Watts College of Nursing

2026 Annual Security Report

Information for 2025-2026 Academic Year
and Crime Statistics for 2023, 2024, and 2025

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The Clery Act and Legal Requirements

The Campus Security Act requires colleges and universities to:

- Publish an annual security report every year by October 1 that contains three years of campus crime statistics and certain campus security policy statements;
- Disclose crime statistics for the campus, public areas immediately adjacent to, or running through, the campus, and certain non-campus facilities and remote classrooms. The statistics must be gathered from campus police or security, local law enforcement, and other College officials who have "significant responsibility for student and campus activities;"
- Provide "timely warning" notices of crimes that have occurred and "pose an ongoing threat to students and employees;"
- Disclose in a public crime log "any crime that occurred on campus. . . or within the patrol jurisdiction of the campus police or the campus security department and is reported to the campus police or security department" (this does not apply to Watts College of Nursing as there is no campus police or security department),
- Identify campus security authorities and canvass individuals each year for their reporting status,
- Disclose any agreements with state and/or local law enforcement, etc.

Preparation of the Annual Security Report

The Watts College of Nursing Administrative Team prepares and distributes the Annual Security Report. Watts College of Nursing Administrative Team gathers policy information and crime statistics from other Watts College of Nursing departments and Campus Security Authorities, such as the Office of Student Conduct and other offices within the Division of Student Affairs. Watts College of Nursing Administrative Team also requests crime statistics through a written request on an annual basis from the Durham Police Department, Duke University Police, and other law enforcement agencies where Watts College of Nursing operates. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. All of the crime statistics are gathered, compiled, and reported to the College community via this report, which is published by the Watts College of Nursing Administrative Team. The Watts College of Nursing Administrative Team submits the annual crime statistics published in this brochure to the Department of Education (ED). The statistical information gathered by the Department of Education is available to the public through the ED website.

Watts College of Nursing encourages members of the Watts College of Nursing community to use this report as a guide for safe practices on and off campus.

Each member of the College community receives an email that describes the report and provides its web address. For a paper copy, contact the Watts College of Nursing Administration Team at 311 Trent Drive, 3rd Floor, Durham, NC 27710 or (919) 470-7349.

WCON does not have student housing facilities. Therefore, the College is not required to provide information on Missing Students, On-Campus Student Housing/Residential Facilities crime statistics, Fire Log, Fire Statistics, or a Fire Safety Report.

Reporting Criminal Actions or Other Emergencies

All members of the Watts College of Nursing community and all visitors are encouraged to accurately and promptly report potential criminal activity, suspicious behavior, and any emergencies on campus, on public property running thought or immediately adjacent to the campus, or in other property that is owned of controlled by Watts College of Nursing, to the Durham Police Department by calling 911. After calling local police, please submit a CSA report via the Campus Security Authority Report Form (CSA Report

Form) to ensure we address the issue as appropriate. Your CSA report will be expected to include the date the incident was reported to you, the date and time the incident occurred, the location the incident took place, and a detailed description of the incident to assist WCON in properly classifying and counting the crime for statistical disclosure purposes.

Response to a Report

Dispatchers are available upon calling 911, 24 hours a day to answer your calls. In response to a call, the Durham Police Department will take the required action, either dispatching an officer or asking the victim to report to the Durham Police Department to file an incident report. Durham Police Department will investigate a report when deemed appropriate. If assistance is required from the Durham Police Department or County, Watts College of Nursing will assist with contacting the appropriate unit. If a dating violence, domestic violence, sexual assault, or stalking occurs, the Title IX Coordinator is available to offer the victim a variety of services. All reported incidents are reviewed, and applicable information is collected and presented to the proper authority. In order to ensure that our campus remains safe, it is important for members of the campus to report this information in a timely manner.

Reporting to Meet Disclosure Requirements

Members of the community are helpful when they immediately report crimes or emergencies to the local police department (Durham Police Department) and/or to the Watts College Administration Team, the Associate Executive for Business and Finance/Title IX Coordinator, Director of Human Resources, or a Campus Security Authority for the purpose of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notices, when deemed necessary.

Accurate and Prompt Reporting

Crimes should be accurately and promptly reported to the Durham Police Department or the appropriate police agency, when the victim of a crime elects to, or is unable to, make such a report.

Durham Crime Stoppers

In addition to the above means of reporting incidents and obtaining resources for them, you may report crimes that you witness or have information about that occur in the City of Durham or Durham County to Durham Crime Stoppers at (919) 683-1200.

Voluntary and Confidential Reporting

Occasionally, victims of crime wish to report a crime but do not want to give their name and/or do not want to pursue action through the criminal justice system or College disciplinary systems.

If you are the victim of a crime and do not want to pursue action within the College system or the criminal justice system, you may still want to consider making a confidential report. With your permission, a city of Durham police officer or a Watts College of Nursing campus security authority, can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to enhance the future safety of yourself and others. With such information, Watts College of Nursing can keep an accurate record of the number of incidents involving students, employees, and visitors; determine whether there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed as statistics in the annual crime statistics for the institution.

Pastoral and Professional Counselors

Campus "Pastoral Counselors" and "Professional Counselors," when acting as such, are not considered to be a campus security authority for Clery Act purposes and are not required to report crimes for

inclusion in the annual disclosure of crime statistics or for the purpose of a timely warning. As a matter of policy, the professional counselors at Watts College of Nursing are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary confidential basis to Watts College of Nursing or the Durham Police Department. These positions are defined as follows:

- **Pastoral Counselor** - person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor.
- **Professional Counselor** - person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

Campus Law Enforcement Policies

WCON does not have a campus police or security department. WCON sends the Durham Police Department and any other agencies with jurisdiction, an annual request for crime statistics associated with any of WCON's Clery geography. The Durham Police Department does not enforce College policies and will only respond to calls made by the public. There are no written agreements or memorandums of understanding regarding any topics, including the investigation of criminal incidents, between WCON and the Durham Police Department.

Security and Access to Facilities

Academic and Administrative Offices

Watts College's academic and administrative building is locked 24 hours a day and is only accessible to those with badge access. There are no sworn or public safety officers that conduct routine patrols of the campus to evaluate and monitor security related matters, as the College does not have a sworn or public safety department and does not have an agreement with local police or with the Duke University Police Department which is on the borders of the College.

Academic and administrative buildings do not have security officers assigned to them; however, Watts Administrative Team members monitor the building during business hours and can have police called if needed. For schedules and protocols for specific classrooms see Watts Administrator Non-Emergency #: (919) 470-3268.

Watts College of Nursing does not have any residential facilities.

Health System Security and Access

Health System buildings are equipped with a variety of card access and proximity readers to assist in controlling building access. These readers are monitored by the Building Automation System (BAS) office of Engineering & Operations. In addition, security camera systems are installed at key points throughout the medical center complex. Watts College of Nursing does not have control over these functions.

Security and Maintenance of Campus Facilities

Watts College maintains campus facilities in a manner that minimizes hazardous and unsafe conditions. Parking lots and pathways are illuminated with lighting. Watts College's Coordinator for Business and Administration is responsible for submitting a work order for any reports received about inoperable doors, burned out lights, broken windows and screens, and requests the building manager to do such things as trim bushes for safety and security reasons. Watts College personnel closely monitor any security-related maintenance problems during normal business hours until reported to and resolved by

building manager personnel. Other members of the College community are helpful when they report equipment problems to Watts Administration.

Security Awareness & Crime Prevention Programming

One of the essential ingredients of any successful crime prevention program is an informed public. It is the intent of the Watts College of Nursing to inform students of good crime prevention and security awareness practices.

Watts College of Nursing asks Duke University Police to come to campus and present different crime prevention presentations and/or trainings. During the 2025-2026 academic year, WCON offered approximately 4 crime prevention and security awareness programs. Topics such as personal safety, drug and alcohol abuse awareness and sexual assault prevention are some examples of programs offered during the prior academic year.

All crime prevention and security awareness programs encourage students and employees to be responsible for their own security and the security of others. Participants in these programs are asked to be alert, security-conscious and involved and advised to call the Durham Police Department to report suspicious behavior.

Monitoring and Recording of Criminal Activity by Students at Noncampus locations of Recognized Student Organizations

WCON does not have any officially recognized student organizations that own or control housing facilities outside of the WCON core campus. Therefore, local PD is not used to monitor and record criminal activity since there are Noncampus locations of student organizations.

Daily Crime Log

WCON does not have a campus police or security department and does not contract any local law enforcement agencies or security officers. Therefore, WCON is not required to create, maintain, or make a daily crime log available.

Timely Warning Notification

In the event a Clery crime is reported within the Watts College of Nursing Clery geography (On Campus, Public Property, and Non-campus Property) that, in the judgment of the President, the Associate Chief Business and Financial Executive, or the Academic Officer, constitutes a serious or continuing threat, a campus wide "timely warning" notice will be issued. Timely warning Notices will be distributed as soon as pertinent information is available in a manner that withholds the names of the victims as confidential and may aid in the prevention of similar occurrences.

Timely Warnings are typically issued for the following Uniform Crime Reporting Program (UCR)/National Incident Based Reporting System (NIBRS) crime classifications:

- Murder/Non-Negligent Manslaughter
- Aggravated Assault (cases involving assaults among known parties, such as two roommates fighting, which results in an aggravated injury, will be evaluated on a case-by-case basis to determine if the individual is believed to be an ongoing threat to the larger Watts community)
- Robbery involving force or violence (cases including pick pocketing and purse snatching will typically not result in the issuance of a Timely Warning Notice, but will be assessed on a case-by-case basis)
- Sexual Assault (considered on a case-by-case basis depending on the facts of the case, when and where the incident occurred, when it was reported, and the amount of information known; cases

involving sexual assault are often reported long after the incident occurred, thus there is no ability to distribute a "timely" warning notice to the community. All cases of sexual assault, including stranger and non-stranger/acquaintance cases, will be assessed for potential issuance of a Timely Warning Notice.)

- Major incidents of Arson
- Other Clery crimes as determined necessary by the Watts College of Nursing President or designee.

Timely Warning Notices are written and distributed to the community by the President, the Associate Chief Business and Financial Executive, or the Academic Officer. Timely warning notices may be issued to the campus community by blast e-mail to all Watts College of Nursing assigned email accounts. Timely warnings will not typically be distributed through any other manner. Timely warnings sent via email will have the subject title "Security Warning."

The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

Emergency Response and Evacuation Procedures

The Watts College of Nursing Emergency Management Plan (EMP) is the College's emergency response plan. The EMP documents the framework, processes and communications required for a successful response to, and recovery from, an emergency incident. The plan includes descriptions of categories for the classification of emergency incidents, as well as specific responsibilities and actions by level. The EMP also discusses the Administrative Team and how it is a part of the EMP. Campus emergency management provides resources and guidance for the development of these plans. Emergencies occurring on campus should be reported to the Durham Police Department at 9-1-1.

Watts College of Nursing assesses its emergency response plans and systems each year through scheduled drills, exercises and appropriate follow-through activities designed for assessment of emergency plans and capabilities. These exercises are conducted both at the department/division level, as well as the institutional level.

In conjunction with other emergency agencies, the College conducts emergency response drills and exercises each year such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced, are designed to assess the emergency plans and capabilities of the institution. Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

The Duke ALERT outdoor siren system, text message, and email systems are tested three times annually (each semester, including once during summer session. A summary of the emergency procedures and evacuation plans are publicized in conjunction with this test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act. Watts College of Nursing Occupational and Environmental Safety Office also conducts announced and unannounced building evacuation drills each year. The Emergency Management Council EMC oversees Watts's preparation and planning for emergencies and shares information with WCON's Executive Committee/Leadership.

Emergency Evacuation Procedures

The emergency evacuation procedures are tested at least twice each year. Students and employees learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. The Duke's Office of Safety and Environmental Health does not tell building occupants in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being

evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, Duke's Office of Safety and Environmental Health staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. At Watts College of Nursing evacuation drills are used as a way to educate and train occupants on fire safety issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm.

