should, in cooperation with residence life staff at check-in, carefully note the condition and inventory of the room's movable furniture, and the condition of the walls, floor, ceiling, and built-in items.

Repairs or replacement of items whose condition has changed since the completion of the Room Condition Report form (completed at check-in) will be appropriately charged to the student on the student's university statement if not collected at checkout. Students are also liable for charges for any unusual housekeeping service, such as cleaning rooms left dirty when moving out.

Damage charges are assessed equally against all residents of a room unless personal liability can be determined. Only university personnel may repair damage to residence hall rooms or furnishings. Students are responsible for any damages caused by adhesive substances, such as mounting tape, scotch tape, or self-adhesive fixtures. Students also are responsible for the condition of their room doors, blinds, and screens.

### **Damages (Common Area/Community)**

Each Graduate Hall Director and Area Coordinator will maintain and update an area in the residence hall tracking damage to the hall and its effect on the entire building. Damage to common areas is billed to the residents of that living area when the individual(s) responsible is/are not identified. When a student has knowledge that an individual has caused damage to a common area, he or she is responsible for sharing that information with a residence hall staff member. Damage to the common areas of the residence hall will then be charged directly to the person(s) responsible for such damage.

Common areas for which all residents are responsible are defined as lobbies, recreation areas, study areas, hallways, stairwells, community and public bathrooms, elevators, laundry facilities, computer labs, and the building exterior. A living area is defined as either the floor, wing, suite, or the entire building. Once a group charge is determined, a fee will be applied to the students' account.

The item will be considered billable if it is believed that the damage was or could have been done by students or witness bystanders. It will also be considered billable if it is believed that the damage could have been prevented. This would be the case if:

- The individual gained access to the building by following a resident into the building.

- The individual gained access by entering through a propped door or a door not subscribed as an entrance (emergency fire exit, etc.).
- The individual was a guest of someone in the building.
- A stranger without an escort in the building goes unreported.
- Irresponsible behaviors are not addressed by building residents and damage occurs.

If the person(s) responsible or witnesses come forward, the damage charge is assessed to the person responsible for the damage.

### **Pest Control and Protocol**

Each residence hall is treated by professional exterminators. Students experiencing pest problems should submit a Housing [Maintenance Request](#) using a desktop or laptop computer and use Firefox, Safari, or Internet Explorer. Please be mindful that cleanliness will go a long way towards keeping your room pest-free. To avoid fire or attracting pests, do not wrap kitchen walls, cabinets, or stoves with foil or other coverings.

### **Renter's Insurance**

**Student Personal Property Insurance** The University is not liable for damage to or loss of students' possessions (whether due to fire, smoke, wind, water, theft, or other causes) and cannot pay students for such losses unless it is determined by the state of North Carolina that the loss was caused by the negligence of a state employee. Therefore, unless coverage is provided under an existing homeowner's or renter's policy, students should consider purchasing separate property insurance. Brochures and applications for this type of coverage are available in the Office of Housing and Residence Life.

The university is not responsible for damages or loss of student belongings that are due to any event that is outside of the regular use of the buildings. This includes the explosion of fire extinguishers, fires, floods, theft, and/or acts of vandalism. Students are encouraged to make sure that their belongings are covered under their parent/guardians' homeowner/rental insurance, or they purchase their own rental insurance or special coverage for their belongings.

## **OTHER SERVICES**

### **Mail Services**

Your current mailing address will remain the same throughout the time you are registered at WSSU. Mail is received and sorted each day, Monday through Friday, 8:30 AM-4:00 PM at the mail center located on the ground floor of the Thompson Student Services Center. Your mailing address is:

Name  
Campus Box <Number>  
601 S. Martin-Luther King Jr. Drive  
Winston-Salem State University  
Winston Salem, NC 27110

**RAMCard Services**

Ram Identification cards can be made at [RAMCard Services](#) located in Thompson Center, Room 203.

**Parking and Transportation**

In order to maintain an orderly traffic flow and to assure fair and equal access to parking on Winston-Salem State University campus, all vehicles must be registered with the Campus Police office (fees and permits may be collected). Parking on the WSSU campus is “first come-first served” as long as the vehicle occupies an authorized parking space. **Freshmen are not permitted to have cars on campus.** For additional information on vehicle registration and parking regulations, visit the [Parking and Transportation](#) website or call 750-2905.

**Information Technology Services**

Issues with wired internet, Wi-Fi, or computer lab and printers must be addressed with the Office of Information Technology. Students should submit a RAMTech ticket for any issues with technology provided on campus or contact IT directly at

**Technology Support Center**

O’Kelly Library, Room 203  
601 Martin Luther King Jr. Drive  
Winston-Salem, NC 27110  
Phone: 336-750-3431  
Fax: 336-750-3434

[Technology Support webpage](#)

**Information Technology**

Main Office

Elva Jones Computer Science Building  
601 Martin Luther King Jr. Dr.  
Winston-Salem, NC 27110  
Phone: 336-750-2092  
Fax: 336-750-2093

[Information Technology](#)

**Department of Disability Services**

Students in need of special accommodation are encouraged to visit the [Department of Disability webpage](#) or email [dds@wssu.edu](mailto:dds@wssu.edu).

### **Mental Health Assistance Disposition**

Depression, eating disorders, bipolar disorder, and other mental health issues can emerge for the first time in the college years or reemerge after having been treated. Counselors are available for the students who want to seek help. However, in order to protect the university community, decisions made may be enforced upon student who exhibit any signs of mental health disturbances. Decisions may include, but are not limited to any or all combinations of the following requirements: referral for professional mental health evaluation, remediation, therapy, imposition of sanctions or limits designed to protect the individual of the residential community, voluntary or involuntary withdrawal from the university (including University Housing) for either a specified or unspecified period of time, or involuntary withdrawal from the university (or University Housing) for either a specified or unspecified period of time. Final decisions of the matter will be determined by the Vice Chancellor for Student Affairs, in consultation with the appropriate counselors or other mental health professionals. Contact the [Counseling Center](#) at (336) 750-3270 or their webpage.

### **Wellness Center**

The Wellness Center encompasses a variety of student services related to the mental, physical, and emotional well-being of students. Please visit the website to contact the center for assistance. Health Insurance information can be obtained from the [Wellness Center](#) webpage or call (336)-750-3303.

### **Meal Plans**

If you wish change or alter your meal plan after arriving to WSSU please visit the [Department of Business and Auxiliary Services](#) in Eller Hall, room 214 (336)750 2770 or their webpage.

### **Career Development Services**

[Career Development Services](#) (CDS) works with students during all phases of the career development process. Career Development Services offers a full range of resources and services to assist you in developing the necessary strategies and skills which will distinguish you as a professional. *CDS staff members want to help you learn about your skills and interests, and articulate them confidently in resumes, cover letters, interviews, and personal statements; identify and explore career options that you might pursue; and implement an effective strategy to attain your desired career outcomes.*

### **University Student Activities & Engagement (USAE)**

We are here to make sure that your college experience is fun, exciting, enriching, and engaged. [University Student Activities & Engagement](#) (USAE) provides you with opportunities to get involved in social groups, activities, community service, and events throughout the year. USAE collaborates with the [Student Government Association](#), [Office of Greek Life](#), and over 100 student organizations.

## RESIDENCE HALL POLICIES AND PROCEDURES

### *Abandoned Property*

Residents that have left property in residential builds will have 30 days to claim their property from the housing and residence life department. After the 30 days the items will be donated to a charitable organization. Fines will be assessed for leaving property behind.

### *Advertising and Posting Policy*

The following Housing and Residence Life posting policy has been established to promote and enhance the safety, security, and privacy of students living on campus as well as to maintain a clean and orderly residence hall environment. Posting of material(s) is permitted in the residence halls and apartments as outlined in this document. Solicitation is strictly prohibited in and around the residence halls and apartment facilities managed by Residential Life. (See the definition of solicitation that follows.)

A posting is defined as public display of any informational or promotional materials. Residential Life has designated spaces in the residence halls for the purpose of providing a place for groups and organizations to market their activities, events, information, programs, and services. Posting materials may include banners, flyers, leaflets, notices, posters, or signs placed or affixed in public space for the purpose of advertising activities, programs or services. Only University departments, faculty, recognized student organizations, and candidates for student government/hall government office are eligible to have materials posted in the residential areas.

- Students are prohibited from directly posting materials in residence halls. Materials that are directly posted, without following the policy outlined below will be taken down immediately.
- Recognized student groups, university departments, and some non-profit community organizations are allowed to submit flyers for posting. HRL will accept postings only after they have been approved and stamped from the University Student Activities and Engagement (USAE) office.
- Only Hall Staff can post approved materials that have been approved in the designated locations.
- The posted material must clearly identify the name of the sponsor or student organization, date(s) of the events, and contact information.
- The sponsoring office or organization is responsible for making the appropriate number of photocopies and delivering them to the Housing and Residence Life Office in 301 Thompson. To guarantee posting will be posted, they must be received at least three days prior to date of the expected posting.
- Housing and Residence Life is not responsible for maintaining postings that have been vandalized, torn down, or otherwise altered or destroyed.

Departments and organizations requesting permission to post materials must separate the posting materials based on the distribution list provided to ensure a timely delivery to the residential areas. A distribution list outlining the residential areas can be obtained from our office in 301

Thompson Center, on the housing website page [Resident Resources](#) under Residence Hall Postings.

- Recommended sizes for flyers are 8.5" x 11", 8.5" x 14" or 11" x 17". Due to limited posting space, any posting material exceeding 11" x 17" will not be approved.
- The use of solid red paper is reserved for emergency notices only and will not be posted.
- Postings will be removed within 24 hours after an event.
- Postings without an event date on them will be posted for a maximum of two weeks and then subsequently taken down
- Residence Life reserves the right to not approve any posting due to space or time limitation, inappropriate content, or failure to follow this policy.
- This policy is for residence halls only. For permission to post in other parts of campus, please contact the appropriate offices.
- All matters for posting not covered under this policy must be approved in advance by the Director of Residence Life (or a designee).

### *Alcoholic Beverages*

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

- Winston-Salem State University is a dry campus. Drinking an alcoholic beverage of any type on campus is strictly prohibited. Consumption by any person of any malt beverage or wine-fortified or unfortified in any public place or upon public street or upon the private business premises of WSSU, or liquor/whiskey in any public place, upon any public university street or parking area, upon the private premises of the university, or in or around any residence hall or institutional facility or building is considered unlawful.
- Under no circumstances may any person or organizations sell any type of alcoholic beverages on the campus of Winston-Salem State University.
- Aiding or abetting a person under the age of 21 in purchasing, possessing, or consuming alcoholic beverages is unlawful.
- University-sponsored, off campus affairs, at which alcoholic beverage are served, shall be governed by all applicable local, state, and federal laws.
- Drunkenness coupled with disorderly conduct will not be tolerated. The institution will impose disciplinary sanctions on students and employees (consistent with local, state and federal laws) up to and including expulsion or termination of employment and referral for prosecution for violations of the standards of conduct. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

### *Alcohol and Drug Paraphernalia*

Students are prohibited from display of alcohol or drug paraphernalia. This includes any shot glasses, empty bottles, posters, or smoking apparatus including hookahs, bongs, or pipes, etc. Violations of the policy will warrant the inclusion of the Community Standards and Civility Department, Police and Public Safety, or any appropriate law enforcement agency.

### *Appropriate Dress*

Residents are expected to wear appropriate attire (i.e., shower robes, shower shoes, etc.) when utilizing the bathrooms, computer labs, and laundry rooms, etc., and other public areas.

### *Businesses Conducted in the Residence Halls*

Residents are not permitted to perform any type of business for remunerative purposes from their rooms or apartment units. Residents are not to inscribe or affix any sign, object, advertisement or notice on any part of the inside or outside of the building premises. This includes any paid service including babysitting, nail care, hair care, eyelashes, etc.

### *Exterior Doors Access*

Exterior doors of each residence hall are secured 24-hours a day. Residents gain access to the designated entrance doors via their student RAMCard. Students are prohibited from using designated Fire Exit Only doors or windows to enter a residence hall because this creates a security lapse and puts all residents in danger. Entering or exiting through non-designated entrance or propping doors will result in disciplinary action.

### *Cleanliness*

The cleanliness of rooms or apartments is the responsibility of the occupants, and the living areas are to be properly maintained on a daily basis. Residents in rooms or apartments must purchase their own brooms, dustpans, vacuums, and mops. All trash must be taken out and placed in the dumpsters located adjacent to all residential halls. In the apartments, an agreement must be made to ensure cleanliness of commonly used areas such as the living room, kitchen, and bathroom.

Improper trash/ disposal includes but is not limited to leaving the trash in the hallways, entrances to buildings, balconies, stairwells, closets; and disposing of the trash in the bathroom or kitchen drains. Violators will be charged for improper trash disposal. Additionally, residents are prohibited from throwing trash out of the windows, or outside a room or apartment. Violators will be fined and disciplinary action will be taken.

### *Cohabitation*

Cohabitation is not permitted in the residence halls. Students found in violation will be held accountable through the University conduct system. Cohabitation is defined as a person using a residence hall room without being officially assigned as a resident of that room. Students who are involved in an intimate relationship may not share a room.

This includes, but is not limited to:

1. Keeping clothing and other personal belongings in the room.
2. Sleeping overnight in the room.
3. Using the bathroom and shower facilities as if they live in that room.

Students who are aware that cohabitation is taking place in their apartment/suite/room are strongly encouraged to immediately report the violation to their Graduate Hall Director, Area Coordinator or the Office of Community Standards and Civility.