Shelter-in-Place Procedures – What it Means to "Shelter-in-Place"

If a dangerous incident occurs, there is a significant weather event, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors because leaving the area may expose you to the dangerous condition. Thus, to "shelter-in-place" means to make a shelter of the building that you are in, and with a few adjustments, this location can be made even safer and more comfortable until it is safe to go outside.

How You Will Know to "Shelter-in-Place"

A shelter-in-place notification may come from several sources, including DukeALERT, other College employees, Durham Police, or other authorities using the College's emergency communications tools.

How to "Shelter–in-Place"

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

- If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
- Locate a room to shelter inside. It should be:
    - An interior room;
    - Above ground level; and
    - Without windows or with the fewest windows possible. If there is a large group of people inside a particular building, several rooms maybe necessary.
- Shut and lock all windows (tightly seal) and close exterior doors.
- Turn off air conditioners, heaters, and fans.
- Close vents to ventilation systems as you are able. (If needed, College staff will turn off the ventilation as quickly as possible.)
- Make a list of the people with you and ask someone (faculty, or other staff) to call the list in to Durham Police so they know where you are sheltering. If only students are present, one of the students should call in the list.
- If safe to do so, turn on a radio, TV, monitor news and social media sites, and listen for further instructions.
- Make yourself comfortable.

Fire Evacuation Procedures

Watts College of Nursing regularly conducts fire drills in partnership with Campus Building ownership requiring evacuation in its facility. These drills are conducted at least annually and are used to:

- Familiarize community members to the audible and visible evacuation signals and the exit routes available to use in the event of a fire or other situation that requires immediate evacuation.

- Evaluate the performance of the employees in a fire incident and the effectiveness of the behaviors used in accordance with the fire drills and the emergency plans/site specific fire plans.

The results of the drills are documented. Evacuation procedures are as follows:

1. Close all windows and leave the overhead light ON.
2. Before opening any door, feel the door. If it is HOT, do not open it; if it is not hot, brace yourself against the door, open it slightly, and if heat or heavy smoke are present, close the door and stay in your room.
3. If you cannot leave the room, open the window, hang a sheet or other light-colored object out of the window to attract the attention of emergency personnel and then close the window. If there is a phone in the room, call Durham Police (911) and report that you are trapped. Remain calm and give your room number and building location. Stuff towels, sheets, or similar materials under all doors leading into corridors. Stay close to the floor if smoke enters the room.
4. If conditions allow you to leave the room, close, but do not lock, the door and walk directly to the nearest exit and leave the building.
5. If you are away from your room when the alarm sounds, do not return to your room, but leave the building via the nearest exit.
6. DO NOT use elevators. If hallways and/or exit stairwells are not accessible because of heavy smoke, return to your room, close the door and follow the instructions given above.
7. If you have exited the facility, stand clear of the building and report to your designated check-in area. Emergency apparatus may be maneuvering around the building.
8. Follow the directions of fire and police personnel and NEVER re-enter the building until they give permission to do so.

General Evacuation Procedures:

RACE is an acronym used to help you respond safely and correctly.

R - REMOVE ALL PERSONS IN IMMEDIATE DANGER TO SAFETY to include patients, visitors, students and employees.

A - ACTIVATE MANUAL PULL ALARM/DIAL 911. Give the following information: The exact location of the fire (Building and Location-Area, Building Zone or Color or Zone Floor, Room Number) and the name of person calling and phone number.

C - CLOSE ALL DOORS AND WINDOWS to prevent the spread of fire and smoke.

E - EXTINGUISH THE FIRE with a portable fire extinguisher or **EVACUATE THE AREA. DO NOT USE THE ELEVATOR.**

Fire Alarm Evacuation Policy

Evacuation is mandatory for all individuals when the fire alarm is sounding. Anyone who fails to evacuate may face disciplinary action.

Once a fire alarm sounds, do not assume that a fire alarm is a drill or false alarm. Remain calm and evacuate the facility. Remember to follow the instructions of the emergency responders. Do not re-enter the facility until authorized. If you have any information regarding the alarm, present that information immediately to the responding emergency personnel.

While evacuating, remain attentive for dangerous or criminal activity that may be associated with the evacuation notice. Fire alarm activations may be associated with incidents other than fire. It is also possible that an individual has falsely activated the alarm system. If you observe criminal or suspicious activity, report it immediately to the local police.

Emergency Notifications

Watts College of Nursing has developed a process to notify the campus community in cases of emergency. While it is impossible to predict every significant emergency or dangerous situation that may occur on campus, the following identified situations are examples which may warrant an emergency (immediate) notification after confirmation: armed/hostile intruder; bomb/explosives (threat); communicable disease outbreak; severe weather; terrorist incident; civil unrest; natural disaster; hazardous materials incident and structural fire.

Individuals can report emergencies occurring at Watts College of Nursing by calling the Durham Police Department by dialing 9-1-1.

In the event of an emergency, Watts College of Nursing will initiate and provide, without delay, immediate notifications to the appropriate segment(s) of the College community upon the confirmation of a significant emergency or dangerous situation on campus that involves an immediate threat to the health or safety of students, faculty, staff and visitors.

If the President, the Associate Chief Business and Financial Executive, or the Academic Officer or their designees, in conjunction with other College administrators, local first responders, Public Health Officials and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Watts College of Nursing community, the President, the Associate Chief Business and Financial Executive, or the Academic Officer or their designees, will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the Watts College of Nursing Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. Additionally, although the President, the Associate Chief Business and Financial Executive, or the Academic Officer or their designees, are the individuals that would initiate this process, Duke Emergency Management Office officials may be the individuals that activate the emergency notification system, DukeALERT, on behalf of both Duke University and Watts College of Nursing.

In considering the safety of the campus community, Watts officials will, without delay, and taking into account the safety of the community, determine the content of the emergency message and initiate the notification unless this will, in the professional judgment of responsible authorities, compromise the efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Notification will be made by using some or all of the following methods depending on the type of emergency: Watts College of Nursing Alert System, Duke ALERT (which contains email, cell phone text, voice message alert); fire alarm (where available), public address systems (where available), social media, website web alert bar, local media, webpage and/or in person communication, as well as Watts Hospital notification systems and processes. If any of these systems fail or the College deems it appropriate, in person communication may be used to communicate an emergency.

Watts students, faculty, and staff may sign up to receive text messages at https://www.emergency.duke.edu/. Community members, upon receiving a notice of an alert, should seek additional information primarily from Watts Administrative Team and the Duke University Emergency webpage at https://emergency.duke.edu and take actions to protect themselves and to alert others.

Notification to the larger community may be made through the local media to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties. Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm).

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

Drug and Alcohol Policy

Watts College of Nursing prohibits the unlawful possession, use, and sale of alcoholic beverages and illegal drugs on campus. The Durham Police Department is responsible for the enforcement of state underage drinking laws and enforcement of Federal and State drug laws.

Drug Free Schools and Communities Act

In compliance with the Drug Free Schools and Communities Act, Watts College of Nursing publishes information regarding the College's prevention programs related to drug and alcohol abuse prevention which include standards of conduct that prohibit the unlawful possession, use, and distribution of alcohol and illegal drugs on campus and at institution-associated activities; sanctions for violations of federal, state, and local laws and College policy; a description of health risks associated with alcohol and other drug use and abuse; and a description of available counseling, treatment, rehabilitation and/or re-entry programs for Watts College of Nursing students and employees. A complete description of these topics, as provided in the College's annual notification to students and employees, is available online at: https://wattscollegeofnursing.edu/sites/default/files/Drug%20and%20Alcohol%20Policy%20F23.pdf.

Explanation of Crime Statistics & Terms

The crime statistics in the tables presented at the end of this report are compiled based upon Watts College of Nursing reports and those gathered from Campus Security Authorities, as well as those incidents from local law enforcement agencies.

Definition of Terms

Definitions from the Federal Uniform Crime Reporting ("UCR") Handbook

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could or probably would result in a serious potential injury if the crime were successfully completed.

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, etc.

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes, this definition includes: unlawful entry with intent to commit a larceny or a felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft

all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned-including joy riding).

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

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

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

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, violence, and/or causing the victim fear.

Weapons Law Violations: The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; all attempts to commit any of the aforementioned.

Drug Abuse Violations: Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (demerol, methadones); and dangerous non-narcotic drugs (barbiturates, benzedrine).

Liquor Law Violations: The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned acts. (Driving while intoxicated and public intoxication are NOT included in the statistics.)

Statistics for Referred Violations:

The Clery Act also includes statistics for weapons, drug, and liquor law violations as described above that are referred for disciplinary action. Clery defines "referred for disciplinary action" **as *the referral of any person to any official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a sanction.*** All referrals are managed by the Committee on Student Academic Standing and Professionalism (CoSAPP).

Crime Definitions from the National Incident-Based Reporting System (NIBRS) User Manual from the FBI's UCR Program

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

A. *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.

B. *Incest*—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

C. *Statutory Rape*—Sexual intercourse with a person who is under the statutory age of consent.

Crime Definitions from the Hate Crime Data Collection Guidelines and Training Manual from the FBI's UCR Program

Larceny-Theft (Except Motor Vehicle Theft)
The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

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

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

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

Unfounded Crimes:
Watts College of Nursing may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where com- missioned Watts Police officers or other sworn law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore ‘‘unfounded.’’

Crime Definition for Hazing from the Stop Campus Hazing Act and Jeanne Clery Campus Safety Act as Amended

Hazing
Hazing: (vi) The term ‘Hazing’, for purposes of reporting statistics on Hazing incidents that were reported to campus security authorities or local police agencies, means any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that—

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

confinement in a small space, extreme calisthenics, or other similar activity;

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

Location Definitions from the Jeanne Clery Campus Safety Act

On-Campus: (1) Any building or property that is owned or controlled by an institution within the same reasonably contiguous geographic area and is used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and (2) any building or property that is within or reasonably contiguous to the area identified in paragraph (1) that is owned by the institution, but controlled by another person, is frequently used by students and supports institutional purposes (examples include food or retail vendor).

Non-Campus Building Or Property: (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or (2) any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Public Property: All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.
Reported crime statistics do not include crimes that occur in privately owned homes or businesses on or adjacent to Watts's campuses.

The crime statistics reflect those offenses mandated by the "Jeanne Clery Campus Safety Act" that have been compiled by the Watts College of Nursing. These include all reports made to officials of the College who have identified as campus security authorities and from local law enforcement agencies.

On Campus = Any incidents at Watts College of Nursing Campus at 311 Trent Drive, 3rd Floor, Durham, NC 27710 and any Duke-affiliated clinical locations utilized that are within a mile radius from the campus.

Non-Campus = Watts property not immediately adjacent to the main campus that is frequented by students; some examples include the Watts College of Nursing clinical sites in Durham, Duke Regional Hospital, Duke Raleigh Hospital, and certain domestic and international programs.

Public Property = Public streets passing through the campus; public property and streets immediately adjacent to and accessible from the campus as reported to the Watts College or to the Durham Police Department.

Sex Offender Registry

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of

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

All convicted sex offenders coming to or in North Carolina, at which the persons are employed, carry on a vocation, volunteer services, or are students are required to register with the local county sheriff's office for inclusion in the North Carolina Sex Offender and Public Protection Registry. This Registry may be viewed locally at the local county sheriff's office or accessed directly online at: http://sexoffender.ncsbi.gov.

Hazing Policy Statements

WCON prohibits students, employees, contractors, and volunteers from engaging, or attempting to engage in Hazing. The College defines Hazing as:

1. Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that—
    a. is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
    b. causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including—
        i. whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
        ii. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
        iii. causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
        iv. causing, coercing, or otherwise inducing another person to perform sexual acts;
        v. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
        vi. any activity against another person that includes a criminal violation of local, State, Tribal or Federal law; and
        vii. any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law. *20 U.S.C. 1092(f)(6)(A)(vi)
2. For purposes of this definition, WCON considers the following behaviors to constitute Hazing under this definition, as they inherently cause or create a risk of physical or psychological injury. Hazing also involves any other activity not addressed by (1) of this definition that is expected of someone joining or participating in a student organization that humiliates, degrades, abuses, or endangers them, regardless of a person's willingness to participate. This includes, but is not limited to, the following:
    a. verbal abuse, intimidation, or manipulation, or coercion into degrading acts.
    b. blindfolding, forced physical activity, personal servitude, and
    c. forcing individuals to perform embarrassing or socially isolating activities or tasks.

3. Retaliation against any person who: reports Hazing, is the victim of Hazing, witnesses Hazing, participates in an investigation related to Hazing, or otherwise is involved in implementing any aspect of this policy is strictly prohibited

For purposes of the College's Hazing policy, the phrase "student organization" means an organization at WCON "(such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at WCON." While student organizations that are not recognized or established by WCON are not subject to WCON's disciplinary jurisdiction, individuals who engage in violations of the standards of conduct outlined in the WCON's Hazing policy will be held accountable regardless of whether the student organization in which the Hazing activities occurred is recognized or established by the institution.

Any student organization recognized or established by WCON that is found to be responsible for violating WCON's Hazing policy will be recorded in the Campus Hazing Transparency Report. However, all reports of hazing involving student organizations that occur in WCON's Clery Geography will be included in the crime statistics regardless of whether the organization is established or recognized by the institution.

WCON reserves the right to hold a sub-group of an organization accountable for Hazing policy violations, rather than the entire student organization, when circumstances reasonably indicate a sub-group, not the entire student organization, committed a Hazing policy violation. For example, affinity groups or position groups within an athletic team that meet the definition of student organization may be held accountable for Hazing in lieu of the entire athletic team.

While each report will be evaluated on a case-by-case basis, WCON generally considers the following non-exhaustive criteria when determining whether conduct might reasonably be associated with a student organization:

A. The conduct is sanctioned by the student organization and/or any of its officers ("sanctioned by" may include, but is not limited to, the following: active or passive consent or encouragement; having prior knowledge that the conduct was likely to occur; or helping to plan, advertise, or promote the conduct); or
B. The conduct is committed during the course of an activity financed by the organization, or financed as a result of one or more members of the student organization contributing personal funds in support of the activity or conduct in question; or
C. The conduct occurred on property owned, controlled, rented, leased, or used by the organization or any of its members; or
D. The purpose of the activity was related to initiation, admission into, affiliation with, or as a condition for continued membership in the student organization; or
E. Non-members of the student organization learned of the activity through members, advertisements, or communications associated with the student organization, or otherwise formed a reasonable belief that the conduct or activity was affiliated with or sanctioned by the student organization; or
F. Members of the student organization attempted to conceal the activity or protect other members who were involved; or
G. One or more officer(s) of the organization had prior knowledge or reasonably should have known that the incident would take place.

How to Report Hazing

Students, faculty and staff are responsible for reporting incidents of Hazing and suspected Hazing. Failure to report an incident of Hazing will be viewed by the College as compliance in the Hazing activity and is a violation of the Hazing policy. Failure to report an incident of Hazing may also constitute a violation of federal and state law.

Any individual who experiences or witnesses Hazing is strongly encouraged to report the incident immediately. Any incident involving an in-progress crime or emergency should be reported immediately to the local law enforcement agency with jurisdiction by dialing 911.

Reporting Options for Students and Employees
Reports can be made in person, by phone, or by email using the contact information below. The identity of individuals who report Hazing will not be shared to the fullest extent possible.

a) Submit a Hazing Referral form to the WCON Student Governance Committee. Please include detailed information: Who, What, When, Where and any supporting documentation (relevant documents, photos, screenshots, video evidence). If the report lacks sufficient detail or key data, it may inhibit WCON's ability to follow up.

Support and Resources
The identity of individuals who report Hazing will be kept confidential to the extent possible. Any individual who is affected by Hazing is encouraged to seek support through WCON's student counseling services. Support is available for both victims and those involved in Hazing situations.

Process Used to Investigate Hazing Reports
Upon receipt of a report alleging Hazing, the WCON Student Governance Committee (for students) or the Watts Executive Committee (for employees), will review the report and determine if the alleged behavior, as described in the report, would constitute Hazing as defined by the College. The WCON Student Governance Committee (for students) or the Watts Executive Committee (for employees) will also determine which College official(s) or office(s) have jurisdiction over the respondent(s). As it relates to the College's Hazing policy, the term "respondent" refers to a student, a recognized or registered student organization, or an employee who is alleged to have engaged in Hazing.

The WCON Student Governance Committee (for students) or the Watts Executive Committee (for employees) is empowered to take reasonable steps to obtain additional information that may be necessary to determine if a policy violation has been alleged or to determine if an investigation is warranted. The WCON Student Governance Committee (for students) or the Watts Executive Committee (for employees) may consult with applicable College officials when determining which individual(s) or office(s) have jurisdiction over the respondent(s). When determining jurisdiction, the WCON Student Governance Committee (for students) or the Watts Executive Committee (for employees) will consider:

- the nature of the alleged conduct,
- the circumstances of the report, and
- whether the respondent is a person or student organization subject to the College's conduct standards.

These factors will also inform whether the procedures outlined in the Student Handbook or Employee Handbook will be utilized to resolve the alleged misconduct. Allegations of Hazing involving a student or a student organization that is officially recognized by, or registered with, the College will be resolved using the procedures outlined in the Student Handbook. Allegations involving other respondents will be resolved using the policies and procedures applicable to the respondent's status.

Interim Action
In response to the report, the WCON Student Governance Committee may impose an interim administrative action on a respondent prior to the resolution when a threat of imminent harm to persons or property exists, and/or there is potential for significant disruption to the community that exists during the course of

investigation. If the respondent is an employee, the applicable College official(s) may impose interim administrative action consistent with the policies and procedures applicable to the employee.

Interim action is not a sanction. It is taken in an effort to protect the safety and well-being of individuals and the College community. Interim administrative action is preliminary in nature; it is in effect only until there is a resolution of the matter. The respondent may challenge the interim action in writing to the next level of conduct authority within five (5) days of the imposition of the interim action. The interim action will be in effect during the challenge.

Investigation
If an investigation is warranted, the WCON Student Governance Committee (for students) or the Watts Executive Committee (for employees), shall appoint one or more investigators to conduct a prompt, thorough, and impartial investigation. External investigators may be appointed at the discretion of the WCON Student Governance Committee (for students) or the Watts Executive Committee (for employees). Reports of alleged Hazing that also allege violations of the College's Sexual Misconduct Policy will be coordinated between the WCON Student Governance Committee (for students) or the Watts Executive Committee (for employees), and Duke's Office for Institutional Equity's Title IX Coordinator to determine the appropriate investigation and/or resolution procedures.

The respondent (typically the president for a registered/recognized student organization, or its equivalent for an established organization) will be sent a written notice of the allegations by way of their College supplied e-mail account. If the student organization has a national or oversight entity, that entity may be apprised of the College's investigation at the discretion of the WCON Student Governance. The national or oversight entity cannot speak on behalf of or represent the student organization.

Reasonable efforts will be made to complete the investigation in a timely manner. Typically, the College will aim to complete an investigation into allegations of Hazing within 45 business days of providing written notice of the investigation to the respondent, though investigations may extend beyond 45 business days as circumstances require.

During the investigation, the respondent will be provided with an opportunity to: provide information through an in-person or virtual interview, submit a written account, provide the names of incident witnesses for possible interviews with the investigator(s), provide witness statements, and provide any documentation that may be relevant to the facts of the allegations. However, the investigator(s) may consider information from any sources the investigator(s) deem relevant and credible. The investigator(s) will make reasonable efforts to obtain relevant supporting documentation related to the allegations from other College official(s) or available resources.

Upon completion of the investigation, the WCON Student Governance Committee (for students) or the Watts Executive Committee (for employees) will prepare an investigation report. The investigation report will summarize the information gathered and include detailed findings-of-fact regarding the behaviors in question.

The WCON Student Governance Committee (for students) or the Watts Executive Committee (for employees) will determine whether each respondent violated the College's Hazing policy and document these findings in the investigation report. The WCON Student Governance Committee (for students) or the Watts Executive Committee (for employees) will impose appropriate sanctions in accordance with the Student Handbook or Employee Handbook for students, employees, or student organizations found to have violated the College's Hazing policy.

All respondents will be informed, in writing, of the College's findings and any sanctions imposed. Any

opportunity for the respondent to appeal will follow the relevant policies and procedures applicable to the respondent.

Respondents who violate the College's Hazing policy will be subject to conduct sanctions, which may include mandatory training/education, probation, suspension, or termination. Respondents can also face sanctions under other College policies as well as criminal or civil penalties imposed under applicable law.

Disciplinary Action Process: If hazing is confirmed, the following disciplinary actions may be imposed:

a) Individual Sanctions: Suspension, expulsion, removal from leadership positions, termination, or other appropriate actions based on the severity of the hazing.
b) Organizational Sanctions: Suspension, disbandment, or other penalties for student organizations, teams, or groups involved in hazing activities.
c) Other Consequences: Depending on the situation, legal action or referral to law enforcement may occur.

Information Regarding Applicable Local, State, and Tribal Laws on Hazing

In addition to the College's Hazing policy, members of the campus community should be aware of applicable jurisdictional laws pertaining to Hazing.

Local Laws

There are no applicable local laws relating to Hazing in the College's jurisdiction.

State Laws

Hazing is a misdemeanor under North Carolina state law (NC Gen. Stat. § 14-35 (2023)). It is unlawful for any student in attendance at any university, college, or school in this State to engage in Hazing, or to aid or abet any other student in the commission of this offense. Under North Carolina law, Hazing is defined as follows: "to subject another student to physical injury as part of an initiation, or a prerequisite to membership, into any organized school group, including any society, athletic team, fraternity or sorority, or other similar group. Any violation of this section shall constitute a Class 2 misdemeanor, which carries criminal penalties that could include up to 60 days in jail and a $1,000 fine, depending on prior convictions. Furthermore, NC Gen. Stat. § 14-38 (2023) provides that any person subpoenaed as a witness on behalf of the State shall be required to testify if called upon to do so. However, the law also provides that no student or other person so testifying shall be amenable or subject to indictment on account of, or by reason of, such testimony.

Tribal Laws

There are no applicable Tribal laws relating to Hazing in the College's jurisdiction.

Campus Hazing Transparency Report

As required by the Stop Campus Hazing Act, WCON publishes a Campus Hazing Transparency Report that summaries findings concerning student organizations established or recognized by the College that have been found responsible for violating WCON's Hazing policy. The Transparency Report will be updated to include new findings of organizational responsibility no less than twice annually following a final determination that a student organization has violated WCON's Hazing policy. The first Transparency Report will be published by December 23, 2025, unless no organizations have been found responsible for Hazing at that time, as the WCON is not required to publish a Transparency Report until a student organization has been found responsible for violating WCON's Hazing policy on or after July 1, 2025.

Each entry published to the Transparency Report will include, at a minimum, the following information:

- the name of the student organization;

- a general description of the violation that resulted in a finding of responsibility;
- whether the violation involved the abuse or illegal use of alcohol or drugs;
- the findings of the institution (i.e., the rationale for finding the organization responsible for Hazing);
- any sanctions placed on the student organization; and
- the dates on which—
    - the incident was alleged to have occurred,
    - the investigation into the incident was initiated,
    - the investigation ended with a finding that a Hazing violation occurred, and
    - the student organization was provided notice that the incident resulted in a Hazing violation.

Once an organization is found responsible for Hazing, a Transparency Report will be published on WCON's website. The Hazing Policy and Transparency Report webpage created will include additional information, including:

- A statement notifying the public of the availability of Hazing statistics that are published in the Annual Security Report;
- Information about the institution's policies relating to Hazing; and
- Information on applicable local, State, and Tribal laws regarding Hazing.
-

Hazing Prevention and Awareness Programs

WCON provides Hazing prevention and awareness programs that are informed by research, campus-wide in scope, and designed to reach all students, staff, and faculty. Programs address various topics, including:

- the College's definition of Hazing, including a clear statement that the College prohibits Hazing;
- the definition of Student Organization, as it applies to the College's Hazing policy;
- how to report Hazing;
- the process the College will use to investigate reports of Hazing;
- information on applicable local, State, and Tribal laws regarding Hazing; and
- primary prevention strategies intended to stop Hazing before it occurs (including bystander intervention, ethical leadership, and strategies for building group cohesion).