### *Communal Property Responsibility*

Communal property includes hallways, bathrooms in designated halls, stairwells, computer labs, lounge area, study rooms, meeting rooms, laundry rooms, utility rooms, and kitchens. Residents are expected to take every precaution to ensure that communal property is not abused or defaced. In halls/apartment or sections wherein the university has determined that the majority of the residents are tolerating undue abuse of University property and the responsible individual(s) cannot be identified, all residents will be held responsible for paying a prorated share of the cost of labor and/or supplies for such abuses.

### *Cooking/Food Preparation*

Electrical or gas cooking appliances such as grills, popcorn poppers, hot plates, toasters, toaster ovens, electric frying pans, deep fryers, drip coffee makers that have a hot plate element, are not permitted in rooms. Refer to page 39 for a complete list of prohibited items. The university will confiscate any hazardous appliances and violators will be assessed a fine. Unauthorized appliances will be confiscated and stored until the student checks out of the residence hall for good.

Fire safety and sanitation requirements prohibit cooking in any area within residence halls except kitchenettes and kitchens which are specifically designed for such use. Never leave a kitchen unattended while cooking. Standalone microwaves or other cooking devices are not allowed in apartment unit bedrooms. Also, outdoor or indoor grills are not allowed within the facility.

Atkins, Brown, Moore, Martin-Schexnider and Wilson Halls have a microwave available in the kitchen area. If a student wants to have a microwave in their personal room in these residence halls, the only option for them is to rent or purchase a MicroFridge unit from [Standards for Living](http://StandardsforLiving.com) [www.StandardsforLiving.com](http://www.StandardsforLiving.com). One microwave is allowed in Rams Commons and Gleason-Hairston per apartment. Kitchens in Foundation Heights are provided with a microwave. Microwaves are provided in the pods of Covington Hall and no MicroFridges are allowed in the rooms. All other microwaves are not permitted and will be confiscated; see [Microwaves](#) under Appliance Policy on our webpage. Also, see “Refrigerator Policy” below.

### [Cyber Stalking](#) (*Bullying*)

Winston-Salem State University recognizes the importance of information technology to the mission of a modern University. At the same time, these platforms present opportunities for misuse and for people to harm others when the technology is used without regard to consequences and without respect for one another. A safe and civil environment at the university is necessary for pupils to learn and achieve high academic standards and for faculty and staff to operate in a prosperous environment.



### *Decorations/ Attachments*

While there is a chance for students to express individuality in decorating their rooms or apartments, all decorations must be removable without causing damage to surfaces. Also, it is recommended that residents observe good taste and common sense in decorating their rooms or apartments. No articles are to be displayed in the windows since the public views the facility from the outside. Hallways must be clear of obstructions; therefore, no decorations (unless on resident's room door) outside of a resident's room is allowed. Students are not permitted to paint their rooms or use wallpaper in their room. Students may not connect their decorations to or obstruct the operation of any fire equipment. This includes but is not limited to smoke detectors, fire sprinkler heads or pipes. Students may not use any sort of real, toy or fake weapon to decorate their room. Students are strongly encouraged to review the prohibited items list for the residence halls as they will be charged for any violations.

### *Defacing/Destruction of University Property*

Damaging/vandalizing or defacing property belonging to an individual or to the university is strictly prohibited. Those responsible for damaging or defacing property can be fined, required to pay restitution, and be evicted from the housing facility. They will also be referred to the Office of Community Standards and Civility.

### *Disruptive/Disorderly Conduct*

Disruptive/disorderly conduct is defined as any activity that interrupts and interferes with the normal routine of the campus community. When students enter the university community, they take upon themselves certain responsibility and obligations, including satisfactory academic performance and social behavior consistent with the lawful purpose of the university. Student conduct therefore is not considered in isolation within the university community, but as an integral part of the educational process.

Disruptive/disordering conduct includes, but is not limited to assault, misconduct, threats to personal safety, fighting, throwing any object in the university dining facility or from the window of any university facility, making excessive noise, and any other type of disruption or conduct that interferes with the rights and opportunities of those who attend the university for the purposes for which the university exists. Additionally, speech or behavior that materially and substantially disrupts the university living environment will not be tolerated. Disciplinary action resulting from disruptive speech or behavior may include, but is not limited to, temporary or permanent removal from University Housing.

### *Door Propping*

Propping of any residence hall door and/or tampering with locks are considered a serious security violation. Anyone caught propping a door will be subject to disciplinary action and a fine.

### *Drugs (Illegal) - Drug Abuse*

Illegal drugs are prohibited on campus. The university submits that the use of illegal drugs or abuse of legal substances is incompatible with its goals and will make every effort to inform its

constituents in order that they may make intelligent decisions regarding drugs. The institution will circulate this policy widely to all students, faculty, staff, and administrators.

In its program of education, the university will utilize campus and community-based resources and organizations. Counseling Services will be able to assist members of the university community who seek drug counseling and rehabilitation services. The Wellness Center staff will make medical determinations and render counseling when appropriate. Also, referrals will be made to off campus professionals as needed.

### *Dry Plants (Holiday Trees and Plants)*

Due to the flammable nature of live holiday trees and plastic plants, ***these are not allowed in the residence halls.***

### *Electrical Appliances/Equipment*

The residential facilities have limits on the capabilities of their electrical systems. Overloading these systems presents fire and safety hazards. Furthermore, electrical heating elements are dangerous when used in residence hall rooms ***or apartment units. The following guidelines govern the use of electrical appliances, outlets, and power strips in residence hall rooms or apartment units.***

- Electrical extension cords are prohibited
- Any electrical appliance with an exposed heating element is prohibited.
- Power strips may be used under the following conditions:
  - o Only one power strip is permitted to connect an appliance with an electrical outlet (strips may not be used in a series).
  - o Only grounded power strips may be used with appliances.
  - o Power strips with built-in breakers are required when the number of outlets needed is greater than the outlets in the student's rooms.
- Privately owned air-conditioners are not permitted.
- Resident owned refrigerators are allowed in residence hall provided that they do not exceed 4.0 cubic feet.
- Other appliances such as radios, lamps, computers, TVs, electrical razors, hair dryers, hair curlers, fans, and clocks are permitted. Students must recognize that use of several of these items at the same time from the same outlet may cause a breaker to fail.
- All electrical equipment and cords must be kept in safe operating condition
- Irons may be used only with ironing boards. A student should never use an iron on the floor of a room, desk or dresser top.
- Electrical cords cannot be run under carpets. See Prohibited Items In the Residence Halls under Extension Cords and/or Related Items.

### *Emergency Exits*

The paths to the exit doors, vents and windows must remain clear at all times. Failure to do so will result in a fine and possible additional disciplinary action. Alarms will sound when exiting. Anyone exiting these doors will be subject to a fine and disciplinary action.

### *Emergency/Safety Equipment/Fire Alarm System*

This policy includes but is not limited to fire extinguishers, heat and smoke detectors, exit lights or panels, fire alarm pull stations, sprinkler heads, or locked exterior doors. Residents may not use emergency equipment for any purpose other than emergency use. Tampering, damaging, or inhibiting the use of emergency/safety equipment, including propping open doors in any residential facility (apartment or residence hall) is prohibited. Residents involved in such activities will be subject to fines, disciplinary action and may be removed from residential facilities (apartments or residence halls). Tampering with emergency/safety equipment could endanger everyone. Tampering with fire equipment will result in disciplinary action, with a fine and/or criminal charges.

### *Emergency Drills and Procedures*

Residents must comply with all fire and safety regulations and guidelines and must participate in all emergency drills. Residents must pay special attention to information given regarding emergency exits from buildings and are expected to know their locations and the procedure for their use. Failure to comply can result in disciplinary action.

### *Failure to Comply with University Officials*

Residents are required to comply with verbal, written, and published instructions by Housing and Residence Life staff, when they are working within the appropriate performance of their duties. Written instructions include those directed to an individual student, such as a letter or e-mail message, as well as published instructions and policies in print or online. University officials are authorized to ask hall residents for identification and have it shown to them at any time, give directions to hall residents and have those directions followed, and to give sanctions and expect compliance with the sanction. Failure to comply with university officials will result in disciplinary action.

### *Fighting*

Fighting and the threat of physical abuse is not allowed or tolerated in the residence halls. (See the [Students Code of Conduct](#)).

### *Fire Code Violations*

Residence halls have limited electrical system capabilities and overloading these systems can present a fire and a safety hazard. Only refrigerators, which operate at 115 volts and are a maximum of 3.6 cubic feet; and microwaves that are a maximum of 2.8 cubic feet, are permitted in residence hall rooms. Use of other appliances such as radios, TVs, stereos, desk lamps with non-halogen bulbs are permitted provided the total electrical requirements do not exceed the capacity of the system, and the equipment is kept in safe operating conditions. All items that are not in use are to be turned off and unplugged, this includes but is not limited to: laptops, irons,

cell phone chargers, blow dryers, curling irons, etc.

The use of extension cords is strictly prohibited and only surge protectors with an off switch are allowed. The surge protectors can only be plugged directly into the wall and plugging a surge protector into another is prohibited. Unauthorized appliances will be confiscated and stored until the student checks out of the residence hall for good.

### *Fire Safety*

Fire prevention and safety are of paramount importance in residence hall living. Each residence hall has fire and emergency procedures that each student must know for both his/her own safety and for the safety of other residents. Fire drills are held each semester to ensure that all residents are familiar with emergency procedures. Failure to cooperate fully and in a timely fashion will result in a fine and/or disciplinary action. (See the “Fines and Charges” chart at the end of this document.) Periodically, as a result of equipment sensitivity or mischief, false fire alarms will inconveniently occur. You are still required to exit the building promptly. All fire alarms must be treated as if there was a fire.

### *Fireworks, Explosives, and Hazardous Materials*

Fire prevention and safety are of paramount importance in residence hall living. Each residence hall has fire and emergency procedures that each student must know for both his/her own safety and for the safety of other residents. Fire drills are held each semester to ensure that all residents are familiar with emergency procedures. Failure to cooperate fully and in a timely fashion will result in a fine and/or disciplinary action. (See the “Fines and Charges” chart at the end of this document.) Periodically, as a result of equipment sensitivity or mischief, false fire alarms will inconveniently occur. You are still required to exit the building promptly. All fire alarms must be treated as if there was a fire.

### *Furniture*

Students are not permitted to alter or modify university-provided furnishings or the basic layout of built-in furniture in the room. The university recommends that students keep in mind the size limitations of residence hall rooms when bringing belongings to the residence halls. Student construction of furniture, makeshift beds, lofts, platforms or other apparatus are not permitted. Students may not remove university furniture from common areas for their private use in their rooms. This includes but is not limited to lobby, conference room and/or lounge furniture. All furniture in student rooms must remain in the room.

### *Gambling*

Gambling is prohibited within any residence hall or on university grounds.

### *Good Character Expectations*

Students are expected to behave in a manner that represents the best in themselves and as university members. Student dress, speech, and actions should exhibit respect for self and others and a positive representation of the university.

### *Graffiti*

Housing and Residence Life prohibits markings such as initials, slogans, or drawings, written, spray-painted, or sketched on sidewalks, doors, hallways, or walls of buildings or public restrooms. This includes, but is not limited to, message boards and posted notes.

### *Group Billings*

Financial charges relating to the cleaning of, damage to, or theft of university property are billed to the specific individual(s) responsible whenever such individuals can be identified. However, when damage or theft cannot be assigned to a specific individual(s), the charges may be divided equally among the residents of the affected floor, building, or area. This means that if any damage occurs on your floor, hallway, or community bathroom, etc., which cannot be properly charged to an individual, all members of the floor or community may be billed equally for repairs. Similarly, damage or theft in your building, which cannot be assigned to an individual, may result in all building residents equally sharing in repair or replacement costs. If applicable, each resident will be billed for his or her “share” of public area damages at the end of each semester. Residents are strongly encouraged to come forward to identify individual(s) who are responsible for the damage before a group billing is finalized. Active involvement in reducing damages within the residential community is encouraged.

### *Hall Meetings*

Residence hall meetings are held periodically by the residence hall staff. Attendance is expected because the residents are held responsible for being knowledgeable of all University policies and Housing and Residence Life policies and procedures. Residents who cannot attend the meeting are to contact their respective hall staff for meeting information. Residents should notify staff in advance about possible absence from meetings. Failure to attend meetings could result in disciplinary action from the Graduate Hall Director or Area Coordinator. Failure to attend a meeting does not serve as an excuse for not following new policies or procedures established in a hall meeting.

### *Harassment Policy*

Individuals are afforded the right to privacy and peaceful existence. Harassment of, or assault on another individual will not be tolerated. Assaults or threats of assaults on other person whether sexual, physical, written, or oral or through social media will not be tolerated. Abusive language or harassment toward any university staff member or student will not be tolerated. Violators will be subject to disciplinary action in accordance with the [Student Code of Conduct](#). add hyperlink

### *Hazing*

Hazing is strictly prohibited as defined by North Carolina law 14-35 and the WSSU [Hazing Policy](#).

### *Health and Safety Inspections*

Housing and Residence Life will continue to conduct health and safety inspections during the fall and spring semesters. Residents will be notified of the inspection window in which staff will be conducting these checks to ensure that residents are not in violation of health and safety

standards. Health and safety inspections do not qualify as authorized searches; thus, staff are prohibited from opening drawers, closets, or look through a resident's personal belongings.

It is expected that staff facilitating health and safety inspections adhere to the following:

- Do not enter rooms and apartments alone and always enter in pairs
- Check all rooms and apartments, including Resident Advisor and Desk Attendant rooms
- Rooms that have prohibited items must be documented on the form provided and confiscated
- Document prohibited items, blown light bulbs, obvious water leaks, any sign of mildew or suspicious growth, covered smoke detectors, and the presence of pets
- Document violations of the [Student Code of Conduct](#) or the Living on Campus Guide via Maxient

Residents who are found to be in possession of prohibited items are considered in violation of their health and safety inspection must discard all prohibited items found during the inspection. Professional staff will communicate with students who were not present during their health and safety inspection regarding their violation and the requirement to discard prohibited items.

Residents will be notified via email of the time frame in which Health and Safety inspections will take place. Housing and Residence life will offer a minimum notice of 48-hours which will be sent to residents.

### *Housekeeping*

Residents are responsible for cleaning and maintaining their own room, suite, and apartment areas. All common areas (study rooms, computer rooms, lobbies, lounges, common restrooms, and laundry facilities) within the residence halls are cleaned on a regular basis by the housekeeping staff.

### *Identification*

Students are required to have their University ID "RAMCard" in their possession at all times for the safety and welfare of all students and to protect the property of the residence halls. A staff member(s) may request proof of identity of any person in the facility. Only the person whose name and photo appears on the RAMCard is authorized to use the card. Failure to provide proper photo identification upon the request of a staff member is a violation of university policy.

### *Illegal Entry*

Failure to enter residence hall properly through secured entrances is prohibited. This includes utilizing windows or emergency exit doors in non-emergency situations. Violators and accessories to the act could be charged with trespassing. Residents who do not escort their guest(s) or who prop open doors or windows are subject to a cancellation of their residence hall contract or agreement. Non-residents who are not escorted by a resident are subject to the charge of trespassing and Police and Public Safety will be contacted.

### *Keys: Lockouts/ Lost, Stolen, Shared Keys*

If a resident loses their room key(s), he or she should submit a work request via RMS Mercury immediately. The rekeying of the room will be at the student's expense. The loss of room and/or entrance door keys must be reported promptly to the Residence Hall Staff of the Office of Housing and Residence Life. Sharing your key with someone who is not an occupant of the room assigned to you is strictly prohibited. Disciplinary action will follow if a student is using other students' keys. Disciplinary action may be taken against students who require repeated assistance with lockouts. See the list of Fines and Charges chart at the end of this document.

Unauthorized use, possession, or duplication of Housing and Residence Life keys or RAMCards is strictly prohibited. No locks, bolts, chains, or other locking devices besides those installed by Housing and Residence Life may be attached to room door frames.

### *Loitering*

Loitering within the residence halls and surrounding property including residence halls is prohibited. Loitering in or around the residence halls is defined as lingering idly or aimlessly without official authority. Hanging around in clusters, creating and/or causing usually loud, disturbing noises, or wandering aimlessly is prohibited and offenders could be subject to disciplinary action.

### *Open Flames*

Wax sculptures, incense, fireworks (all types, including sparklers) are considered to be open flame items and, therefore, a fire hazard. These items are prohibited on the grounds and residential facilities. Possession of items violating this policy will result in immediate confiscation and a fine.

### *Pets, Service and Emotional Support Animals*

Due to health standards and the possible inconvenience to other residents, no pets or animals other than service animals are to be housed or kept in the residence. Residents found in violation of this policy will be assessed a fine and/or removed from university housing. Residents requiring use of a service animal must provide proper documentation and receive approval from the [Department of Disability Services](#). Contact the department of Disability Services in 115 Blair Hall, phone 336-750-8658.

### *Pranks*

Pranks which result in disturbances or distress to others or cause damage to university or personal property are prohibited. Disciplinary action will be taken against anyone disregarding this regulation.

### *Press*

Members of the Press, even if escorted by a resident, are not permitted inside any of the residence halls at any time. This is considered private property. If a student sees a member of the press in a hall, they need to call campus police immediately for assistance.

### *Projectiles*

For reasons of health and safety, propelling devices such as rockets, catapults, slingshots, or any homemade device for the purpose of launching an object are prohibited. Objects may not be thrown into or out of windows.

### *Quiet Hours*

The creation of an environment conducive to study in the residential facilities requires that each resident show consideration of others by keeping his/her noise level down during quiet hours between the hours of 11 PM through 8 AM, Sunday through Thursday and 12 AM (midnight) through 8 AM Friday and Saturday; spaces should be free from excessive noise.

Residents participating in noise producing activities, such as conversation, listening to music, or watching television are expected to keep their doors closed. Sounds from these and any activities should not be audible outside the space. Any noise made in lounges or other common areas should not be audible inside resident spaces that have their doors closed. Housing staff may request residents to cease an activity in order to limit noise that could adversely affect the community. At all other times, Courtesy Hours are in effect. At these times, sound can be a little louder than at other times but if requested by a resident or staff for the music or other noise to be turned down, students need to comply immediately. The noise level should not disturb fellow residents. At no time will excessive noise be tolerated within the residential facilities.

#### **Quiet Hours**

Sunday-Thursday 11 PM to 8 AM  
Friday-Saturday 12 AM (midnight) to 8 AM  
Final Exams Periods 24 hours

#### **Courtesy Hours**

24 hours a day, 7 days a week

### *Refrigerator Policy*

#### **Refrigerators**

Students living in **Atkins, Brown, Martin-Schexnider, Moore, and Wilson Hall** do not have refrigerators provided in their student rooms. If residents want to have a refrigerator in their room, they have two options:

**Option 1:** Students in the indicated halls bringing their own refrigerators (4.0 cubic feet or less) will be required to pay a usage fee of \$30 for the academic year. This \$30 fee will be applied once students register their refrigerator. Upon registration, students will be issued a sticker that must be placed on the front of the refrigerator. We encourage you to purchase EnergyStar refrigerators.

**Option 2:** Students may rent a MicroFridge from our partners at Standards for Living. While microwaves are available in common areas for use, students are not allowed to have standalone microwaves in their rooms. In 2011 Housing and Residence Life initiated the rental program through Standards for Living that allowed for an energy star microwave refrigerator combo for students



(MicroFridge, TM). This is also the only way students in Atkins, Brown, Martin-Schexnider, Moore, and Wilson can possess a microwave in their room if they so choose. If students rent a MicroFridge from Standards for Living, they will not be assessed the refrigerator usage fee as these units are highly efficient. For more information on MicroFridge rentals visit the [Standards for Living website](#).

In **Covington Hall**, each room is provided with a mini fridge for roommates to share. Microwaves will be available in community common areas for residents' use. As a consequence, residents cannot bring personal mini-fridges or microwaves to Covington Hall.

Students living in **Foundation Heights, Rams Commons, and Gleason-Hairston Terrace Halls** have kitchenettes and kitchens with large refrigerators installed by H&RL which are large enough to serve the needs of all students in the suite. Refrigerators take a lot of energy to run and energy costs have been increasing. Students in Foundation Heights, Rams Commons, and Gleason-Hairston Terrace Halls who choose to bring their own personal refrigerator will be required to register their refrigerator for a \$80 academic year fee. Students who rent a micro-fridge from Standards for Living will not be required to pay a registration fee as these meet the energy standards established by the university.

[Register your refrigerator](#) by logging into the Housing portal using a desktop or laptop computer and use Firefox, Safari, or Internet Explorer Failure to register an appliance of this sort will result in a penalty of \$100.

### *Room Inventory and Inspections*

During the first month of occupancy, the residence a hall staff member and the student will take a room inventory and inspection. The residence hall staff will check the rooms throughout the semester and when the student checks out of the building. All damages which occur, other than normal wear and tear, will be noted on the room inventory, and charges will be shared equally among the occupants of the room if the responsible person(s) cannot be determined.

Nails, tacks, Command Strips and tape can be particularly damaging to finished surfaces. (Check prohibited list on page 39.) Charges for such damages will be made accordingly. Residents may not alter the electrical systems or equipment in their rooms. Furnishings may not be removed from student's rooms or apartments without the authorization of the residence hall staff. Residents are responsible for the replacement cost of missing room furniture. Storing or placing room furniture in the hallway is prohibited. Public area furnishings moved to student rooms will be confiscated and the student(s) will face disciplinary action.

### *Roommate Conflicts*

If you and your roommate are having a conflict, first discuss the problem with each other in a respectable manner. If a resolution cannot be reached, speak with your Resident Advisor who may refer you to your residence hall professional staff member.

### *Self-Powered, Motorized and Electric Vehicles*

Bicycles must be stored in authorized areas (bike racks) only and only in such numbers that the area can accommodate. According to the State Fire code, stairways and hallways are fire exits and must not be blocked with bicycles or other personal items. Any bicycles found in such areas will be removed and a possible fee will be charged for their return. The university reserves the right to remove personal property left in public areas, at your expense if in violation of this requirement. **Motorcycles, electric/gas transportation, and similar vehicles are not to be stored or permitted in the residence halls.** Bicycles are not to be ridden in the hallways, stairwells, or on decks or patios. Bicycles should not be attached to railings or any device that obstructs access to sidewalks or entrances. Bicycles left unattended or in unsanctioned areas may be removed by University Police without warning.

### *Sleeping in Unauthorized Assignments*

It is against fire code to sleep in an unauthorized space. Spaces where sleeping is not allowed in any residence hall space not contracted as a bedroom such as a lounge and/or other public or restricted spaces.

### *Smoking*

The smoking of tobacco or substitute tobacco products, including cigarettes, electronic cigarettes, pipes and cigars is prohibited in all University buildings including residence halls, in any University-owned or operated motor vehicle, within 50 feet of any University owned or operated bulk fuel storage site, and within 100 linear feet of any entrance to any University building.

### *Solicitation*

Residents are prohibited from soliciting in the residence halls without permission from the university. The Graduate Hall Director, Area Coordinator, or Resident Advisor should be notified if a solicitor is seen in the building. Permission for any soliciting must be obtained through the Department of Housing and Residence Life.

Solicitation is defined as going door-to-door to directly sell or advertise for products, events, services, raise donations for charity, and/or request residents to make contributions for the tangible or intangible benefit of individuals or groups. Housing and Residence Life staff are permitted to go door to door in order to promote Residence Life events or collect important information for Housing and Residence Life use.

- Door-to-door solicitation is prohibited. No person or student representing any organization or company is permitted to offer any products or services for purchase in the residence halls and apartments. Students who participate in or solicit on behalf of an outside organization are subject to disciplinary action.
- Students or student organizations wishing to raise non-cash donations for charity through social programs or other means may obtain permission from the Department of Housing and Residence Life. All donated items must comply with the current On-

Campus Housing Contract expectations and not pose a health or fire safety threat to the community.

### *Sports in the Hallway*

No recreational or sporting games in any form are permitted in the buildings, breezeways, balconies, or parking lots of any residential facility.

### *Storage*

The university does not have space to store personal items. Local storage facilities that rent by the month are available near campus. You must take all your personal items with you when permanently vacating campus housing.

### *Theft and Possession of Stolen Property*

All accusations of theft are treated seriously and are subject to investigation. If any student is found guilty of theft, they are subject to prosecution, restitution, and eviction from the residential facilities. Theft could also lead to suspension from the university and legal actions in accordance with the [Student Code of Conduct](#). Possession of stolen property is prohibited. Stolen property includes furnishings, fixtures, and signs that have been removed from lounges, halls, dining halls, and other common areas, as well as food, drink, or other items (such as equipment, dishes, or implements) that have been removed from a dining hall.

### *Throwing or Hanging Items from Building or Attaching Items to Outside of Building*

The throwing, dropping, propelling, pouring, or hanging of anything from windows, interior pipes, balconies, ledges, and landings are strictly prohibited. Nothing may be attached to or hung over any part of the outside of the building or hung on an outward facing window, regardless of **content**.

### *Trash Removal*

Students are responsible for removing trash from their residence hall rooms, suites, or apartments and placing it in a dumpster outside of the residence hall. Students will be charged a fine for not properly removing and disposing of trash from his/her room or from the hall. See the Fines and Charges chart at the end of this guide. Trash found in stairwells, hallways, elevators, etc., can result in community fines and/or disciplinary action.

### *Unauthorized Entry*

Unauthorized entry into any Housing property, including restricted access areas of residence halls/apartments, is strictly prohibited. These areas include, but are not limited to, any place that is officially closed, restricted only to designated persons (including another resident rooms/apartments, and maintenance access points), or where the safety and welfare of residents could be endangered.

### *Vandalism*

Vandalism will not be tolerated at the university. Residents will be held responsible for any damages to their rooms or apartments. Common area damages (hallways, lounges, bathrooms, etc.) will be the responsibility of those residing on that residence hall floor unless responsible individuals are identified.

Damages caused through carelessness will result in billing to cover the cost of damages. This can take the form of fines and/or disciplinary action up to the loss of housing privilege. This policy can be applied to either groups or individuals.

Those identified as responsible for careless and malicious acts of vandalism or violation of university regulations may be:

- Billed for damages
- Faced with university judicial action
- Ejected from university housing

**Charges on accounts are final and will not be removed/adjusted unless contact is made within two weeks of the charges.** Individuals wishing to appeal damage charges should email [housing@wssu.edu](mailto:housing@wssu.edu) with their concern.

### *Housing and Residence Life COVID -19 Visitation Notice*

The COVID-19 pandemic continues to be a critical public health concern and the Department of Housing and Residence Life continues to adapt their services, policies, and practices to minimize and stop the spread of the COVID-19 virus. Our mission in the Department of Housing and Residence Life is to provide safe, secure, and comfortable living conditions that are conducive to the pursuit of academic excellence. During the academic year and based on the campus status on COVID-19 and its variants, residents will be allowed two (2) visitors. Residents are not allowed to have any overnight visitors. This is subject to change based on university guidance.

- The resident is required to escort and accompany their visitors at all times.
- Visitors must comply with all university COVID-19 policies and procedures
- Failure to comply may result in revocation of visitation privileges.