These programs are part of the College's comprehensive strategy to prevent incidents of Hazing before they occur. These programs also raise awareness about the College's Campus Hazing Transparency Report that summarizes findings concerning student organizations established or recognized by the College that have been found responsible for violating the College's Hazing policy.

Specifically, the College provides Hazing prevention and awareness programs to students and employees by offering the following on an annual basis:

- Student Orientation – Cover Hazing policy and present hazing.org information.
- Annual Meeting with Student Organization Advisors & Leaders – Provide a reminder about the policy and provide the student leader hazing prevention action guide and also provide refresher for hazinginfo.org site information
- Annual Student Body Faculty Meeting – Offer a brief reminder and policy review to the entire student body.
- Online Training – Explore the possibility of accessing hazing prevention training through Duke OIE for our students to complete each year (uncertain if access is available).
- Anti-hazing week- Watts College of Nursing students will be available to participate in Duke University's anti-hazing week.

(HEOA) Notification to Victims of Crimes of Violence

The College 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 such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as the result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Risk Reduction: Warning Signs of Abusive Behavior and Future Risks

No victim is ever to blame for being assaulted or abused. Unfortunately, a person who is the victim of sexual assault, domestic violence or dating violence is more likely to be re-victimized. Below are some tips to help reduce your risk, recognize warnings signs of abusive behavior and avoid potential attacks.

Warning Signs of Abusive Behavior

Domestic and dating abuse often escalates from threats and verbal abuse to violence. And, while physical injury may be the most obvious danger, the emotional and psychological consequences of domestic and dating violence are also severe. Warning signs of dating and domestic violence include:

- Being afraid of your partner.
- Constantly watching what you say to avoid a "blow up."
- Feelings of low self-worth and helplessness about your relationship.
- Feeling isolated from family or friends because of your relationship.
- Hiding bruises or other injuries from family or friends.
- Being prevented from working, studying, going home, and/or using technology (including your mobile phone).
- Being monitored by your partner at home, work or school.
- Being forced or pressured to do anything you don't want to do.

Help Reduce Your Risk and Avoid Potential Attacks

- If you are being abused or suspect that someone you know is being abused, speak up or intervene.
- Get help by seeking information and support services from the Women's Center's Office of Gender Violence Prevention and Intervention (for students) or Personal Assistance Service (for employees).
- Learn how to look for "red flags" in relationships so you can learn to avoid some of those characteristics in future partners.
- Consider making a report with Watts College of Nursing Police, the Office of Student Conduct, and/or the Title IX Coordinator and ask for a No Contact directive from the College to prevent future contact.
- Consider getting a protective order or a no contact order from the local court. Call the Women's Center, your local Clerk of Court or Watts College of Nursing Police for more information.
- Learn more about what behaviors constitute dating and domestic violence, understand it is not your fault, and talk with friends and family members about ways you can be supported.
- Trust your instincts—if something doesn't feel right in a relationship, speak up or end it.

Sexual Assault Prevention

- Be aware of rape drugs.
- Try not to leave your drink unattended.
- Only drink from un-opened containers or from drinks you have watched being made and

poured.
- Avoid group drinks like punch bowls.
- Cover your drink. It is easy to slip in a small pill even while you are holding your drink. Hold a cup with your hand over the top, or choose drinks that are contained in a bottle and keep your thumb over the nozzle.
- If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find your friends and ask them to leave with you as soon as possible.
- If you suspect you have been drugged, go to a hospital and ask to be tested.
- Keep track of how many drinks you have had.
- Try to come and leave with a group of people you trust.
- Avoid giving out your personal information (phone number, where you live, etc.). If someone asks for your number, take their number instead of giving out yours.

Walking Around Campus

- Make sure your cell phone is easily accessible and fully charged.
- Be familiar with where emergency phones are installed on the campus.
- Be aware of open buildings where you can use a phone.
- Take major, public paths rather than less populated shortcuts.
- Avoid dimly lit places and talk to Facilities Management if lights need to be installed in an area.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- Walking back from the library very late at night is sometimes unavoidable, so try to walk with a friend.
- Carry a noisemaker (like a whistle) on your keychain.
- Carry a small flashlight on your keychain.

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, www.rainn.org):

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

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

Crime Reduction Tips

Personal Safety

- Walk or jog with a friend, not alone.
- Avoid isolated areas.
- Know your limits on dates and communicate them to your partner.
- Know your limits with alcohol and do not accept drinks from others.
- Tell a friend where you are going and when you will return.
- Report concerning behaviors (unwanted texts, threats, etc.)
- Use a help phone or raise the hood and stay in your car if it breaks down (with doors locked). If people stop to assist, ask them to call the police.
- Be aware of your surroundings.

Protection from Date Rape Drugs

- Never leave your drink unattended. Because they are colorless and odorless, date rape drugs can be slipped into any type of beverage.
- Do not accept drinks from anyone but a bartender or server.
- Try to attend bars or parties with a group of friends, arranging beforehand to watch each other's drinks.
- If you think your drink has been tampered with, seek medical attention immediately and request the hospital conduct toxicology testing.

Residential Safety

- Lock your dorm room or apartment whenever you leave and when you are sleeping.
- Do not prop open card reader doors.
- Call 9-1-1 if you see someone in the building who does not belong.
- Do not allow strangers to follow you into the building.

Workplace Safety

- Keep personal items (purses, book bags) locked up.
- Secure the work area when no one is in it.
- Report suspicious people to the police.

Protecting Your Property

- Record the serial numbers of your valuables.
- Protect your data and devices: see https://security.duke.edu/
- Register your bike with Parking Services.
- Keep your vehicle locked when it is parked and when you drive.
- Consider installing anti-theft or alarm devices on your vehicle.
- Do not leave textbooks, purses, or book bags unattended.
- Do not leave laptop computers unattended.

Reporting Lost or Stolen Access Cards

- Lost ID Badges or Access Fobs should be reported immediately to: wconinfo@duke.edu or by phone at: 919-470-7348.

Bystander Intervention

A bystander is someone other than the victim who is present when an act of dating violence, domestic violence, stalking or sexual assault is occurring or when a situation is occurring in which a reasonable person feels as though some protective action is required to prevent sexual assault, dating violence, domestic violence or stalking. Bystanders, if active, can prevent harm or intervene with safe and positive options before a situation gets worse. Examples of active bystander intervention include: not leaving an overly intoxicated person in a bar/party alone, walking a classmate to his/her car after class, calling police when a potentially violent situation is unfolding, not leaving an unconscious person alone (alerting an RA, EMS, campus police, etc.), or intervening when someone is being belittled, degraded or emotion- ally abused (walking victim away from abuser, contacting others for help, like counseling center, RA, Dean). While PACT is Watts's primary bystander intervention training, bystander Intervention is interweaved into every educational session during gender violence training.

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it."[1] We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without

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

causing further harm. We may not always know what to do even if we want to help. Below is a list[2] of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911.This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

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

PREVENTION PROGRAMS AND INSTITUTIONAL DISCIPLINARY PROCEDURES ADDRESSING DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING

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

Click here for information on Watts College of Nursing's Policy on Prohibited Discrimination, Harassment, and Related Misconduct.

Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

Sexual Assault: Under the Clery Act, "sexual assault" means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. Per the National Incident-Based Reporting System User Manual from the FBI UCR program, A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
—*Rape* is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
—*Fondling* is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/ her age or because of his/her temporary or permanent mental incapacity.
—*Incest* is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

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

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

See "Appendix 1: Criminal Law Definitions" for the State of North Carolina criminal offenses for Sexual Assault.

Domestic Violence: Under the Clery Act, the term ''domestic violence'' means

1) Felony or misdemeanor crimes of violence committed—

(i) By a current or former spouse or intimate partner of the victim;

(ii) By a person with whom the victim shares a child in common;

(iii) By a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner;

(iv) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or

(v) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or

family violence laws of the jurisdiction in which the crime of violence occurred.

2) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

See "Appendix 1: Criminal Law Definitions" for the State of North Carolina criminal offenses for Domestic Violence.

Dating Violence: Under the Clery Act, the term ''dating violence'' means violence committed by a person

1) Who is or has been in a social relationship of a romantic or intimate nature with the victim and

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

For the purposes of this definition-

(i) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(ii) Dating violence does not include acts covered under the definition of domestic violence.

For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

See "Appendix 1: Criminal Law Definitions" for the State of North Carolina criminal offenses for Dating Violence.

Stalking: Under the Clery Act, the term "stalking" means

1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

(i) Fear for the person's safety or the safety of others; or

(ii) Suffer substantial emotional distress.

2) For the purposes of this definition—

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

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

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

3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

See "Appendix 1: Criminal Law Definitions" for the State of North Carolina criminal offenses for Stalking.

Consent: While North Carolina law does not define "consent," the College defines consent as an affirmative decision to engage in mutually acceptable sexual activity freely given by clear actions and/or words. Consent may not be inferred from silence, passivity, or lack of active resistance alone.

- A current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Consent is not freely given when the individual is incapacitated. Consent is not freely given when the individual is coerced into sexual activity, such as, for example, through the use of physical force, threat of physical or emotional harm, undue pressure, isolation, or confinement.
- Consent may be withdrawn at any time. Once withdrawn, sexual activity must cease.
- The perspective of a reasonable person will be the basis for determining whether a Respondent knew, or reasonably should have known, whether a Complainant was able to freely give consent and whether consent was given.

Additionally, being intoxicated or incapacitated does not diminish one's responsibility to obtain consent and will not be an excuse for Prohibited Conduct.

Definitions Applicable to Duke's Policies and Procedures Related to Domestic Violence, Dating Violence, Sexual Assault, and Stalking

- ***Sexual Assault***: Any of the following sexual acts directed against another person, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent:
    - ***Rape***: The carnal knowledge of a Complainant, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
        - ***Sodomy***: Oral or anal sexual intercourse with a Complainant, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
        - ***Sexual Assault with an Object***: To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of a Complainant, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
            - ***Note***: Rape, Sodomy, and Sexual Assault with an Object are all captured as Rape for Clery reporting purposes.
    - ***Fondling***: The touching of the private body parts of a Complainant for the purpose of sexual gratification, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of their age or because of their

temporary or permanent mental or physical incapacity;

- ***Incest***: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or
- ***Statutory Rape***: Sexual intercourse with a Complainant who is under the statutory age of consent.
    - Sexual assault can occur between individuals of the same or different sexes and/or genders.

- ***Stalking***: A course of conduct (including cyberstalking) directed at a specific person, based on that person's protected status/characteristic, that would cause a reasonable person to fear for his/her/their safety or the safety of another, or to suffer substantial emotional distress.
    - A course of conduct means two or more acts, including but not limited to acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property.
    - Substantial emotional distress means significant mental suffering or anguish.
- ***Relationship Violence:*** A pattern of abusive behavior in a current or former intimate relationship that is used by one partner to gain or maintain power and control over another partner. Relationship violence can be sexual, emotional, economic, or psychological actions or threats of actions that influence another person. Relationship violence includes, but is not limited to, dating violence and domestic violence as defined below.
    - ***Domestic violence***: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of North Carolina, or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of North Carolina.
    - ***Dating violence***: Any act of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant and where the existence of such a relationship is determined based on a consideration of the length, type, and frequency of interactions between the persons involved in the relationship.

Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking

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

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

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

A. A statement that the institution prohibits the crimes of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act);
B. The definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms;

C. What behavior and actions constitute consent, in reference to sexual activity, in the State of North Carolina;
D. The institution's definition of consent AND the purposes for which that definition is used.
E. A description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
F. Information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
G. Information regarding:
    a. procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in "Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs" elsewhere in this document)
    b. how the institution will protect the confidentiality of victims and other necessary parties (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);
    c. existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described in "Assistance for Victims: Rights and Options" elsewhere in this document); and
    d. options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in "Assistance for Victims: Rights and Options" elsewhere in this document);
    e. procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in "Adjudication of Violations" elsewhere in this document).

Primary Prevention and Awareness Programs

WCON engages in primary prevention efforts for new employees and new students that are designed to teach them about sexual assault, dating violence, domestic violence, and stalking as well as how to prevent these offenses before they occur. Programming covers the offenses, explains the policy, including how and to whom to report, and discusses on and off campus resources.

Ongoing Prevention and Awareness Campaigns

The College has developed an annual educational campaign consisting of an in-person and online trainings offered to students and employees that cover domestic violence, dating violence, sexual assault, and stalking.

Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs

After an incident of sexual assault and/or domestic or dating violence, the victim should consider seeking medical attention. For immediate and urgent medical concerns, go directly to Duke University Hospital (off Erwin Road).

In North Carolina, evidence may be collected even if you choose not to make a report to law enforcement. If you do not wish to make a report to law enforcement, please notify the Sexual Assault Nurse Examiner. It is important that victims of sexual assault not bathe, douche, smoke, change clothing

or clean the bed/linen/area where they were assaulted if the offense occurred within the past 120 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications; and keeping pictures, logs or other copies of documents, if they have any, that would be useful to College hearing boards/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, they nevertheless should consider speaking with the Durham Police Department or other law enforcement to preserve evidence in the event that the victim changes their mind at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

Involvement of Law Enforcement and Campus Authorities

Although the College strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. The College will assist any victim with notifying local police if they so desire; for such assistance, contact the Watts College of Nursing Leadership team at 919-470-7344. For reporting criminal incidents occurring at the Watts campus or within Durham, contact the Durham Police Department by calling (919) 560-4427 or in person at 602 E. Main Street, Durham, NC 27701. For a public copy of your report, you may call the Durham Police Records Unit at (919) 560-4423 (option 2). Additional information about the Durham Police department may be found online at https://durhamnc.gov/149/Police - Department.

Whether reporting a crime to the Watts College of Nursing Leadership team or the Durham Police Department, or another law enforcement agency, an officer will make a report of the incident. The officer will ask for the nature and location of the crime, the date and time it occurred, and specific details about the incident. Depending on the type of crime, an investigator may follow up with you to gather additional details, and to update you about any progress with the incident.

Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Associate Executive for Business and Finance/Title IX Coordinator, 311 Trent Drive, 3rd Floor, Durham, NC 27710 in person, in writing or by calling (919) 470-7349.

The College will provide resources on campus, off campus, or both, to include medical and mental health support, to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy. The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking; to maintain confidentiality and fairness consistent with applicable legal requirements; and to impose appropriate sanctions on violators of this policy.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the College, the College will follow the procedures below, including the standard of evidence, that will be used during any disciplinary hearing on campus arising from such a report. For detailed procedures involving alleged

student perpetrators, or employees or third parties as alleged perpetrators, see the Watts College of Nursing Policy on Prohibited Discrimination, Harassment, and Related Misconduct and Title IX Sexual Harassment Grievance Procedures.

Procedures the College Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported

The College has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant[3] and an accused party, such academic, protective orders, transportation and working situations, if reasonably available. The College will make such accommodations or protective measures, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the Durham Police Department or local law enforcement. Students and employees should contact the Associate Executive for Business and Finance/Title IX Coordinator in-person or in writing at 311 Trent Drive, 3rd Floor, Durham, NC 27710 or by calling (919) 470-3268.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the College, below are the procedures that the College will follow:

Incident Being Reported:	Procedures Watts College of Nursing Will Follow:	Evidentiary Standard:
Sexual Assault; **Stalking;** **Domestic Violence;** **Dating Violence**	**1. Depending on when and where reported, Watts College of Nursing will provide complainant with referral to appropriate medical care.** **2. Watts College of Nursing will assess immediate safety needs of complainant.** **3. Watts College of Nursing will assist complainant in contacting Durham Police Department or other local law enforcement if complainant requests AND provide contact information for police.** **4. Watts College of Nursing will provide complainant with referrals to on and off campus mental health providers.**	**Preponderance of the Evidence**

Incident Being Reported:	Procedures Watts College of Nursing Will Follow:	Evidentiary Standard:
	5. Watts College of Nursing will assess the need to implement interim or long-term supportive measures, such as housing changes, change in class schedule, "No Contact" directive between both parties. **6. Watts College of Nursing will provide a "No Contact" directive to accused party, if deemed appropriate.** **7. Watts College of Nursing will provide resources for victims to apply for a Protective Order.** **8. Watts College of Nursing will notify the complainant and the respondent of the Watts Policy on Prohibited Discrimination, Harassment, and Related Misconduct and inform them of timeframes for inquiry, investigation and resolution.** **9. Watts College of Nursing will inform the parties of the outcome of the investigation, whether or not the accused will be administratively charged, and what the outcome of the hearing or investigation is.** **10. Watts College of Nursing will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation.**	

Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the College will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options.

Such written information required under the Clery Act will include:

- The procedures victims should follow if a crime of domestic violence, dating violence, sexual assault or stalking has occurred;
- Information about how the institution will protect the confidentiality of victims and other necessary parties;
- A statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- A statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures;
- An explanation of the procedures for institutional disciplinary action.

Rights of Victims and the Institution's Responsibilities for Orders of Protection, "No Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution

In North Carolina, a victim of domestic violence, dating violence, sexual assault or stalking has the following rights as prescribed by law:

- To be informed of and to be present at court proceedings of the accused;
- To be heard at sentencing of the accused in the manner prescribed by law, and at other times as prescribed by law or deemed appropriate by the court;
- To receive restitution;
- To be given information about the crime, how the criminal justice system works, the rights of victims, and the availability of services for victims;
- To receive information about the conviction or final disposition and sentence of the accused;
- To receive notification of escape, release, proposed parole or pardon of the accused, or notice of a reprieve or commutation of the accused's sentence;
- To present their views and concerns to the Governor or agency considering any action that could result in the re- lease of the accused, prior to such action becoming effective;
- To confer with the prosecution.

Further, Watts College of Nursing complies with North Carolina law in recognizing protection orders. Any person who obtains an order of protection from North Carolina or any other state should provide a copy to Watts College of Nursing Police and the Title IX Coordinator.

- **County Clerk of Court—main office: (**919) 808-3003
- **County Clerk of Court—Protective Orders**: (919) 808-3345
- **Magistrate's Office, 219 S. Mangum Street, Durham**: (919) 808-3019

A complainant may then meet with Watts Police to develop a Safety Action Plan, which is a plan for Watts Police and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom location or allowing a student to complete assignments from home, etc. The College may issue an institutional "No Contact" order to a Watts affiliate, if deemed appropriate. To the extent of the victim's cooperation and consent, College offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the out- come of a formal College investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, or working situations in addition to counseling, health services, visa and immigration assistance, and assistance in notifying appropriate local law enforcement. The College may issue an institutional "No Contact" order if deemed appropriate or at the request of the victim or accused. If the College receives a report that such an institutional "No Contact" order has been violated, the College will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the "No Contact" order.

Administrative and legal orders may include the following:

Type of Order / From which Court	Who Can File for One	Able to show	Rights of Victims	Institution's Responsibilities
Domestic Violence Protection Order DVPO in NC (May be temporary or permanent for up to 1 year) Court: Civil Clerk's Office in the county where the victim or abuser reside or where the incident occurred.	Must have a Personal Relationship: ■ Current or former spouse ■ Parent, child, or in some cases, Grandparent or grandchild ■ Have a child in common ■ Current or former household member ■ Person of the opposite sex whom you are dating or have dated.	Abuser: ■ Attempted to or intentionally injured you ■ Placed you or a member of your family or household in fear of imminent serious bodily injury ■ Harassed you to such a level as to inflict substantial emotional distress ■ Committed crimes of rape or sexual offense	■ Is an order signed by a judge ■ A document that may help protect you and prevent future acts of violence ■ Intended to limit actions and behavior of the offender ■ A civil action that may legally require the abuser to do things necessary to protect you or your minor child ■ A court document that allows civil and criminal penalties when the order is violated	Many orders include place of work or school. If both the victim and the abuser are a part of the institution, the institution will have to work with the victim to ensure compliance with the order. In some cases, the court will work with the two involved parties to make the safest options.
50C Civil No contact order (May be Temporary or permanent for up to 1 year) Court: Civil Clerk's Office in the county where the victim or abuser reside or where the incident occurred.	Anyone who does <u>not</u> have a "personal relationship" with the offender such as an acquaintance, co-worker, neighbor, or stranger.	You are the victim of unlawful conduct. Such acts include nonconsensual sexual conduct, even if there was only one incident, and stalking.	■ Is an order signed by a judge ■ A document that may help protect you and prevent future acts of violence ■ Intended to limit actions and behavior of the offender ■ A civil action that may legally require the abuser to do things necessary to protect you or your minor child ■ A court document that allows civil and criminal penalties when the order is violated	Many orders include place of work or school. If both the victim and the abuser are a part of the institution, the institution will have to work with the victim to ensure compliance with the order. In some cases, the court will work with the two involved parties to make the safest options.

No contact directives through Student Con- duct, Title IX or OIE (Indefinite or, for students, until graduation, unless complainant requests otherwise) Court: N/A	Any student or employee of Watts, or any victim who alleges Title IX violations by a student or employee.	▪ The complainant must be a part of the institution. ▪ Many respondents are members of the community, but non-members are welcome to report.	The no contact directive is an administrative protective measure in which violations of the order can result in administrative penalties. For students these are handled through Student Con- duct and Title IX; for employees through the Office of Institutional Equity or Watts Human Relations.	Watts is committed to a safe and equitable environment. Watts will seek and attempt to provide accommodations and support services to anyone who reports harassment, sexual assault, stalking, or domestic and dating violence. They will also attempt to investigate and enforce any violations of no contact directives, or state mandated orders.

Accommodations and Protective Measures Available for Victims

The College has procedures in place to support those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as written notification concerning the availability of resources such as counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on and/or off campus. Measures to prevent contact between a complainant and an accused party (such as housing, academic, transportation and work accommodations) may be requested and will be offered, if reasonably available. The College will make such accommodations if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to proceed with Watts's internal disciplinary process and/or report the incident to the City of Durham Police Department or other local law enforcement.

The written notification will include information regarding accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individuals or offices that can be contacted to request accommodations).

At a victim's request, and with the victim's cooperation and consent, College offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered protective measures and changes to academic, living, working, and transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is not option for moving to a different section, etc. Potential changes to living situations may include an offer to move to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, transportation and/or working situations or protective measures, a victim should contact the Associate Executive for Business and Finance. If the victim wishes to receive assistance in requesting these accommodations, she or he should contact the Associate Executive for Business and

Finance/Title IX Coordinator by calling 919-470-3268.

On and Off Campus Services for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Watts College of Nursing will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following:

	Employees	Students
ON CAMPUS		
Counseling / Mental Health / Gender Violence	Personal Assistance Service (PAS); phone: 919-416-1727	Counseling and Psychological Services (CAPS); phone: 919-660-1000; after hours: 984-569-0592
Health Services	Employee Occupational Health & Wellness (EOHW); phone: 919-684-3136 (option #2)	N/A
Title IX Coordinator	Associate Executive for Business and Finance; phone: 919-470-3268	Associate Executive for Business and Finance; phone: 919-470-3268
Legal Assistance	Legal Aid of North Carolina phone: 866-219-5262	Legal Aid of North Carolina phone: 866-219-5262
Student Financial Aid	NA	Undergraduate Financial Support; phone: 919-470-8524
LGBTQA+ & Education	Office of Institutional Equity; phone: 919-684-8222	Office of Institutional Equity; phone: 919-684-8222
Victim Assistance	N/A	Gender Violence Intervention Coordinator—serves all genders;
Pastoral Counseling	Local institutions of faith	Local institutions of faith
Police Services	Emergency Phone: 9-1-1	Emergency Phone: 9-1-1
Dean of Students	N/A	Associate Chief of Academics
Victim Advocacy	N/A	N/A
Center for Multicultural Affairs	N/A	wconadmin@duke.edu; phone: 919-684-6756
Facilitated Anonymous Reporting	Silent Witness Program:	campus administrator. The amount of detail provided will determine the College's ability to investigate or respond.