Visitation hours are defined as the following:

- Sunday – Thursday 8:00 am to 12:00 am
- Friday – Saturday 8:00 am to 2:00 am

### ***Visitation Procedures***

All residents are expected to adhere to the Housing and Residence Life COVID -19 Visitation Notice. Visitation is a privilege and not right, which can be revoked at the discretion of Housing and Residence Life and/or the Office of Community Standards & Civility. Visitation procedures are only in effect while classes are in session, when classes are not in session, visitation is prohibited.

A visitor is defined as anyone who is not assigned to the specific bedroom, suite, or apartment unit. This includes any other individual who may be a member of the University community such as a resident who lives in the same residence hall, another residence hall or a student who lives off-campus.

Residents should discuss with other individuals that they share space with guidelines and expectations regarding visitors to their space. Visitation requires the prior consent of all individuals who live within the bedroom, suite, or apartment unit. Should there be a conflict regarding visitors, it must be resolved amongst all residents assigned to the space or no visitation will be allowed at all. Residents may tailor the visitation policy to their specific space, but it must be within the guidelines provided by Housing and Residence Life.

Housing and Residence Life reserves the right to modify and restrict the visitation policy at any time to ensure the health and safety of residents in the event of an emergency or other extenuating circumstance.

### ***Expectations of Visitors***

All visitors must be escorted and accompanied by their host resident at all times. Visitors must have a valid photo identification (i.e., University ID, government issued photo ID, etc.) and must display upon request by a university staff member. Visitors are considered an extension of the resident and as a result, the actions of a visitor are the responsibility of the resident. Should a policy violation occur, both the resident and visitor may be held responsible. Minors (persons under the age of 18) are not allowed in residence halls at any time.

Housing and Residence Life staff reserve the right to ask residents to vacate common areas. Violations to the Student Code of Conduct, Residence Halls Services Agreement Terms and Conditions, or the Living On Campus Guide may result in disciplinary action and loss of housing privileges.

### ***Windows and Window Screens***

Students are not allowed to hold conversations or conduct any transactions from their room windows or from any window within a residence hall. The resident must remove displays in windows which are deemed inappropriate by the staff. Throwing objects from any window and hanging out of any window in the residence hall is not allowed. Windows are never to be used as a way to enter a room or pass items into a room; this type of behavior will result in disciplinary action and possible housing move.

Students are not permitted to remove a window screen for any reason. Removal of screens will result in a fine and possible disciplinary action.

## **RESIDENCE LIFE DISCIPLINARY SYSTEM**

### ***Disciplinary Process***

Students who attend the University are expected to behave in a manner consistent with life at an academic institution. The [Student Code of Conduct](#) is intended to reinforce this expectation and govern the behaviors and disciplinary process for violations.

## *Prohibited Items in the Residence Halls*

### **Alcohol and Other Drugs:**

- Alcohol and/or alcohol paraphernalia, including empty cans, bottles and/or containers for the purpose of room decoration.
- Drugs and drug paraphernalia, including electronic smoking devices used for drug consumption
- Controlled substances that are illegal
- Prescription drugs not prescribed to the person in possession of the drug(s)
- Hookah, cigarettes, cigars, and related items
- Prescription drugs prescribed to the student not in their pharmacy supplied container

### **Ammunition and/or Weapons**

- Bows and arrows
- Firearms (to include handguns, rifles, and shotguns)
- Martial arts weapons (throwing stars, nunchucks, etc.)
- Paintball guns
- Knives (other than a standard pocketknife)
- Electronic stun devices (taser or similar products)
- Any explosive device to include fireworks
- Air powered weapons (BB or pellet)
- Sling shot, slungshot, etc.
- Blackjack, metallic knuckles
- Razors (other than personal use)
- Any items used for inflicting bodily harm and/or physical damage

### **Animals/Pets:**

- Animals/pets are prohibited

Emotional support animals (ESA) and service animals are allowed ONLY if registered and approved by the Disability Services office. If approved, animal must be registered prior to bringing it to campus and the student must follow the approved guidelines provided by the Disability Services office.

### **Cooking Appliances, Including but Not Limited to:**

- Air fryers
- Crockpots
- Deep fryers
- Electric frying pans/griddles
- George Foreman grills/Panni Press
- Hot plates
- Instant pots
- Rice cookers
- Toasters
- Toaster ovens

- Waffle irons
- Any open-coiled appliances and/or related items

### **Computer Network Devices/Equipment**

- Hubs, switches, and/or wireless internet routers and/or related devices
- Outdoor antennas, including but not limited to satellite dishes

Visit the Office of Technology Support for assistance with hardware and software.

### **Covering of Hanging Items and Exit Paths**

- Items obstructing egress/exit paths in rooms or hallways
- Items hanging from ceilings, on/from heating system, or sprinkler system piping

### **Electrical Appliances - Kitchen**

- Microwaves in Atkins, Brown, MSX, Moore, and Wilson (review our policy)
- Refrigerators in Covington
- Microwaves over 900-watts.
- Refrigerators over 1.3 amps/ 3.6cubic fee
- Any other open-coiled appliances

### **Electrical Appliances – Personal Care and Entertainment**

- Electric blankets
- Electrical items left plugged into outlets such as curling irons and hairdryers
- Plug-in/electric air fresheners
- Space heaters
- Subwoofers

### **Extension Cords and/or Related Items**

- Multiple extension cords plugged into each other
- Spider-type configuration extension cords
- Non-UL approved devices

### **Room Decorations**

- Christmas trees
- Combustible decorations or combustible light fixtures, including paper lanterns
- Curtains and draperies (unless fire-retardant information or treated with fire-retardant spray is displayed on the item)
- Dartboards
- Decorations covering more than ten percent of any wall
- Door decorations other than the name tag provided by the Housing and Residence Life staff
- Signs considered to be property of the government, University, or another's property
- Wall treatments/adhesives (e.g., adhesive dots, Command strips/wall tape, duct tape, nails, pushpins, heavy duty shipping tape, mounting putty/wall putty, transparent tape)
- Wreaths

### **Flammable/Open Flame Items, and/or Liquids**

- Candles (with or without wick) and/or candle burners/warmers
- Compressed gases/tanks
- Flammable liquids
- Incense and/or incense burners/warmers
- Grills, lighter fluid, butane, kerosene, charcoal, torches, and related items
- Lanterns
- Potpourri or simmering pot (electric or with candle)
- Torches
- Any items that create an open flame and/or other gas-operated devices

### **Furniture**

- Bed risers which include, plastic, cement, cinder blocks or other related items to raise or make a bed higher
- Waterbeds
- Bed frames, mattress, ottoman, recliner chair, futons, etc.
- Additional door locks (e.g., chain or deadbolt)

### **Lamps, Light Fixtures, Light Strips**

- Incandescent bulbs
- Halogen torchiere lamps and bulbs
- Lava lamps
- LED strip lights with adhesive, rope lights or related types of lights
- Modified or homemade light fixtures
- Neon sign lights
- Oil burning lamps
- Strobe lights

### **Transportation Devices with Lithium-Ion Batteries**

- Hoverboards, scooters, skateboards, etc.
- Mopeds or other fuel-powered or motorized vehicles

Visit the Office of Disability Services for approval of electronic personal assistance mobility device

## **WSSU Housing Fines Appeals Process**

**Charges on accounts are final and will not be removed/adjusted unless contact is made within two weeks of the charges.** Individuals wishing to appeal damage charges should email [housing@wssu.edu](mailto:housing@wssu.edu) with their concern.

### *Fines and Charges*



<b>Description</b>	<b>Fine</b>
Excessive cleaning fee (per room excluding kitchen, includes graffiti removal)	\$150
Carpet cleaning	\$100
Clean microwave	\$50
Clean refrigerator	\$100
Clean stove	\$75
Clean entire kitchen/kitchenette	\$225
Visitation violation	Referral to Office of Community Standards and Civility
Improper checkout	\$50
Improper room change (moved without receiving official approval from Housing and Residence Life)	\$150
Cleaning public area (community charge)	\$10
Replace floor tiles	\$25
Graffiti (public space)	Financial restitution and \$250 minimum to be divided up between residents of an area (or to student(s) responsible*)
Re-hang screen	\$50-150 depending on hall *
Trash fines (left in area unattributed)	\$25 per receptacle/bag/box
Trash fines (left in area attributed to a student)	\$25 per receptacle/bag/box
1st offense	\$25 per receptacle/bag/box
2nd offense	\$25 per receptacle/bag/box *
Repair hole in drywall	Cost of repair and labor
Discharge fire extinguisher without cause	\$500*
Extinguisher removed	\$500 & cost of replacement (if needed)
Pulled fire alarm without cause (individual)	\$500 + immediate eviction*
Pulled fire alarm (after first pull unattributed)	After repeated offenses \$15/student
Unauthorized exit through emergency door	\$75*
Replace fire exit sign (individual attributed)	\$200*
Replace fire exit sign (not attributed)	\$10/person
Propping exterior door	\$150*
Safety violations (including covering the room smoke detector and hanging/throwing things out of room windows)	1st offense \$250 per occupant and residential probation*
	2nd offense eviction*
Failure to vacate during a fire alarm within 3 minutes	\$100
Complete failure to vacate during a fire alarm	\$250
First lock out (has key)	No charge
Second lock out (has key)	\$10
Each consecutive lock out	\$20

<b>Description</b>	<b>Fine</b>
Lost/stolen key (Atkins, Brown, Moore, Wilson)	\$100
Lost/stolen key (GHT, FDH, RAMS, MSX)	\$250
Key dropped in elevator shaft	\$100
Failure to return key (Atkins, Brown, Moore, Wilson)	\$100
Failure to return key (GHT, FDH, RAMS, MSX)	\$250
Theft of university/community property	Cost of item and judicial*
Misuse of key/ID by other than assigned	Replacement cost of lock and judicial
Damage to public areas/university property	Cost of replacement or repair and labor/resident
Entering prohibited spaces	\$100
Unauthorized use of space	\$50
Replace armchair	Cost of replacement or repair & labor/resident
Replace bathroom faucet	Cost of replacement or repair & labor/resident
Replace bathroom lighting feature	Cost of replacement or repair & labor/resident
Replace bathroom mirror	Cost of replacement or repair & labor/resident
Replace medicine cabinet	Cost of replacement or repair & labor/resident
Replace bed frame	Cost of replacement or repair & labor/resident
Replace stove drip pans	Cost of replacement or repair & labor/resident
Replace cabinet door	Cost of replacement or repair & labor/resident
Replace closet shelving	Cost of replacement or repair & labor/resident
Replace closet doors	Cost of replacement or repair & labor/resident
Replace toilet	Cost of replacement or repair & labor/resident
Replace toilet seat	Cost of replacement or repair & labor/resident
Replace desk drawer	Cost of replacement or repair & labor/resident
Replace damaged door locks	Cost of replacement or repair & labor/resident
Replace entrance door	Cost of replacement or repair & labor/resident
Replace glass light fixture	Cost of replacement or repair & labor/resident
Replace dining table	Cost of replacement or repair & labor/resident
Replace dining room chair	Cost of replacement or repair & labor/resident
Replace coffee table	Cost of replacement or repair & labor/resident
Replace microwave	Cost of replacement or repair & labor/resident
Replace kitchen faucet	Cost of replacement or repair & labor/resident
Replace peep holes	Cost of replacement or repair & labor/resident
Replace unlocking door handle	Cost of replacement or repair & labor/resident
Replace room door	Cost of replacement or repair & labor/resident
Replace shower curtain rod	Cost of replacement or repair & labor/resident
Replace shower head	Cost of replacement or repair & labor/resident
Replace sliding closet door	Cost of replacement or repair & labor/resident
Replace large mini blinds	Cost of replacement or repair & labor/resident
Replace small mini blinds	Cost of replacement or repair & labor/resident

<b>Description</b>	<b>Fine</b>
Replace smoke detector	Cost of replacement or repair & labor/resident
Replace entertainment center	Cost of replacement or repair & labor/resident
Replace sofa	Cost of replacement or repair & labor/resident
Replace switch plate/outlet	Cost of replacement or repair & labor/resident
Replace thermostat	Cost of replacement or repair & labor/resident
Replace window lock	Cost of replacement or repair & labor/resident
Replace windowpane	Cost of replacement or repair & labor/resident
Replace window screens	Cost of replacement or repair & labor/resident
Replace desk drawer	Cost of replacement or repair & labor/resident
Replace desk chair	Cost of replacement or repair & labor/resident
Replace towel bars	Cost of replacement or repair & labor/resident
Replace individual or community toilet paper holder	Cost of replacement or repair & labor/resident
Repair dishwasher	Cost of replacement or repair & labor/resident
Repair cable/IT box	Cost of replacement or repair & labor/resident
Replace mattress	Cost of replacement or repair & labor/resident
Repaint one wall (per surface)	\$100

\*Indicates potential referral to Office of Community Standards and Civility if person/persons are determined responsible

# XX. APPENDIX F - REGULATION APPLICABLE TO POLICY ON TITLE IX SEXUAL HARASSMENT

The UNC Policy Manual  
1300.11[R]  
Adopted 09/23/20

## Regulation Applicable to Policy on Title IX Sexual Harassment

I. Purpose. This regulation provides guidance regarding how the constituent institutions of the University of North Carolina (hereinafter, “UNC constituent institutions”) shall comply with the requirements of the U.S. Department of Education’s rule titled *Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance*, 85 Fed. Reg. 30,026 (May 19, 2020) (the “Title IX Rule”), in conjunction with the University of North Carolina’s student, faculty, and employee disciplinary policies, including Section 700.4.1 of the UNC Policy Manual (“Section 700.4.1”); Chapter VI of *The Code of the Board of Governors of the University of North Carolina* (“*The Code*”), including Section 603 (“Section 603”); the SHRA Disciplinary Action Policy (“SHRA DAP”); and the SHRA Grievance Policy.

II. Title IX Complaint Resolution Process. Each institution shall adopt a Title IX complaint resolution process. The intersection of the Title IX Rule’s required Title IX complaint resolution process with the protections afforded to SHRA employees, faculty members, and students under the SHRA Grievance Policy, the SHRA DAP, *The Code*, and the UNC Policy Manual is discussed below. Disciplinary sanction decisions and review of personnel actions affecting EHRA employees that may arise following a Title IX complaint resolution process shall be governed by applicable constituent institution or UNC System Office procedures that apply to the affected EHRA employees.

A. SHRA DAP. If the Title IX complaint resolution process results in a determination of responsibility against a respondent who is an SHRA employee, the decision-maker’s sanction shall be a referral, which may recommend proposed discipline, to designated institutional authorities for consideration through the processes provided for in the SHRA DAP. The written determination of responsibility and referral from the Title complaint resolution process may become the official recommendation of the supervisor for any required Pre-Disciplinary Conference (i.e., for sanctions of disciplinary suspension without pay; demotion; or dismissal).

Following the issuance of the disciplinary sanction, an SHRA employee may file a grievance in accordance with the SHRA Grievance Policy. In grievances involving disciplinary sanctions imposed based upon the Title IX complaint resolution process, the Title IX record<sup>1</sup> may be included as evidence of the grounds for the disciplinary sanction; however, the determination(s) of responsibility is not subject to review. The SHRA grievance review shall be limited to whether the conduct for which the grievant was found responsible constitutes “just cause” for the relevant disciplinary sanction.

B. SHRA Grievance Policy. Any appeal from a Title IX determination regarding responsibility or from dismissal of a formal Title IX complaint shall be resolved within the Title IX complaint resolution process and shall not constitute a grievable issue under the SHRA Grievance Policy.

In grievances involving disciplinary sanctions imposed based upon the Title IX complaint resolution process, the hearing officer or hearing panel may receive as evidence the Title IX record. Any Title IX determination(s) of responsibility is not subject to review. The grievance review shall be limited to the question of whether the disciplinary sanction is supported by just cause.

C. Section 603 of *The Code*

1. If the Title IX complaint resolution process results in a determination of responsibility against a respondent who is a faculty member and the beneficiary of institutional guarantees of tenure, then the decision-maker's sanction shall be a referral, which may recommend proposed discipline, to designated institutional authorities for consideration of appropriate disciplinary sanction, if any.

2. In proceedings under Section 603 of *The Code* involving imposition of serious sanctions based upon the Title IX complaint resolution process, the Title IX record may be included as evidence of the grounds for the sanction; however, the Title IX determination(s) of responsibility is not subject to review. The review shall be limited to the question of whether the recommended sanction is supported by clear and convincing evidence.

D. Section 611 of *The Code*. Any appealable issue within the Title IX complaint resolution process shall be resolved through the Title IX complaint resolution process. Such appealable issues, and Title IX determinations of responsibility, are not grievable under Section 611 of *The Code*.

E. Section 700.4.1 of the UNC Policy Manual Section. In a Title IX complaint resolution process that involves a student as a respondent, if an institution promulgates rules governing the use and appointment of attorney and non-attorney advocates under Section 700.4.1[R] of the UNC Policy Manual, these rules shall apply equally to all parties, students and nonstudents alike.

If parties within the Title IX complaint resolution process are subject to appeal rights under Section 502(D)(3) of *The Code*, grounds for appeal required by 34 C.F.R. 106.45(b)(8)(i), constitute appeals under Section 502(D)(3)(a).

III. The UNC System Office will provide compliance assistance and support to constituent institutions upon request or as needed.

IV. Other Matters

A. Effective Date. The requirements of this regulation shall be effective upon the date of adoption of this regulation by the president.

B. Relation to Federal and State Laws and Policies. The foregoing regulation as adopted by the president is meant to supplement, and does not purport to supplant or modify, those statutory enactments, regulations, and policies which may govern or relate to the subject matter of this regulation.

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<sup>1</sup>The Title IX record may include all evidence shared with the parties under 34 C.F.R. 106.45(b)(5)(iv); the investigative report; the written determination under 34 C.F.R. 106.45(b)(7)(ii); and the audio recording, audiovisual recording, or transcript of any live hearing kept under 34 C.F.R. 106.45(b)(6)(i).

- I. Policy**
- II. Objectives**
- III. Definitions**
- IV. Grievable Issues and Who May Grieve**
  - A. Issues grieved at the University level only
  - B. Issues which must first be grieved through the internal University process
- V. Grievance Process for all Grievable Issues**
- VI. Unlawful Discrimination, Harassment, or Retaliation Grievance Provisions**
  - A. Option 1 -- EEO Informal Inquiry Process for Unlawful Discrimination, Harassment or Retaliation
  - B. Option 2 – External Filing of a Discrimination Charge
  - C. Option 3 – Simultaneous Internal and External Filing of a Discrimination Charge
- VII. Informal Discussion**
- VIII. Formal Grievance – Step 1 Mediation**
  - A. Purpose of Mediation
  - B. Mediation Process
  - C. Location and Time Allocation
  - D. Office of State Human Resources-Approved Mediators
  - E. Mediation Attendees
  - F. Post Mediation
  - G. Confidentiality of Documents Produced in Mediation
  - H. Limitations on a Mediation Agreement
  - I. Mediation Agreement Approval
  - J. Mediation Responsibilities
- IX. Formal Grievance – Step 2 – Hearing Panel/Hearing Officer**
  - A. Hearing Process
  - B. Right to Challenge Appointed Hearing Officer or Panel Members
  - C. Hearing Attendees
  - D. Hearing Participant Responsibilities
  - E. Grievance Presentation
  - F. Hearing Report, Proposed Recommendation, and Final University Decision
  - G. Settlement Agreement
- X. Appeal to the Office of Administrative Hearings**
  - A. University Requirements to Notify Grievant of Appeal Rights
  - B. Grievant Access to the Office of Administrative Hearings
- XI. Responsibilities for the SHRA Employee Grievance Policy**
  - A. University Human Resources, AA/EEO Office Responsibilities
  - B. Office of State Human Resources Responsibilities

**I. POLICY**

It is the policy of The University of North Carolina that the grievance process exists to allow for prompt, fair and orderly resolution of disputes arising out of employment. The University of North Carolina has therefore adopted this University SHRA Employee Grievance Policy to further these goals as approved by the State Human Resources Commission.

**II. OBJECTIVES**

In establishing this University SHRA Employee Grievance Policy, the University seeks to achieve the following objectives:

- A. Provide procedural consistency across The University of North Carolina;
- B. Ensure SHRA employees have access to an internal process to address grievable issues timely, fairly, cost effectively, and without fear of reprisal; and
- C. Resolve workplace issues efficiently and effectively.

**III. DEFINITIONS**

The following are definitions of terms used in this policy:

Term	Definition
<b>Applicant</b>	A person (including a current State employee) who submits an application for an initial hire, promotion, or reemployment for a SHRA position within the University.
<b>Career State Employee</b>	A State employee who is in a permanent position with a permanent appointment and has been continuously employed by the State of North Carolina or a local entity as provided in G.S. 126-5(a)(2) in a position subject to the North Carolina Human Resources Act for the immediate 12 preceding months.  Employees who are hired by a State agency, department or university in a sworn law enforcement position and who are required to complete a formal training program prior to assuming law enforcement duties with the hiring agency, department or university shall become career State employees only after being employed by the agency, department or university for 24 continuous months.
<b>Complainant (EEO only)</b>	An applicant, probationary State employee, former probationary State employee, career State employee or former career State employee who initiates an informal complaint through the Equal Employment Opportunity (EEO) Informal Inquiry process.
<b>Contested Case Issue</b>	A grievable issue that may be appealed to the Office of Administrative Hearings (OAH).
<b>EEO/AA Officer</b>	The University Officer responsible for Equal Employment Opportunity / Affirmative Action.

<b>Equal Employment Opportunity Informal Inquiry (EEO Informal Inquiry)</b>	An informal process for addressing unlawful discrimination, harassment, or retaliation allegations that may facilitate a resolution prior to the filing of a grievance. This process is equivalent to the institution's internal complaint process for allegations of a violation of an institution's non-discrimination and equal opportunity policy. <i>[Note: Complaints or reports of Title IX Sexual Harassment and appeals of Title IX determinations of responsibility are investigated and resolved through the institution's Title IX complaint process.]</i>
<b>Final University Decision (FUD)</b>	The final decision authorized by the Chancellor (or by the President for SHRA employees at the UNC System Office) or their designee that concludes the internal grievance process.
<b>Grievable Issue</b>	A statutorily defined workplace event or action as defined by NC State statute that allows the alleged workplace event or action to be grieved through established grievance procedures for resolution.
<b>Grievant</b>	An applicant, probationary State employee, former probationary State employee, career State employee or former career State employee who initiates a grievance.
<b>Hearing Officer</b>	An officer appointed by the Chancellor or designee to oversee the proceedings of a hearing and submit a proposed recommendation for a FUD.
<b>Hearing Panel</b>	A University appointed panel of no less than three members selected to conduct a hearing. The designated panel chair has the responsibility to oversee the proceedings of the hearing and submit a proposed recommendation for a Final University Decision.
<b>Impasse</b>	An Impasse occurs when Mediation does not result in an agreement.
<b>Informal Discussion</b>	An informal process for addressing grievable issues that may facilitate a resolution prior to the filing of a grievance.
<b>Internal Grievance Process</b>	The process available to an applicant, probationary State employee, former probationary State employee, career State employee or former career State employee to file a formal grievance based on issues that are defined as grievable by NC State statute.
<b>Internal Grievance Process Timeframe</b>	The internal grievance process must be completed within 90 calendar days. Time spent in the Informal Discussion with supervisor and the EEO Informal Inquiry process is not included in the 90-calendar day timeframe.
<b>Mediation</b>	The process in which the Grievant and Respondent use an approved OSHR mediator to attempt to resolve a grievance in a mutually acceptable manner. Responsibility for resolving the grievance rests with the parties.
<b>Mediation Agreement</b>	The written agreement resulting from the successful resolution of a grievance reached in Mediation. The Mediation Agreement is legally binding on both parties.
<b>Mediator</b>	A neutral third party(s) approved by the Office of State Human Resources (OSHR) whose role is to guide the mediation process, facilitate communication, and assist the parties to generate and evaluate possible outcomes for a successful resolution. A Mediator does not act as a judge and does not render decisions.



<b>Probationary or Time-Limited State Employee</b>	A State employee who is exempt from certain provisions of the North Carolina Human Resources Act only because the employee has not been continuously employed by the State for the time period required to become a Career State Employee.
<b>Respondent</b>	A designated university representative who will have the authority to negotiate an agreement on behalf of the university to resolve a grievance.
<b>Title IX Sexual Harassment</b>	<p>A type of unlawful discrimination which is described under Title IX of the Education Amendments of 1972 at 34 C.F.R. 106.30(a) (2020).</p> <p>Title IX Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following:</p> <ul style="list-style-type: none"> <li>a) An employee of the institution conditioning the provision of an aid, benefit, or service of the institution on an individual's participation in unwelcome sexual conduct;</li> <li>b) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the institution's education program or activity; or</li> <li>c) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30). (34 C.F.R. 106.30(a) (2020)).</li> </ul> <p>This is distinct from sexual harassment as defined by Title VII of the Civil Rights Act of 1964. 42 U.S.C. 2000e</p>
<b>University</b>	A constituent institution or employer unit within the University of North Carolina System.