OFF CAMPUS		
Counseling / Mental Health	Durham Crisis Response Center; phone: 919-403- 9425; Emergency: 919-403-6562	Durham Crisis Response Center; phone: 919-403-9425 Emergency: 919-403-6562
Health Services	Watts College of Nursing Hospital, 2301 Erwin Rd., Durham, NC 27710; Phone: 919-684-8111 (information)	Watts College of Nursing Hospital, 2301 Erwin Rd., Durham, NC 27710; Phone: 919-684-8111 (information)
Victim Advocacy	Durham Crisis Response Center helpline: 919-403-6562; https://thedcrc.org/	Durham Crisis Response Center helpline: 919-403-6562; https://thedcrc.org/
Legal Assistance	Legal Aid of North Carolina; phone: 866-219-5262	Legal Aid of North Carolina; phone: 866-219-5262
Student Financial Aid	NA	Undergraduate Financial Support; phone: 919-684-6225
Visa and Immigration Assistance	301 Roycroft Drive, Durham, NC 27703; phone: 800-375-5283 www.uscis.gov	301 Roycroft Drive, Durham, NC 27703; phone: 800-375-5283 www.uscis.gov
Durham Police	9-1-1	9-1-1

Forensic nurses also are available at the Emergency Department at Duke Regional Hospital to conduct a forensic examination so that victims may take steps to have evidence preserved in case they wish to file criminal charges or request a protection order, even at a later date. **Note: having a forensic examination does not require victims to file a police report.**

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

https://www.rainn.org – Rape, Abuse and Incest National Network https://www.justice.gov/ovw/sexual-assault - U.S. Department of Justice
https://www2.ed.gov/about/offices/list/ocr/index.html - U.S. Department of Education, Office for Civil Rights

Confidentiality

Victims may also request that the Office of Information Technology (OIT) Service Desk at (919) 684-2200 or online at https://oit.duke.edu/help remove directory information on file from public sources. Students may also request a FERPA block through the Watts College of Nursing Registrar's Office at (919) 684-2813; also, you may email to (wconregistrar@duke.edu).

Additionally, personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. Further, the institution will maintain as confidential any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The College does not publish the name of crime victims nor house identifiable information regarding victims in the Watts Police Department's Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Campus Safety Act. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault, or stalking, the name of the victim and other personally identifiable information about the victim with be withheld.

Title IX Compliance

The Title IX Coordinator is responsible for administration and coordination of Watts's Title IX-related policies, programs and compliance efforts at Watts College of Nursing. The scope of this responsibility includes, among other things, oversight of complaint resolution, resources, communications and training in connection with Title IX's prohibition of discrimination based upon gender. Contact the Associate Executive for Business and Finance/Title IX Coordinator: wconinfo@duke.edu.

Adjudication of Violations

The college's disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within the timeframe specified in each policy the institution maintains. However, each procedure allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. College officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

1. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
2. The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
4. The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The College will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. However, the role of the advisor is limited to consulting and advising his or her advisee, but cannot speak for the advisee at the meeting or hearing;
5. The accuser and the accused will be notified simultaneously, in writing, of the any initial, interim and final decision of any disciplinary proceeding; and
6. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

Whether or not criminal charges are filed, the college or a person may file a complaint under the following policies, depending upon the status of the accused (student or employee):

- **Retaliation**

Retaliation against anyone participating in the resolution of a complaint is prohibited by Watts College of Nursing.

- **Hostile Work Environment**

A person alleging sexual assault, domestic violence, dating violence, or stalking may use the complaint and investigatory procedures set forth in the College's Policy Prohibiting Discrimination, Harassment, and Related Misconduct (https://oie.Watts.edu/introduction-policies) or Workplace Violence Prevention and Response Policy (https://hr.Watts.edu/policies/workplace-health-safety/violence-prevention-response) in order to remedy a hostile environment arising from these allegations. Additionally, the Watts OIE liaison can assist in this process and communications with OIE. These policies are Duke policies but are also enforced by Watts College of Nursing as Watts College of Nursing is a part of the Duke University Health System.

- **Limitations on Response**

When a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the College's ability to respond to the complaint may be limited.

- **Confidentiality**

Watts will attempt to protect the confidentiality of the complaint process to the extent reasonably possible.

Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking:

The College has a policy and procedures document that apply to resolving complaints of sexual assault, dating violence, domestic violence, and stalking.

1) Policy on Prohibited Discrimination, Harassment, and Related Misconduct for Students and Employees
2) Procedures for Responding to Reports and Complaints of Title IX Sexual Harassment Involving Student and Employee Respondents
3) Procedures for Responding to Reports and Complaints of Discrimination Harassment, and Related Misconduct Involving Student Respondents
4) Procedures for Responding to Reports and Complaints of Discrimination, Harassment, and Related Misconduct Involving Duke Faculty and Staff Respondents

Note: These policies are Duke policies but are also enforced by Watts College of Nursing as Watts College of Nursing is a part of the Duke University Health System. For all applicable policies and procedures, a victim, witness, or reporting party may report the domestic violence, dating violence, sexual assault, or stalking to the Associate Executive for Business and Finance/Title IX Coordinator who will report/forward to the Office of Institutional Equity (OIE).

Policy on Prohibited Discrimination, Harassment, and Related Misconduct for Students and Employees

1. ***How to File a Disciplinary Complaint Under this Policy***
   Students and employees that may experience, witness, or want to report domestic violence, dating violence, sexual assault, or stalking should report them immediately to the Associate Executive for

Business and Finance/Title IX Coordinator who will report to the Office of Institutional Equity (OIE) at https://oie.duke.edu/how-we-work/complaints-and-concerns/. Additionally, reports to OIE can be made in person and/or in writing at Smith Warehouse, 114 S. Buchanan Blvd., Bay 8, Durham, North Carolina 27708, by telephone (919-684-8222), and via email at oie-help@duke.edu.

2. ***How the College Determines Whether This Policy will be Used***

OIE is made aware of instances where behaviors have been reported and/or observed. OIE is responsible for administering the Policy on Prohibited Discrimination, Harassment, and Related Misconduct and its implementing procedures. Some types of harassment and related misconduct may be criminal in nature and can also be reported to the Durham Police Department by dialing 911 (for emergencies) or 919-684-2444 (for non-emergencies). Additionally, reports of harassing behaviors will be investigated by the Committee on Academic Standing and Professionalism who may work with the OIE.

OIE will review the report received and the procedures used to adjudicate the incident will vary based on the identity of the parties and the nature of the Prohibited Conduct:

- Procedures for Responding to Reports and Complaints of Discrimination, Harassment, and Related Misconduct Involving Student Respondents
- Procedures for Responding to Reports and Complaints of Discrimination, Harassment, and Related Misconduct Involving Faculty and Staff Respondents
- Procedures for Responding to Reports and Complaints of Title IX Sexual Harassment Involving Students and Employees

Where more than one procedure may apply based on the parties and/or alleged conduct, Duke has discretion to apply the procedure that it determines is most appropriate based on the unique facts and circumstances presented by the allegations, as well as to consolidate multiple sets of allegations into a single investigation and/or adjudication. Likewise, Duke may decide to process separately, allegations raised in the same report.

OIE has the discretion to consolidate complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against another party, when the allegations arise out of the same facts of circumstances.

3. ***Steps in the Disciplinary Process***

The Committee on Academic Standing and Professionalism will investigate any report or harassing behaviors and report out to the President. The President and/or the Committee on Academic Standing and Professionalism will also work with OIE on resolving incidents of dating violence, domestic violence, sexual assault, and stalking.

OIE will assess a complaint to determine whether it should proceed to an investigation. After an investigation, depending on the applicable procedures, an investigator or a hearing officer will determine whether there has been a violation of the Policy. Either party may request an appeal of that determination. The information obtained during the investigation will only be shared with the parties, administrators in the disciplinary process, and other university officials with a need to know. Additionally, OIE will notify Human Resources with concerns that may impact the safety of its students, employees and visitors. Human Resources has the expressed authority to implement corrective action up to and including termination as warranted.

4. ***Anticipated Timelines***
The Committee on Academic Standing and Professionalism will review expressed concerns within five business days. The OIE will seek to resolve all reports within 90 business days. In Title IX cases, the hearing officer's notification of the outcome will generally be completed within 60 business days from the parties' receipt of the final investigation report. The phrase "business days" does not include weekend days or Duke holidays. The timeframes for appeals vary, depending on the applicable procedures. The timeframes can be extended in extenuating circumstances with notice to the parties of the delay and including the reason(s) for the extension.

5. ***Decision-Making Process***
The President in consultation with the OIE has the authority to proceed in a manner that in unbiased and protects the students, faculty and reputation of the school. The investigator or hearing officer will base their decision on the information obtained through the investigation and hearing, if applicable. This includes providing both parties with the opportunity to present their information as well as information obtained by the investigator independently.

6. ***Standard of Evidence***
In all cases, investigations and/or hearings that result in a finding of more likely than not (preponderance of evidence standard) that a violation of policy occurred will lead to the initiation of disciplinary procedures against the accused individual.

7. ***Possible Sanctions***
Sanctions for each type of misconduct will depend on a number of factors, including the nature of the misconduct, prior disciplinary history of the respondent, previous College response to similar conduct, and College interests.

Sanctions for a finding of responsibility for Student Respondents include, but are not limited to: withdrawal of privileges, restitution, mental health/medical assessment/treatment, fine, exclusion, educational projects/initiatives, community service, admonition, formal warning, disciplinary probation, suspension, expulsion, and/ other restrictions on access to Duke programs and activities.

Sanctions for a finding of responsibility for Employee and Faculty Respondents include, but are not limited to progressive disciplinary action; prohibition from various academic or managerial responsibilities involving the Complainant or others; letter of reprimand placed in a Respondent's personnel file; restrictions on a Respondent's access to Duke programs or facilities; limitations on merit pay or other salary increases for a specific period; or demotion, suspension, or dismissal/termination from Duke, or a recommendation that a separate process required to impose such action be commenced.

Each one of these sanctions, whether for students or employees, may be imposed for misconduct violations of dating violence, domestic violence, sexual assault, or stalking.

8. ***Range of Protective Measures Available to a Victim Alleging Misconduct***
There are a range of protective measures (referred to as Supportive Measures in Policy) available to include no contact directives, academic support services and course-related adjustments, including the ability to reschedule classes, exams and assignments, transfer course sections, receive extended time on assignments, or withdraw from courses without penalty, academic schedule modifications, changes in work or housing location or access, an escort to ensure safe movement on campus, on-campus counseling services and/or assistance in connecting to community-based counseling services, assistance in connecting to community-based medical services, placing temporary limitations on an individual's access to certain Duke facilities or activities, work

schedule or job assignment modifications, including suspending employment with or without pay consistent with any applicable written procedures (for Duke positions), information about and/or assistance with obtaining personal protection orders, leaves of absences, increased monitoring and security of certain areas of the campus and/or a combination of these measures, if reasonably available. The OIE will ultimately serve as the point of contact for any Party requesting protective measures.

To view the entire Policy on Prohibited Discrimination, Harassment, and Related Misconduct for Students and Employees visit: https://oie.duke.edu/policies-procedures-and-statements/policy-prohibited-discrimination-harassment-and-related/.