**IV. GRIEVABLE ISSUES AND WHO MAY GRIEVE<sup>1</sup>**

**A. The following issues may be grieved at the University level only.**

<b>Who May File</b>	<b>Grievable Issue</b>
<b>Career State employee or former career State employee</b>	<p>a) Overall performance rating of less than “meets expectations” or equivalent as defined in the Performance Management Policy</p> <p>b) Denial of request to remove inaccurate and misleading information from personnel or applicant file (excludes the contents of a performance appraisal and written disciplinary action)</p> <p>c) Items covered in the University’s AA/EEO statement which promote inclusion and diversity, but not within the definition of unlawful discrimination, harassment, or retaliation as contained in NCGS 126-34.02 (b) (1) and (2)</p>
<b>Probationary or former probationary state employee</b>	<p>a) Denial of request to remove inaccurate and misleading information from personnel or applicant file (excludes the contents of a performance appraisal and written disciplinary action)</p> <p>b) Items covered in the University’s AA/EEO statement which promote inclusion and diversity, but not within the definition of unlawful discrimination, harassment, or retaliation as contained in NCGS 126-34.02 (b)(1) and (2)</p>
<b>Applicant for University employment (initial hire, promotion, or reemployment)</b>	<p>a) denial of request to remove inaccurate and misleading information from applicant file (excludes the contents of a performance appraisal and written disciplinary action)</p> <p>b) Items covered in the University’s AA/EEO statement which promote inclusion and diversity, but not within the definition of unlawful discrimination, harassment, or retaliation as contained in NCGS 126-34.02 (b)(1) and (2)</p>

**The following issues must first be grieved through the internal University process. If the Grievant is not satisfied with the Final University Decision, the Grievant may appeal to the Office of Administrative Hearings.**

<b>Who May File</b>	<b>Grievable Issue</b>
<b>Career State employee or former career State employee</b>	<p>a) Dismissal, demotion, or suspension without pay for disciplinary reasons without just cause</p> <p>b) Involuntary non-disciplinary separation due to unavailability</p> <p>c) All issues listed below that are grievable by a probationary or former probationary employee</p> <p>d) All issues listed below which are grievable by an applicant for university employment</p> <p>e) Denial of reemployment or hiring due to denial of reduction in force priority as required by law (NCGS 126-7.1)</p> <p>f) Denial of promotional opportunity due to failure to give priority consideration for promotion to a Career State employee as required by law (NCGS 126-7.1)</p>
<b>Probationary State Employee or former probationary State employee</b>	<p>a) Denial of hiring or promotional opportunity due to failure to post position (unless hiring opportunity is not required to be posted by law)</p> <p>b) Denial of veteran's preference as provided for by law</p> <p>c) Any retaliatory personnel action for reporting improper government activities ("whistle blower") as contained in Article 14 of NCGS 126</p> <p>d) Unlawful discrimination or harassment based on race, religion, color, national origin, sex, age, disability, genetic information, or political affiliation if the employee believes that he/she has been discriminated against in the terms and conditions of employment</p> <p>e) Retaliation against an employee for protesting (objecting to or supporting another person's objection to ) unlawful discrimination based on race, religion, color, national origin, sex (including sexual orientation, gender identity and expression, and pregnancy), age, disability, genetic information, or political affiliation if the employee believes that he or she has been retaliated against in the terms and condition of employment</p>
<b>Applicant for University employment (initial hire, promotion, or reemployment)</b>	<p>a) Denial of hiring or promotional opportunity due to failure to post position (unless hiring opportunity is not required to be posted by law)</p> <p>b) Denial of veteran's preference as provided for by law</p> <p>c) Unlawful discrimination or harassment bases on race, religion, color, national origin, sex, age, disability, genetic information, political affiliation, if the applicant</p>

	<p>believes that he/she has been discriminated against in his/her applications for employment</p> <p>d) Retaliation for protesting (objecting to or supporting another person's objection to) unlawful discrimination based on race, religion, color, national origin, sex, age disability, genetic information, or political affiliation if the applicant believes that he/she has been retaliated against in his/her application of employment.</p>
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**V. GRIEVANCE PROCESS FOR ALL GRIEVABLE ISSUES<sup>2</sup>**

- A. A grievance or complaint must be filed within **15 calendar days** of the alleged event or action that is the basis of the grievance. Any grievance or complaint that alleges unlawful discrimination, harassment, or retaliation shall be addressed and completed through the University Equal Employment Opportunity (EEO) Informal Inquiry process before being considered in the formal internal grievance process. Except as provided herein, all other grievable issues must first be discussed with the immediate or other appropriate supervisor in the employee's chain of command or other appropriate personnel or agency or University that has jurisdiction regarding the alleged event or action that is the basis of the grievance prior to filing a formal grievance. Disciplinary action grievances as well as non-disciplinary separation due to unavailability shall proceed directly to the formal internal grievance process.
- B. Disciplinary action grievances (i.e., dismissal, suspension without pay, demotion) that include both an allegation of unlawful discrimination, harassment, or retaliation, and an allegation that the disciplinary action lacks just cause shall first be addressed through the University EEO Informal Inquiry process before proceeding to the formal internal grievance process. Likewise, a grievance that involves both a separation due to unavailability and an allegation of unlawful discrimination, harassment, or retaliation shall first be addressed through the EEO Informal Inquiry process before proceeding to the formal internal grievance process. After the EEO Informal Inquiry process is completed, all remaining grievable issues may be considered in the formal grievance process if pursued by the employee per the procedures below.
- C. Institutions have the discretion to administer grievances alleging:
  - 1) denial of request to remove inaccurate and misleading information from personnel or applicant file, and/or
  - 2) an overall performance rating of less than "meets expectations" or equivalent as defined in the University SHRA Performance Appraisal Policy,through this University SHRA Employee Grievance Policy or to establish a separate dispute resolution process. These issues are not appealable to the Office of Administrative Hearings.

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<sup>2</sup> Complaints or reports of Title IX Sexual Harassment and appeals of Title IX determinations of responsibility are investigated and resolved through the institution's Title IX complaint process.

**VI. UNLAWFUL DISCRIMINATION, HARASSMENT, OR RETALIATION GRIEVANCE PROVISIONS****A. Option 1 -- EEO Informal Inquiry Process for Unlawful Discrimination, Harassment or Retaliation<sup>2</sup>**

An applicant for State employment, probationary State employee, former probationary State employee, career State employee, or former career State employee (hereafter referred to as Complainant) alleging unlawful discrimination, harassment, or retaliation shall first file a complaint with the University Equal Employment Opportunity (EEO)/Affirmative Action (AA) Officer within **15 calendar days** of the alleged discriminatory, harassment or retaliatory act that is the basis of the complaint.

If the Complainant alleges facts that would constitute discrimination, harassment, or retaliation as prohibited by law or university policy, the complaint will be investigated under the institution's existing non-discrimination/equal opportunity investigatory process (hereafter referred to as the EEO Informal Inquiry). The EEO/AA Officer will investigate the complaint and determine if the facts related to the allegations support a finding of reasonable cause, or no reasonable cause, to believe that unlawful discrimination, harassment, or retaliation occurred.

The EEO Informal Inquiry should be completed in the timeframe defined by the institution's non-discrimination/equal opportunity policy **not to exceed 60 calendar days**.

If there is reasonable cause to believe that discrimination, harassment, or retaliation as prohibited by law or university policy occurred, management shall take appropriate action to resolve the matter.

The EEO/AA Officer shall inform the Complainant in writing regarding the conclusions of the investigation. If the complaint is not successfully resolved, the Complainant has 15 calendar days from receipt of the conclusions of the investigation to file a formal grievance, which will commence with Step 1 mediation.

At any point in the grievance process, the Complainant/Grievant has the right to bypass discussions with or review by the alleged offender. Time spent in the EEO Informal Inquiry process is not part of the formal internal grievance process.

**B. Option 2 -- External Filing of a Discrimination Charge**

The Complainant alleging discrimination, harassment or retaliation as prohibited by law or university policy has the right, at any time, to bypass or discontinue the EEO Informal Inquiry process or the formal internal grievance process and file a charge directly with the Equal Employment Opportunity Commission (EEOC) or the Office of Administrative Hearings - Civil Rights Division (OAH-CRD). The Complainant may not, however, file a contested case with the Office of Administrative Hearings - Hearings Division if the internal process has not been completed. Filing deadlines may vary.

Information about filing an EEOC charge and deadlines for filling the charge can be found at: <http://www.eeoc.gov/employees/charge.cfm> or by calling the EEOC regional offices located in Raleigh, Greensboro and Charlotte at 1-800-669-4000.

Information about filing through the Civil Rights Division of the Office of Administrative Hearings can be found at: <http://www.ncoah.com/civil/> or by calling 919-431-3036.

**C. Option 3 -- Simultaneous Internal and External Filing of a Discrimination Charge**

An applicant for State employment, probationary State employee, former probationary State employee, career State employee or former career State employee may file simultaneously with the EEOC at any point in either the EEO Informal Inquiry process or the formal internal grievance process.

**VII. INFORMAL DISCUSSION**

A request for an Informal Discussion must occur within **15 calendar days** of the alleged event or action that is the basis of the grievance. Prior to filing a grievance about any issue which does not involve an allegation of unlawful discrimination, harassment or retaliation, or a disciplinary action, or a non-disciplinary separation due to unavailability, the employee shall first discuss the grievable issue with the immediate supervisor, other appropriate supervisor in the employee's chain of command, or other appropriate personnel or agency or University that has jurisdiction regarding the alleged event or action that is the basis of the grievance. The university institution's Human Resources Office ("the institution HR Office") may develop internal procedures to administer and coordinate any Informal Discussion process.

The employee must clearly declare to the supervisor or other appropriate personnel that the Informal Discussion request is regarding an alleged event or action that is the basis of a potential grievance. The supervisor or other appropriate personnel shall confirm the intention of the requested Informal Discussion with the employee before beginning the process.

The informal process should be completed within a **15 calendar day** timeframe. However, if progress is being made toward a successful resolution to the dispute or if unavoidable circumstances (e.g. illness, academic calendar) require an extension in the timeframe, both parties may agree to an extension. This extension must be agreed to in writing and approved by the institution HR Office.

The supervisor or other appropriate personnel shall notify the institution HR Office when an employee requests an informal discussion. The supervisor is responsible for attempting to resolve the grievable issue with the employee.

The institution HR Office will serve as a content and procedural resource advisor during these discussions, and work with both parties to strive for a timely resolution to the workplace dispute. The outcome of the informal discussions must be clearly communicated to the employee by the supervisor or other appropriate personnel in writing.

If the Informal Discussion is unsuccessful in resolving the grievable issue, the employee may choose to file a formal grievance. If no written response is provided by the supervisor within the **15 calendar day** timeframe, the employee may proceed by filing a formal grievance. Time spent in the Informal Discussion with Supervisor is not a part of the formal internal grievance process.

**VIII. FORMAL GRIEVANCE – STEP 1 MEDIATION**

The formal internal grievance process begins when a Grievant files a formal grievance request in accordance with the University SHRA Employee Grievance Policy. The Grievant must begin the formal internal grievance process by filing a written grievance to the Human Resources Director or designee within the University in accordance with the SHRA Grievance Policy. The Grievant must complete the required informal processes before filing a formal grievance.

The University, upon approval by OSHR, has the discretion to bypass Step 1 and proceed directly to Step 2 in situations involving discipline for jeopardizing campus safety, personal misconduct, or other similar egregious workplace issues. A decision to request bypassing mediation must be approved by the University Human Resource Office and authorized by the Chancellor. The decision to bypass Step 1 only occurs after careful consultation with parties involved in the workplace dispute.

**A. Purpose of Mediation**

Mediation provides the Grievant and the University Respondent an opportunity to openly discuss the grievance in a neutral environment with the goal of reaching a mutually acceptable resolution.

**B. Mediation Process**

University Human Resources shall submit the request for mediation within **3 business days** of receipt of the grievance. The mediation process shall be concluded within **35 calendar days** from the filing of the grievance unless the Grievant and the University mutually agree in writing to extend the time due to extenuating circumstances. Any extension of Step 1 will not extend the **90 calendar day** timeline.

**C. Location and Time Allocation**

Mediation shall be conducted in a location identified by the University and approved by the OSHR Statewide Mediation Coordinator or designee. The mediation shall be scheduled for an amount of time determined by the Mediator(s) to be sufficient. Mediation may be recessed by the Mediator(s) and reconvened at a later time.

**D. Office of State Human Resources-Approved Mediators**

Only OSHR-approved Mediators will mediate SHRA (employees subject to the State Human Resources Act) grievances for Universities. OSHR will maintain a pool of qualified Mediators to facilitate mediations. Mediators will not be selected from the University requesting the mediation.

**E. Mediation Attendees**

- 1) Grievant
- 2) Respondent
- 3) The OSHR-appointed Mediator(s).
- 4) The OSHR Statewide Mediation Coordinator and designees may attend Mediations as observers.
- 5) Emergency substitution of a Mediator must be approved by the OSHR Statewide Mediation Coordinator or designee.

Attorneys and other advisors may not attend the mediation. Either the Grievant or Respondent may ask for a recess at any time in order to consult with an attorney or other advisor.

Audiotape, videotape, recording devices, and transmission devices are not permitted during mediation.

**F. Post Mediation**

- 1) If an agreement is reached, the following shall occur:
  - a) The Grievant and the Respondent will sign a Mediation Agreement that states the terms of agreement and is a legally binding document.
  - b) The original signed Mediation Agreement is provided to the University Human Resources. A copy of the signed Mediation Agreement is provided to the Grievant, Respondent and the OSHR Statewide Mediation Coordinator.
  - c) Human Resources will review the provisions of the Mediation Agreement to assure that the terms comply with the State Human Resources Commission policies or rules, University policies or rules, and applicable State or federal law.
  - d) Human Resources will ensure that terms of the Mediation Agreement that are under the control of the University are implemented.
  - e) The Mediation Agreement shall be maintained on file for three years.
- 2) If an agreement is not reached (Impasse), the following shall occur:
  - a) The Grievant and the Respondent will sign a Notice of Impasse stating that the mediation did not result in an agreement.



- b) The original signed Notice of Impasse is provided to the University Human Resources Office. A copy of the signed Notice of Impasse is provided to the Grievant, the respondent and the OSHR Statewide Mediation Coordinator.
- c) At the end of the mediation session, the University must provide the Grievant information regarding Step 2 of the internal grievance process and inform the Grievant that the Step 2 filing must be received by the University within **5 calendar days** of the date of mediation.
- d) The Notice of Impasse shall be maintained on file for three years or until any known litigation is completed.

**G. Confidentiality of Documents Produced in Mediation**

All documents generated during the course of mediation and any communications shared in connection with mediation are confidential to the extent provided by law.

**H. Limitations on a Mediation Agreement**

The Mediation Agreement shall serve as a written record and shall:

- 1) Not contain any provision(s) contrary to State Human Resources Commission policies, administrative rules, University policies or rules, and applicable state and federal law;
- 2) Not contain any provision(s) that exceeds the scope of the parties' authority; and
- 3) Not be transferable to another state agency or University.
- 4) When Mediation resolves a grievance but it is determined upon review by University Human Resources or OSHR that one or more provisions of the Mediation Agreement do not comply with the State Human Resources Commission policies or rules, University policies or rules, or applicable State or federal laws, Mediation shall be reconvened to resolve the specific issue(s). This will not extend the **90 calendar day** formal grievance period. If the parties are unable to resolve the noncompliance issue(s), the mediation will reach impasse and the Grievant may proceed to Step 2 of the internal grievance process.
- 5) Should additional information or clarification be needed to implement the terms of the Mediation Agreement, communication with all parties may occur remotely. In the event the Mediator that facilitated the mediation is not available, the OSHR Statewide Mediation Coordinator or designee will have the authority to stand in place of the Mediator in these communications.

**I. Mediation Agreement Approval**

The approval of the Director of Office of State Human Resources or designee is required for mediation agreements that need a personnel transaction to be processed, except where the only personnel action is the substitution of resignation for dismissal. If a mediation agreement involves an exception to State Human Resources Commission policy, the approval of the Director of the Office State Human Resources or designee is required.

**J. Mediation Responsibilities**

- 1) Grievant Responsibilities
  - a) Attending the mediation as scheduled by the University;
  - b) Preparing for the mediation by being able to communicate clear and concise information regarding the issues surrounding the grievance and the remedies sought;

- c) Notifying and receiving approval from University Human Resources, in advance of the scheduled mediation, if occurrences that are unavoidable or beyond the control of the Grievant prevent attendance at the mediation; and
- d) Making a good faith effort to resolve the grievance.

**A Grievant who has an unexcused failure to attend mediation as scheduled forfeits the right to proceed with the internal grievance process.**

2) Respondent Responsibilities

- a) Attending the mediation as scheduled by the University;
- b) Preparing for the mediation by becoming knowledgeable regarding the issues surrounding the grievance and remedies sought;
- c) Notifying and receiving approval from University Human Resources, in advance of the scheduled mediation, if occurrences that are unavoidable or beyond the control of the respondent prevent attendance at the mediation;
- d) Consulting with management, Human Resources and/or legal counsel regarding possible areas of negotiation for grievance resolution; and
- e) Making a good a faith effort to resolve the grievance.

3) University Human Resources Responsibilities

- a) Administering the mediation program within the University;
- b) Appointing a University Mediation Coordinator, and other personnel as needed, to manage and schedule mediations;
- c) Ensuring that the Grievant receives appropriate information about the mediation process;
- d) Designating a qualified and informed University representative to serve as the Respondent for each mediation and who will have the authority to negotiate an agreement on behalf of the University that resolves the grievance;
- e) Ensuring that the Respondent is adequately prepared for the mediation to understand possible areas of negotiation for grievance resolution;
- f) Ensuring appropriate personnel (management, Human Resources or legal counsel) are available to respond to any issues that may arise during the course of the mediation;
- g) Designating appropriate personnel to be available to review the terms of the draft agreement to ensure it is complete and contains the necessary information for implementation;
- h) Reinforce the expectations for confidentiality of the Mediation;
- i) Identifying suitable locations for Mediations;
- j) Using only OSHR-approved Mediator(s) for each mediation session;
- k) Reimbursing Mediators for travel at state-approved rates;
- l) Providing nominees for consideration that meet the qualifications set forth by OSHR to be trained as OSHR mediators; and
- m) Assuming financial responsibility for the initial and ongoing training of University nominated mediators.

- 4) Office of State Human Resources Responsibilities
  - a) Developing and maintaining mediation procedures and forms;
  - b) Establishing mediator eligibility and training requirements;
  - c) Maintaining a pool of qualified mediators;
  - d) Providing employment mediation training;
  - e) Maintaining a process for assigning mediators upon University request;
  - f) Ensuring that mediators adhere to the OSHR Mediator Code of Conduct; and
  - g) Conducting ongoing studies/analyses to evaluate program effectiveness.

## **IX. FORMAL GRIEVANCE – STEP 2 – HEARING PANEL/HEARING OFFICER**

### **A. Hearing Process**

If Mediation does not result in a resolution at Step 1, the Grievant has the ability to proceed to Step 2 of the internal grievance process. Human Resources will notify the Grievant of the opportunity to present the grievance orally to a Hearing Panel/Hearing Officer outside of the employee's chain of command. The Step 2 filing must be received by the University HR Office within **5 calendar days** of the date of the completion of mediation. The hearing process generally shall be concluded within **35 calendar days of filing Step 2 of the grievance**.

### **B. Right to Challenge Appointed Hearing Officer or Hearing Panel Members**

The Grievant has one opportunity to challenge the appointed Hearing Officer or up to 2 members of the Hearing Panel if the Grievant believes they cannot render an unbiased recommendation due to a real or perceived conflict of interest. The Grievant must submit the basis for the challenge in writing. Human Resources will review the challenge and replace the member(s) as appropriate. If the Grievant wishes to make a challenge, it must be done within **5 calendar days** of receiving the notification of Hearing Officer/Hearing Panel.

### **C. Hearing Attendees**

- 1) The Grievant who initiated the grievance;
- 2) Hearing Officer or Hearing Panel members;
- 3) Witnesses, as approved by the Hearing Officer or Hearing Panel Chair in accordance with the University process; and
- 4) Appropriate University and HR representatives. Attorneys and other advisors cannot attend the hearing.

Audiotape, videotape, recording devices, and transmission devices are not permitted during the hearing unless approved by the Chancellor, or designee, of a constituent institution, or approved by the President or designee for the UNC System Office.

### **D. Hearing Participant Responsibilities**

- 1) Grievant Responsibilities
  - a) Attending the hearing as scheduled by the University;
  - b) Notifying and receiving approval from Human Resources, in advance of the scheduled hearing, if occurrences that are unavoidable or beyond the control of the Grievant prevent attendance at the hearing;
  - c) Preparing for the hearing by being able to present clear and concise information regarding the issues surrounding the grievance and remedies sought; and
  - d) A Grievant who has an unexcused failure to attend a hearing as scheduled forfeits the right to proceed with the internal grievance process.

- 2) Hearing Officer/Hearing Panel Chair Responsibilities
  - a) Calling the hearing to order and establishing the process for the proceedings;
  - b) Maintaining order and decorum;
  - c) Ensuring that all parties are allotted adequate time to present evidence and question witnesses; and
  - d) Submitting a proposed recommendation with documentation for a Final University Decision.
- 3) University Human Resources Responsibilities
  - a) Establishing the use of either a Hearing Panel/Hearing Officer;
  - b) Administering the hearing process within the University;
  - c) Providing that all parties receive appropriate information about the hearing process;
  - d) Establishing a process for the Grievant to challenge the appointed Hearing Officer or Hearing Panel members; and
  - e) Consulting with OSHR on the proposed Final University Decision Recommendation.

**E. Grievance Presentation**

- 1) The Hearing Officer or Hearing Panel Chair will preside over the hearing to allow the parties to present information relevant to the nature of the grievance, facts upon which the grievance is based, and the remedies sought.
- 2) Each party shall be given a fair opportunity to present evidence on the issues to be heard and to question witnesses.

**F. Hearing Report, Proposed Recommendation, and Final University Decision**

- 1) The Hearing Panel Chair or Hearing Officer will draft a hearing report that includes a proposed recommendation for a Final University Decision (FUD), including justification to support the recommendation, and submit it to the Chancellor or designee.
- 2) The Chancellor or appropriate designee will forward the hearing report and the proposed FUD to UNC System Office's Senior Vice President for Human Resources or designee for review.
- 3) The Senior Vice President for Human Resources or designee, in consultation with the Director of the Office of State Human Resources or designee, will review the hearing report and proposed FUD and will respond to the Chancellor or designee within **10 calendar days**.
- 4) The proposed FUD shall not be issued or become final until reviewed and approved by the Office of State Human Resources. Once approved, the Chancellor or designee must issue the FUD to the Grievant within **5 calendar days** of the approval and no later than **90 calendar days** from the date the grievance is filed.
- 5) For allegations of Title IX Sexual Harassment, the outcome of the Title IX complaint resolution process rather than this Formal Grievance Procedure, shall constitute the Final University Decision for an SHRA employee who is a Title IX complainant.

**G. Settlement Approval**

The approval of the Director of the Office of State Human Resources or designee is required for settlements that need a personnel transaction to be processed, except where the only personnel action is the substitution of a resignation for a dismissal. If a settlement involves an exception to the State Human Resources Commission policy, the approval of the Director of the Office of State Human Resources or designee is required.

**X. APPEAL TO THE OFFICE OF ADMINISTRATIVE HEARINGS****A. University Requirements to Notify Grievant of Appeal Rights**

The Final University Decision shall inform the Grievant in writing of any appeal rights through the Office of Administrative Hearings for contested case issues. The Grievant must be specifically informed of the following:

- 1) The appeal is made by filing a "Petition for a Contested Case" hearing with the Office of Administrative Hearings;
- 2) The appeal to the Office of Administrative Hearings must be filed within **30 calendar days** after the Grievant receives the Final University Decision; and
- 3) A fee is charged for filing a Petition for a Contested Case Hearing.

**B. Grievant Access to the Office of Administrative Hearings**

- 1) If the Grievant is not satisfied with the Final University Decision, the Grievant may file a Petition for Contested Case Hearing in the Office of Administrative Hearings in cases where the grievable issue may be appealed. An Administrative Law Judge will conduct a hearing and render a Final Decision.
- 2) A Petition for Contested Case Hearing must be filed within 30 calendar days after the Grievant receives the Final University Decision. The Grievant may file the appeal at:

Office of Administrative Hearings  
1711 New Hope Church Road (Physical Address) Raleigh, NC 27609  
6714 Mail Service Center (Mailing Address) Raleigh, NC 27699-6700  
(919) 431-3000

- 3) Hearing procedure requirements and filing form (OAH Form H-06A) can be obtained from the Office of Administrative Hearings at: <http://www.ncoah.com/hearings/> or by calling (919) 431-3000.

**XI. RESPONSIBILITIES FOR THE UNIVERSITY SHRA EMPLOYEE GRIEVANCE POLICY****A. University Human Resources, AA/EEO Office Responsibilities**

- 1) Adhere to the University SHRA Employee Grievance Policy;
- 2) Develop and communicate internal procedures as needed;
- 3) Provide current SHRA employees and new SHRA hires with access to the University SHRA Employee Grievance Policy;
- 4) Notify SHRA employees of any change to the internal University grievance process no later than 30 calendar days prior to the effective date of the change;
- 5) Provide employee grievance reports to OSHR as requested.

**B. Office of State Human Resources Responsibilities**

- 1) Seek appropriate approval of the University SHRA Employee Grievance Policy any time modifications are made;
- 2) Provide consultation and technical assistance to the UNC System as needed; and
- 3) Conduct ongoing studies/analyses to evaluate policy effectiveness and communicate results to improve the program effectiveness.

## **XXII. APPENDIX H - POLICY FOR EHRA NON-FACULTY EMPLOYEES**

University Group Policy #102.1

EHRA Non-Faculty Grievance Procedure

### **I. Policy Statement**

This policy establishes the guidelines for EHRA employees.

### **II. Definitions**

An EHRA Non-Faculty position is any position of employment not subject to the State Human Resources Act; institutional tenure regulations; positions available to students incident to their status as students; positions within administrative categories of employment subject to G.S. 116-11(4), G.S. 116-11(5), or G.S. 116-14; or positions within the "physicians or dentists" category under G.S. 126-5.

### **III. Guidelines**

#### **A. Appointments to Covered Positions**

1. Every appointment to a covered position within Winston-Salem State University shall be made by or on behalf of the Chancellor by means of a letter of appointment that fulfills the requirements of this Section.
2. Every letter of appointment to a covered position shall include:
  - a. the title of the position;
  - b. the initial salary;
  - c. provisions for periodic review of compensation;
  - d. provisions consistent with Sections A.3. and A.4. below, if contingencies based on availability of funding are applicable;
  - e. the annual leave entitlement of the employee;
  - f. notice that the employment conferred is either for a stated definite term or is an "employment at will," subject to continuation or discontinuance at the discretion of the Chancellor
  - g. notice that the employment is subject to these policies, as originally adopted and as may be periodically revised; and
  - h. an attached copy of these Policies.

3. When a covered position is funded, in whole or substantial part, from sources other than continuing State budget funds or permanent trust accounts, the letter of appointment shall state that continuation of the employee's service in that position is contingent upon the continuing availability of funds from such other sources to support that position, and that the effect of such contingency may apply without the additional notice otherwise required by Sections B. 1, B. 2, and B. 3; provided that the affected employee shall be informed at the earliest practicable date of the occurrence of such a funding contingency.
4. When an employee is to serve simultaneously in both a covered position and a position of University employment not covered by these Policies, with the result that two different prescriptions may appear to apply with respect to a particular condition of employment or a right or responsibility of the employee, one position shall be designated the base position to determine the conditions of employment and the rights and responsibilities of the employee. If appointment to a covered position occurs subsequent to appointment to a position not covered by these Policies, the letter of appointment to the covered position shall embody the required designation of base employment; conversely, if appointment to a covered position precedes appointment to the other category of University employment, the letter of appointment or contract establishing the second employment shall embody the required designation of base employment. In either case, the designation of base employment shall specifically describe the different rights, duties, and compensation for each position and the relationship, if any, between the two positions.
5. Any employee serving in a covered position and holding a concurrent tenured faculty appointment may be subject to the Winston-Salem State University Administrative Separation or Retreat to a Faculty Position Policy as it is now constituted or may be modified hereafter.
6. Any funding contingency of the type referred to in Section A.3 shall be set forth separately for the covered position and for the other position, since the operation of any such contingencies may be independent.
7. When an appointment to a covered position is to be accompanied by appointment to a faculty position that is intended to be nominal or honorary, or to create a faculty affiliation not entailing significant duties or compensation, the term "Special Lecturer" shall be used to identify the faculty appointment.