Procedures for Responding to Reports and Complaints of Title IX Sexual Harassment Involving Student and Employee Respondents

1. ***How to File a Disciplinary Complaint Under this Policy***
   Any person wishing to report suspected Title IX Sexual Harassment, to include domestic violence, dating violence, sexual assault, or stalking, can report directly to the Office for Institutional Equity: https://oie-duke-gme-advocate.symplicity.com/public_report/index.php/pid263495. Additionally, reports to OIE can be made in person and/or in writing at Smith Warehouse, 114 S. Buchanan Blvd., Bay 8, Durham, North Carolina 27708, by telephone (919-684-8222), and via email at titleix@duke.edu. Questions about reporting can directed to Cynthia Clinton, Title IX Coordinator, or Adrienne Allison, Deputy Title IX Coordinator, at titleix@duke.edu.

2. ***How the College Determines Whether This Policy will be Used***
   OIE is responsible for administering the Policy and its implementing procedures. These Procedures apply to the reporting and resolution of alleged Prohibited Conduct that meets the following criteria:

   - Could constitute Title IX Sexual Harassment as defined in the Policy;
   - Occurred in the United States;
   - Occurred on or after August 14, 2020;
   - Occurred in a location, event, or circumstance over which Duke exercised substantial control over the context in which the Title IX Sexual Harassment occurred, including buildings owned or controlled by a student organization that is officially recognized by Duke;
   - Involves a Respondent over whom Duke exercised substantial control at the time of the alleged conduct; and
   - Involves a Complainant who, at the time of filing a Formal Complaint, was participating in or attempting to participate in a Duke education program or activity.

3. ***Steps in the Disciplinary Process***
   The Committee on Academic Standing and Professionalism will investigate any report or harassing behaviors and report out to the President. The President and/or the Committee on Academic Standing and Professionalism will also work with OIE on resolving incidents of dating violence, domestic violence, sexual assault, and stalking.

   Upon receiving a report of Title IX Sexual Harassment, to include incidents of dating violence, sexual assault, domestic violence, and stalking, OIE will promptly contact the Complainant to discuss the availability of supportive measures, explain supportive measures available with or

without filing a formal complaint, inform the complainant of the process for filing a formal complaint, and inform the compliant that even if they decide not to file a formal complaint, the Title IX Coordinator may do so. OIE will also ensure that the complainant receives a written explanation of available resources and options. If there is an immediate threat to the physical health or safety of any student or other individual arising from a report, they can be removed from part or all of Duke's educational programs and activities and issue any related no-trespass and no-contact orders. Similarly, Duke may place an employee respondent on administrative leave.

A formal complaint must be filed before an investigation or alternative resolution under these procedures can commence. When OIE receives a formal complaint, they will evaluate the allegations and determine if the conditions are met. If an alternative resolution, which is a voluntary, non-punitive, remedies-based process that provides an alternative to an investigation or hearing is pursued, the process will be facilitated and an adaptable process between the complainant and respondent. Alternative resolution is not available in cases involving a student complainant and employee respondent. OIE reserves the right to determine whether alternative resolution is appropriate in a specific case. Before OIE commences the alternative resolution process, both parties must consent in writing. OIE will then assign the case to a trained facilitator to work with the parties to attempt to facilitate an alternative agreement. At any time prior to reaching a resolution, either party may withdraw, or OIE may end the Alternative Resolution process and resume the formal grievance process. If an Alternative Resolution agreement is signed and agreed to by the Complainant, Respondent, and Title IX Coordinator (or designee), the resolution is binding, and the parties are precluded from resuming or starting the formal grievance process for allegations related to the Formal Complaint. Violation of the terms of an Alternative Resolution agreement may result in disciplinary action.

If a formal resolution is initiated, OIE will designate an investigator who will be responsible for gathering evidence directly related to the allegations raised. The investigator will interview the complainant and responded to review the OIE process and to gather facts relevant to the formal complaint. The investigator will also interview witnesses identified by the parties as likely to have relevant information about the formal complaint and collect evidence. After all known, available, and relevant evidence is gathered, the investigator will make available to the parties, and their advisors, if any, all evidence that was gathered during the investigation that is directly related to the allegations. This is the parties' opportunity to provide any feedback, additional documents, evidence, requests for additional investigation, names of additional witnesses, or any other information they wish to consider for inclusion in the investigation report. After the time has run for both parties to provide any written response to the evidence, the investigator will complete an investigation report. The investigator's report will summarize all relevant evidence and be shared with the Complainant, Respondent, and their advisors for their review in a download-restricted electronic format. The matter will then be referred to a hearing officer.

Both the Complainant and the Respondent will be notified in writing of the date and time of the hearing and the name of the Hearing Officer at least five (5) business days in advance of the hearing, with the hearing to occur no fewer than ten (10) business days after the parties are provided the Investigation report. The Hearing Officer will receive the names of the Complainant and the Respondent at the same time. Following the hearing, the Hearing Officer will consider all of the relevant evidence and determine, by a preponderance of the evidence, whether the Respondent has violated the Policy. In the event the Hearing Officer finds the Respondent responsible for a violation of Duke's policies, appropriate remedies and sanctions will be determined by the appropriate Duke official. After a determination regarding responsibility and, if applicable, a determination regarding appropriate remedies and/or sanctions have been made, the Complainant and Respondent will receive a simultaneous written notification including the decision regarding

responsibility and, as applicable, remedies and sanctions.

A Respondent and Complainant both have the right to appeal (1) OIE's decision to dismiss a Formal Complaint of Sexual Harassment; and (2) the Hearing Officer's decision regarding responsibility. Duke may summarily deny an appeal if it is not based on one of the enumerated grounds for appeal. If Duke does not summarily deny the appeal of a Hearing Officer's decision regarding responsibility, Duke will appoint an appellate officer. The appellate officer's role is limited to reviewing the underlying record of the investigation and hearing, the appealing party's ("Appellant") written appeal statement, any response to that statement by the other party ("Appellee"), and information presented at a meeting of the appellate officer, if convened. On their own or at the request of the Appellant or Appellee, the appellate officer may convene a meeting to give the parties an opportunity to amplify the reason(s) for the appeal or the response. The appellate officer has full discretion to set the terms and length of the meeting. If a meeting is convened, the appellate officer will invite both the Appellant and Appellee, who may bring an advisor of their choice to the meeting. The parties will not be provided with a Title IX Hearing Advisor during the appeals process. OIE will provide written notification of the final decision to the Appellant and Appellee simultaneously.

4. ***Anticipated Timelines***

The Committee on Academic Standing and Professionalism will review expressed concerns within five business days. These Procedures include designated timelines for major stages herein. Generally, OIE will complete the initial review of a Formal Complaint within 20 business days; the investigation of a Formal Complaint within 90 business days from the Notice of Investigation; the hearing process within 60 business days thereafter; and any appeal within 20 business days. Generally, the Alternative Resolution process will be completed within 30 business days.

In extenuating circumstances, the OIE has authority to extend such timelines with notice to the parties of the delay and including the reason(s) for the extension. The phrase "business days" does not include weekend days or Duke holidays. The timeframes for appeals vary, depending on the applicable procedures.

5. ***Decision-Making Process***

The President in consultation with the OIE has the authority to proceed in a manner that in unbiased and protects the students, faculty and reputation of the school. The investigator or hearing officer will base their decision on the information obtained through the investigation and hearing, if applicable.

For alternative resolutions, if the involved parties reach an agreement, both parties must sign the agreement, which must be approved by the Title IX Coordinator (or designee).

For formal resolutions involving student respondents, a Duke representative appointed by the Vice President/Vice Provost of Student Affairs will determine appropriate remedies and sanctions in consultation with OIE. For employee and faculty respondents, the respondent's Dean, Chair, or other Supervisor Designee as determined in Duke's discretion will determine appropriate remedies and sanctions in consultation with OIE.

The decision of the appellate officer will be final, and no subsequent appeals are permitted.

6. ***Standard of Evidence***
In all cases, investigations and/or hearings that result in a finding of more likely than not (preponderance of evidence standard) that a violation of policy occurred will lead to the initiation of disciplinary procedures against the accused individual.

7. ***Possible Sanctions***
Sanctions for each type of misconduct will depend on a number of factors, including the nature of the misconduct, prior disciplinary history of the respondent, previous College response to similar conduct, and College interests.

Sanctions for a finding of responsibility for Student Respondents include, but are not limited to: withdrawal of privileges, restitution, mental health/medical assessment/treatment, fine, exclusion, educational projects/initiatives, community service, admonition, formal warning, disciplinary probation, suspension, expulsion, and/ other restrictions on access to Duke programs and activities.

Sanctions for a finding of responsibility for Employee and Faculty Respondents include, but are not limited to progressive disciplinary action; prohibition from various academic or managerial responsibilities involving the Complainant or others; letter of reprimand placed in a Respondent's personnel file; restrictions on a Respondent's access to Duke programs or facilities; limitations on merit pay or other salary increases for a specific period; or demotion, suspension, or dismissal/termination from Duke, or a recommendation that a separate process required to impose such action be commenced.

Each one of these sanctions, whether for students or employees, may be imposed for misconduct violations of dating violence, domestic violence, sexual assault, or stalking.

8. ***Range of Protective Measures Available to a Victim Alleging Misconduct***
There are a range of protective measures (referred to as Supportive Measures in Policy) available to include no contact directives, academic support services and course-related adjustments, including the ability to reschedule classes, exams and assignments, transfer course sections, receive extended time on assignments, or withdraw from courses without penalty, academic schedule modifications, changes in work or housing location or access, an escort to ensure safe movement on campus, on-campus counseling services and/or assistance in connecting to community-based counseling services, assistance in connecting to community-based medical services, placing temporary limitations on an individual's access to certain Duke facilities or activities, work schedule or job assignment modifications, including suspending employment with or without pay consistent with any applicable written procedures (for Duke positions), information about and/or assistance with obtaining personal protection orders, leaves of absences, increased monitoring and security of certain areas of the campus and/or a combination of these measures, if reasonably available. The OIE will ultimately serve as the point of contact for any Party requesting protective measures.

To view the entire Procedures for Responding to Reports and Complaints of Title IX Sexual Harassment document visit: https://oie.duke.edu/policies-procedures-and-statements/procedures-responding-reports-and-complaints-title-ix-sexual/.

Procedures For Responding to Reports and Complaints of Discrimination, Harassment, and Related Misconduct Involving Student Respondents

1. ***How to File a Disciplinary Complaint Under this Policy***
   Any person wishing to report Discrimination, Harassment, or Related Misconduct by a student can make a report by contacting OIE:

   Office for Institutional Equity (OIE)
   114 S. Buchanan Boulevard, Bay #8
   Box 90012
   Durham, North Carolina 27708
   919-684-8222 | oie-help@duke.edu
   https://oie.duke.edu/reporting-process

   When making a report, an individual should identify the Complainant, the Respondent, and the specific allegations of the Prohibited Conduct. A report may be made either orally or in writing.

   Making a report means that OIE (or designee, with oversight by OIE) will contact the Complainant to offer resources and support, and to identify the appropriate action to respond to the report as outlined in these procedures.

2. ***How the University Determines Whether This Policy will be Used***
   These Procedures outline reporting, investigation, and report resolution procedures in cases where it is alleged that a Duke student is alleged to have engaged in Prohibited Conduct as defined in Policy. Complaints of Title IX Sexual Harassment involving students are not addressed by these Procedures. OIE has developed these Procedures for Responding to Discrimination and Non-Sex-Based Harassment Reports and Complaints Involving Student Respondents.

   To view the full policy visit: https://oie.duke.edu/policies-procedures-and-statements/procedures-responding-reports-and-complaints-discrimination/.

3. ***Steps in the Disciplinary Process***
   Once a report is received, the Title IX Coordinator (or designee) will promptly contact the Complainant (or if the Complainant is unknown, the person who reported the conduct) with a written explanation of the following:
   - The availability of Supportive Measures (and other resources) regardless of whether they choose to request or participate in an OIE or law enforcement investigation;
   - How to contact confidential Duke resources;
   - The Complainant's right to request an Investigation under these Procedures (or confirmation of request if made in report);
   - The option for Alternative Resolution, where appropriate, under these Procedures;
   - That the Title IX Coordinator may, under limited circumstances, initiate an investigation without a Complainant's request;
   - The Complainant's right to an advisor of the Complainant's choosing;
   - The Complainant's option to seek medical treatment and information on preserving potentially key forensic and other evidence;
   - Duke's prohibition of Retaliation and how to report; and

- The opportunity to meet with the Title IX Coordinator (or designee) in person to discuss the Complainant's resources, rights, and options.