## **B. Discontinuance of Employment in Covered Position**

### **1. *Expiration of Term Appointment***

Employment within a covered position that is established by the letter of appointment to be for a stated definite term expires automatically at the conclusion of the stated term. Such an appointment may be renewed or extended at the option of the employer, by written notice satisfying the requirements of Section I. If the employer intends not to renew or extend the term contract with respect to a term of: (1) one year or less, no notice of intent not to renew shall be required; (2) more than one year but less than four years, notice of intent not to renew shall be transmitted in writing at least sixty (60) days prior to the expiration date of the term; (3) four years or more, notice of intent not to renew shall be transmitted in writing at least ninety (90) days prior to the expiration date of the term. Failure to provide written notice as required in

subsections (2) and (3) shall result in the automatic extension of employment for a period, respectively, of either sixty (60) or ninety (90) days beyond the scheduled expiration date of the term. Termination of Employment because of Financial Exigency or Program Curtailment or Elimination Employment within a covered position that is established by the letter of appointment to be for a stated definite term may be terminated prior to expiration of the stated term because of (1) demonstrable, bona fide institutional financial exigency or (2) major curtailment or elimination of a program. "Financial exigency" is defined to mean a significant decline in financial resources of the university that compels a reduction in its budget. The determination of whether a condition of financial exigency exists or whether there shall be a major curtailment, or an elimination of a program shall be made by the Chancellor, with advance notice and approval by [the president and the Board of Governors.] If the financial exigency, curtailment, or elimination of a program is such that the contractual obligation to an employee within a covered position cannot be met, the employment of the individual may be terminated subject to the following notice requirements: (1) during the first year of service, not less than thirty (30) days' notice prior to termination; (2) during the second and third years of employment, not less than sixty (60) days' notice prior to termination; and (3) during the fourth and all subsequent years of service, not less than ninety (90) days' notice prior to termination.

## ***2. Discharge for Cause***

Any employee occupying a covered position may be discharged for stated cause. Discharge for Cause is to be distinguished from Discontinuance with Notice (Section B.1.), Automatic Expiration of Term (Section B.2.), and Termination (Section B.3.). Stated causes for discharge shall include but are not limited to: incompetence, unsatisfactory performance, neglect of duty, or misconduct that interferes with the capacity of the employee to perform effectively the requirements of his or her employment. Discharge for cause is to be preceded by written notice of intent to discharge and is subject to invocation by the affected employee of the review procedures of Section C of these Policies. When an employee occupying a covered position has been notified of the intention to discharge him or her for cause, the Chancellor may suspend his or her employment with full pay at any time and continue the suspension until a final decision concerning discharge has been reached by the procedures prescribed herein. If the final decision is to discharge the employee, then the employee may be discharged without further pay without regard to whether there is an appeal to the Board of Trustees or the Board of Governors in accordance with Section 611 of The Code. No provision of this policy or Policy 300.1.1 or 300.2.1 of The Code shall be interpreted to extend an employee's right to pay beyond the expiration of the employee's term of appointment while an appeal is pending under this Policy.

## ***3. Discontinuance of Appointment, with Notice or Severance Pay***

Employment within a covered position that is established by the letter of appointment to be an employment-at-will is subject to discontinuance at any time, at the discretion of the Chancellor or the Provost (as the Chancellor's designee); provided that such a discontinuance (as distinguished from Discharge for Cause, Section B.4.) shall be subject to advance timely notice of discontinuance, as follows: (1) During the first year of service, not less than thirty (30) days notice prior to discontinuance of employment or the payment of severance pay for thirty (30)



days; (2) during the second and third years of service, not less than sixty (60) days notice prior to discontinuance of employment or payment of severance pay for sixty (60) days; and (3) during the fourth and all subsequent years of continuous service, not less than ninety (90) days notice prior to discontinuance for employment or payment of severance pay for ninety (90) days. The determination of whether the employee shall receive notice of discontinuance of appointment or severance pay shall be in the sole discretion of the Chancellor or the Provost as the Chancellor's designee.

Employment within a covered position that is established by the letter of appointment to be an employment-at-will is subject to discontinuance at any time, at the discretion of the Chancellor or the Provost (as the Chancellor's designee); provided that such a discontinuance (as distinguished from Discharge for Cause, Section B.4.) shall be subject to advance timely notice of discontinuance, as follows: (1) During the first year of service, not less than thirty (30) days notice prior to discontinuance of employment or the payment of severance pay for thirty (30) days; (2) during the second and third years of service, not less than sixty (60) days notice prior to discontinuance of employment or payment of severance pay for sixty (60) days; and (3) during the fourth and all subsequent years of continuous service, not less than ninety (90) days notice prior to discontinuance for employment or payment of severance pay for ninety (90) days. The determination of whether the employee shall receive notice of discontinuance of appointment or severance pay shall be in the sole discretion of the Chancellor or the Provost as the Chancellor's designee.

### **C. Review of Employment Decision and Grievances**

Employees in covered positions may secure review of decisions concerning discharge for cause or other disciplinary action, and review concerning the interpretation and application of any provision of these Policies; provided, however, that reviews concerning discontinuances, expiration of term appointments or terminations of employment with notice or severance pay, pursuant to Sections B.1., B.2., or B.3., may be brought only upon allegations of violations of applicable notice or severance pay requirements or violations of any provision of Section D. or Section E. of these Policies. Decisions reached pursuant to such review procedures concerning discontinuation, expiration of term appointment, termination or discharge for cause may be appealed in accordance with the provisions of 611 of The Code of the Board of Governors as revised.

### **D. Equal Employment Opportunity**

It is the policy of Winston-Salem State University that there be equal employment opportunity and freedom from unlawful discrimination in all employment within the University. Discrimination will not be practiced or condoned in covered positions on the basis of race, creed, color, national origin, sex, religion, disability, age, or veteran status except for bona fide occupation qualifications or other exceptions provided by state or federal law, as set out in Section 103 of The Code, as it may be amended from time to time. Employment in covered positions shall be conducted in accordance with all provisions of state or federal law or

regulation prohibiting any such discrimination, and in accordance with applicable affirmative action guidelines.

## **E. Protected Activity**

Employment in covered positions shall not be adversely affected by the exercise of rights guaranteed by the First Amendment to the United States Constitution or by Article I of the North Carolina Constitution: provided that employees in covered positions shall be subject to any limitations on political activity established by Article 5 of N.C.G.S. Chapter 126. The Board of Governors' Policies concerning political activity, Policy §300.5.1., et seq. as they may be amended from time to time, shall apply to positions covered by those policies.

## **F. EHRA Non-Faculty Grievance Procedure**

### **1. ALLOWABLE GRIEVANCES**

Employees in covered positions may seek review, after receiving notice of personnel actions covered by this section in the event that the employee is discontinued, terminated, or discharged from employment, suffers other adverse personnel action, or is not appointed following the end of a term appointment. If the covered person does not timely file a written request for review as prescribed herein, then the personnel action is final without recourse to any institutional review, appeal or grievance procedure. Review of matters arising out of the discontinuation, expiration of term appointments or terminations of employment with notice may be brought only upon allegations of violations of applicable notice or severance pay requirements. Violations of the provisions of the Equal Employment Opportunity section or Protected Activity section of this Policy shall also be subject to review under these procedures. Grievances pursuant to Sections B.1., B.2., or B.3., shall be directed to the EHRA Non-Faculty Grievance Committee in accordance with Step 3 of Appointment of EHRA Non-Faculty Grievance Committee.

### **2. APPOINTMENT OF EHRA NON-FACULTY GRIEVANCE COMMITTEE**

The Chancellor shall annually appoint members to the EHRA Non-Faculty Grievance Committee according to the provisions of the University Committee Handbook. All committee members shall be appointed from the ranks of employees in covered positions. The committee shall consist of five persons including a chairman that is selected by the committee.

#### **Step 1. Departmental and Divisional Review**

An employee in a covered position shall, orally or in writing, present any allowable concern regarding terms and conditions of employment sequentially as follows:

- a. To the employee's immediate supervisor,
- b. To the Department Head
- c. To the appropriate Vice Chancellor.

The employee shall request a meeting with each individual in the chain of authority as needed. If the response of any person in the chain of authority fails to resolve the matter or if any person fails to respond within the time allowed, the employee may schedule a conference with the next

Person in the chain of authority.

Each individual in the chain of authority shall investigate the matter(s) presented and shall respond to the employee, in writing, within twenty (20) business days of a meeting with the employee, or if a response cannot be provided within the time allowed, shall advise the employee of the circumstances preventing a response and when a response can be expected.

#### Step 2. Mediation of Grievance

At any step in the chain of authority, the person in authority may offer the employee the opportunity to mediate the grievance. The employee may accept or reject mediation without affecting the right to proceed with the grievance. If the employee agrees to mediate and the matter is resolved at mediation, no further action will be taken. If the matter is not resolved at mediation, the employee may continue the grievance process.

#### Step 3. Appeal to the EHRA Non-Faculty Grievance Committee

If the decision reached in Step 1 or Step 2 does not resolve the matters presented, the employee may request a hearing before the EHRA Non-Faculty Grievance Committee. The request must be in writing and submitted on a form available from the Division Vice Chancellor, the Associate Provost for Administration, Human Resources, or Office of Legal Affairs. Any request for review under Section B, step 1 above shall be submitted within twenty (20) business days after receipt of the decision of the Division Vice Chancellor. Copies of the request for hearing shall be provided by the employee to all other parties in the chain of authority. The Grievance Committee shall schedule a hearing within twenty (20) business days of receipt of a request for hearing. The Grievance Committee shall be governed by guidelines adopted by the committee and approved by the Office of Legal Affairs.

### 3. RIGHT TO USE GRIEVANCE PROCEDURE

Employees in covered positions have the right to use these grievance procedures free from threats or acts of retaliation, interference, coercion, restraint, discrimination, or reprisal. Employees may not be retaliated against for participating in a grievance as a grievant, a witness, a support person, if any, or as a Grievance Committee member. A support person is someone who accompanies the grievant to hearings or interviews and/or assists the grievant in preparing for meetings, keeping track of documents, and similar matters.

## **G. Holiday and Leave Entitlement**

### **1. HOLIDAYS**

Employees in covered positions shall be subject to the same State prescribed holidays given employees subject to the State Human Resources Act.

### **2. ANNUAL LEAVE**

#### **a. Basic Leave Policy**

The amount of annual leave a permanent full-time employee in a covered position shall be entitled to accrue is twenty-four (24) business days per year. Annual leave is accrued at a monthly rate and

is adjusted proportionately for permanent part-time employees who work halftime or more. The monthly earnings amount is equal to one-twelfth of the annual rate for each month the employee works or is on approved leave with pay. Monthly leave is earned when an employee works or is on approved leave with pay at least half the business days of a month. The scheduling of an employee's annual leave shall be subject to the approval of the employee's supervisor. With respect to an incumbent employee who is earning more than twenty-four (24) business days per year as of the date this policy becomes effective, such employee shall be entitled to continue to earn leave at the current rate. The maximum number of unused days of annual leave that may be accrued and carried forward from one year to the next shall be thirty (30) business days. Annual leave in excess of thirty (30) business days will be automatically converted to sick leave at the end of the year. An employee in a covered position who has accrued such unused annual leave as of the date of discontinuance of employment or change in employment status such that employee is no longer covered by this policy shall be paid for such unused annual leave, subject to the prescribed maximum of thirty (30) business days. The amount paid to an employee who has been employed an aggregate of 24 months or less by one or more State or local governmental agencies is equal to one day for each month worked less the number of days of annual leave taken during the employment period. An employee who has been employed for more than 24 months shall be paid subject to a maximum of 30 such days.

#### **b. Exceptions to Basic Leave Policy**

This policy does not apply to bonus leave granted by the 2003 and 2005 Legislature of North Carolina. Said bonus leave is governed by the terms of the creative legislation.

SICK LEAVE, MATERNITY LEAVE, FAMILY AND MEDICAL LEAVE, FAMILY ILLNESS LEAVE, CIVIL LEAVE, MILITARY LEAVE, CHILD INVOLVEMENT LEAVE, COMMUNITY SERVICE LEAVE, AND SPECIAL BONUS LEAVE

Employees in covered positions shall be subject to the same provisions concerning sick leave, family and medical leave, family illness leave, civil leave, military leave, child involvement leave, community service leave, and special leave bonus as are applicable to employees subject to the State Human Resources Act. With respect to sick leave, subject to approval by the employee's supervisor, an employee may be advanced the amount of sick leave that can be accrued during the remainder of the year or during a twelve-month period.

#### **3. LEAVE OF ABSENCE WITHOUT PAY**

Employees in covered positions may request leave of absence without pay, subject to approval of such leave by the Chancellor.

#### **4. EDUCATIONAL ENTITLEMENT**

Employees in covered positions are entitled to utilize the benefit of tuition waiver as conferred by UNC Policy 1000.2.2.

#### **5. VOLUNTARY SHARED LEAVE**

Employees in covered positions shall be subject to the provisions concerning shared leave as are applicable to employees subject to the State Human Resources Act with the exception that the donation and acceptance of such leave shall be computed on the basis of days rather than hours.

#### 6. ADVERSE WEATHER

This policy can be found on the WSSU Department of Human Resources webpage.

### **H. Statutory and Other Rules of Employment**

Except as otherwise noted herein, employees in covered positions are subject to the same terms and conditions of employment as are other University personnel, including privacy of personnel records, and employment of related persons.

#### **I. Implementation**

Any proposed amendment to these Policies must be submitted for review and approved by the President prior to its adoption by the Board of Trustees.

Please see *Related Resources* for WSSU PROCEDURE FOR HEARINGS IN NON-FACULTY GRIEVANCE CASES (TERMINATION AT WILL).

### **IV. Roles and Responsibilities**

Position Responsible: Chancellor/Provost

#### **V. Applicability**

These Policies apply to all permanent covered positions.



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