The Title IX Coordinator (or designee) will coordinate Supportive Measures for a Complainant, as appropriate, upon receiving a report.

Simultaneous to the above outreach to the Complainant or other reporting party, OIE will review the report to determine whether any interim or emergency action might be necessary. A review may include a meeting with the Complainant. This review may also include consultation as necessary with the Office of the Dean of Students, the Graduate School, and/or other administrative offices, schools, and degree programs as appropriate.

If the report includes a request from a Complainant for an investigation and determination of allegations of Prohibited Conduct (i.e., initiates a Complaint), OIE will promptly review and evaluate appropriate next steps under these Procedures. Specifically, OIE will evaluate the following:

- Whether the Complaint alleges conduct that, if proven, would constitute Prohibited Conduct;
- Whether the Complaint identifies a Respondent and/or provides sufficient information from which OIE can take reasonable steps to identify the Respondent; and
- Whether the person alleged to have engaged in the conduct was participating in Duke's education program or activity at the time of the alleged conduct.

If OIE determines that these criteria are met, OIE will notify the Complainant that the Complaint has been accepted for investigation under these Procedures. This notification will be provided to the Complainant in writing and generally no more than 20 business days after the Complaint is made.

If OIE determines that these criteria are not met, OIE may.

- Resolve the matter through an educational response;
- Address the report under another set of procedures;
- Refer the matter to the Office of Student Conduct and Community Standards or other appropriate office or administrator; or
- Take no further action, if the reported conduct would not constitute a violation of any Duke policy.

OIE may initiate an investigation where the Complainant chooses not do so if OIE determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the Complainant or other person, or that the conduct as alleged prevents Duke from ensuring equal access on the basis of protected status to its education programs or activities. If OIE decides to initiate an investigation, OIE will notify the Complainant prior to doing so and appropriately address any reasonable concerns about the Complainant's safety or the safety of others, including by providing Supportive Measures. Regardless of whether an investigation is initiated by a Complainant or by the Title IX Coordinator, OIE will take appropriate prompt and effective steps designed, to the extent possible under the circumstances, to prevent further Prohibited Conduct from continuing or recurring within Duke's education program or activity.

When a Complaint is accepted for investigation or initiated by OIE, OIE will send both

parties a written Notice of Allegations.
At any point prior to a determination of whether a Respondent has violated the Policy, OIE has discretion to dismiss a Complaint under the following circumstances:

- OIE is unable to identify the Respondent after taking reasonable steps to do so;
- The Respondent is not participating in Duke's education program or activity;
- The Complainant voluntarily withdraws any or all of the allegations in the Complaint and OIE determines that, without the withdrawn allegations, the conduct that remains alleged in the Complaint, if any, would not constitute Prohibited Conduct even if proven; or
- After making reasonable efforts to clarify the allegations with the Complainant, OIE determines the conduct alleged in the Complaint, even if proven, would not constitute Prohibited Conduct.

OIE will promptly notify the Complainant in writing of the basis for the dismissal. If the dismissal occurs after the Respondent has been notified of the allegations, OIE will notify the Respondent in writing simultaneously.

Either party may request, or OIE, in its discretion, may offer the parties the opportunity to resolve a report using the Alternative Resolution process. Alternative Resolution is a voluntary, non-punitive, remedies-based process that provides an alternative to an investigation or determination. Alternative Resolution is typically a facilitated process between the Complainant and the Respondent that seeks to identify and meet the needs of the Complainant while providing an opportunity for the Respondent to acknowledge harm and seek to repair the harm (to the extent possible) experienced by the Complainant. Before OIE commences the Alternative Resolution process, both parties must provide informed consent in writing. When an Alternative Resolution process is initiated, OIE will designate a trained Facilitator to work with the parties to attempt to facilitate an Alternative Resolution agreement. At any time prior to reaching a resolution, either party may withdraw, or OIE may end the Alternative Resolution process and resume the formal grievance process. If an Alternative Resolution agreement is signed and agreed to by the Complainant and Respondent and approved by OIE, the resolution is binding, and the parties are precluded from resuming or starting the formal grievance process for allegations related to the Complaint. Agreements may not be appealed.

When an investigation is initiated, OIE will designate an investigator who will be responsible for gathering evidence related to the allegations. The investigator will meet with the Complainant and Respondent to review the OIE process. The investigator will also meet with the parties and witnesses to gather information relevant to the allegations and ask questions to adequately assess credibility. Each party will be given the opportunity to identify witnesses and to provide other relevant information, such as documents, communications, photographs, and other evidence. The investigator will review all information identified or provided by the parties, as well as any other evidence gathered, and will determine the relevance of the information. After all known, available, and relevant evidence is gathered, the investigator will prepare a draft investigation report, which is a summary of the relevant evidence. The investigator will make available to each party, and the party's advisor, if any, the draft investigation report in a download-restricted electronic format for review and feedback. The final investigation report will be made available to each party, and the party's advisor, if any, in a download-restricted electronic format. The final investigation report, including any feedback to the draft report, also will be made available to the Hearing Officer.

A hearing officer will then be selected by Duke. The Hearing Officer has general authority and wide discretion over the conduct of the hearing (e.g., they may set time frames for witness testimony and may limit opening/closing statements or their length, etc.). The evidence collected as part of the investigative process will be made available at the hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination. Following the hearing, the Hearing Officer will consider all of the relevant evidence and determine, by a preponderance of the evidence, whether the Respondent has violated the Policy. After a determination regarding responsibility and, if applicable, a determination regarding appropriate remedies and/or sanctions have been made, the Complainant and Respondent will receive a simultaneous written notification including the decision regarding responsibility and, as applicable, remedies and sanctions.

A Respondent and Complainant both have the right to appeal the decision regarding responsibility. An appeal is not a re-hearing of the case or decision. OIE may summarily deny an appeal if it is not based on one of the enumerated grounds for appeal. If the appeal is based on one of the above enumerated grounds for appeal, OIE will appoint an Appellate Officer. The Appellate Officer's role is limited to reviewing the underlying record of the investigation, the appealing party's ("Appellant") written appeal statement, any response to that statement by the other party ("Appellee"), and information presented at a meeting of the Appellate Officer, if convened. OIE will provide written notice to the Appellee that an appeal has been submitted and will give the Appellee an opportunity to review the appeal statement. On their own or at the request of the Appellant or Appellee, the Appellate Officer may convene a meeting to give the parties an opportunity to amplify the reason(s) for the appeal or the response. The Appellate Officer will provide written notification of the final decision to the Appellant and Appellee simultaneously.

4. ***Anticipated Timelines***

Generally, OIE will complete the assessment of a request for an investigation within 20 business days; the investigation within 90 business days; the hearing and determination within 60 days; and any appeal within 20 business days. Generally, an Alternative Resolution process will be completed within 30 business days.

OIE has the authority to extend such timelines for a reasonable period of time on a case-by-case basis for good cause. In the case of such an extension, OIE will notify the affected parties of the extension, including the reason(s) for the extension. Examples of good causes may include, but are not limited to, the complexity of the case, delays due to holiday or academic breaks, the unavailability of parties or witnesses, and inclement weather or other unforeseen circumstances.

The phrase "business days" refers to those days ordinarily recognized by the Duke administrative calendar as workdays. Unless otherwise indicated as "calendar days," all timeframes in these Procedures refer to business days.

5. ***Decision-Making Process***

For an alternative resolution, if the agreement is signed and agreed to by the Complainant and Respondent and approved by OIE, the resolution is binding, and the parties are precluded from resuming or starting the formal grievance process for allegations related to the Complaint.

In formal resolutions, the investigator will provide the final investigation report, including any

feedback to the draft report, to the Hearing Officer. In the event the Hearing Officer finds the Respondent responsible for a violation of Duke's policies, appropriate remedies and sanctions will be determined by the Office of Student Conduct and Community Standards and OIE.

An Appellate Officer will decide the appeal. The decision of the appellate officer will be final, and no subsequent appeals are permitted.

6. ***Standard of Evidence***
In all cases, investigations and/or hearings that result in a finding of more likely than not (preponderance of evidence standard) that a violation of policy occurred will lead to the initiation of disciplinary procedures against the accused individual.

7. ***Possible Sanctions***
Sanctions for a finding of responsibility for Student Respondents include, but are not limited to: withdrawal of privileges, restitution, mental health/medical assessment/treatment, fine, exclusion, educational projects/initiatives, community service, admonition, formal warning, disciplinary probation, suspension, expulsion, and/ other restrictions on access to Duke programs and activities.

8. ***Range of Protective Measures Available to a Victim Alleging Misconduct***
Protective measures (referred to as supportive measures in Policy) may vary depending on what OIE deems to be reasonable, but generally may include, but are not limited to: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to Complainant(s) and/or Respondent(s); leaves of absence; changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to Prohibited Conduct.

Supportive measures are also available for Respondents.

Supportive measures cannot unreasonably burden either party and must be designed to protect the safety of the parties or Duke's educational environment or to provide support during these procedures. Supportive measures cannot be imposed for punitive or disciplinary reasons.

Procedures for Responding to Reports and Complaints of Discrimination, Harassment Reports, and Related Misconduct Involving Duke Faculty and Staff Respondents

1. ***How to File a Disciplinary Complaint Under this Policy***
Any person wishing to report suspected Prohibited Conduct involving faculty or staff as a Respondent can report directly to the Office for Institutional Equity:

Office for Institutional Equity
114 S. Buchanan Boulevard, Bay #8
Box 90012
Durham, North Carolina 27708
919-684-8222 | oie-help@duke.edu
https://oie.duke.edu/reporting-process

When making a report, an individual should identify the Complainant, the Respondent, and the specific allegations of the Prohibited Conduct. A report may be made either orally or in writing.

Making a report means that OIE (or designee, with oversight by OIE) will contact the Complainant to offer resources and support, and to identify the appropriate action to respond to the report as outlined in these Procedures.

2. ***How the University Determines Whether This Policy will be Used***

OIE has developed these Procedures for Responding to Discrimination and Harassment Reports and Complaints Involving Duke Faculty and Non-Faculty (Staff) as Respondents ("Faculty and Staff Procedures"). These Procedures outline reporting, investigation, and report resolution procedures in cases where it is alleged that Duke faculty or non-faculty (staff) are alleged to have engaged in Prohibited Conduct. Complaints of Title IX Sexual Harassment are not addressed by these Procedures. Those Complaints are addressed under the Procedures for Responding to Reports and Complaints of Title IX Sexual Harassment.

To view the full policy visit: https://oie.duke.edu/policies-procedures-and-statements/procedures-responding-reports-and-complaints-discrimination-0/.

3. ***Steps in the Disciplinary Process***

Once a report is received, OIE (or designee) will promptly contact the Complainant (or if the Complainant is unknown, the person who reported the conduct) with a written explanation of resources and options. Simultaneous to the above outreach to the Complainant or reporting party, OIE will review the report to determine whether any emergency or interim action might be necessary. A review may include a meeting with the Complainant. This review may also include consultation as necessary with Duke Human Resources Staff and Labor Relations, the Office of Faculty Affairs Administration, or other relevant campus offices.

If the report or initial meeting with OIE includes a request from a Complainant for an investigation, OIE will proceed to investigate and make a determination about alleged Prohibited Conduct. An investigation and determination of allegations of Prohibited Conduct (i.e., initiates a Complaint), OIE will promptly review and evaluate appropriate next steps under these Procedures. If OIE determines that these criteria are met, OIE will notify the Complainant that the matter has been accepted for investigation under these Procedures.

OIE may initiate an investigation where the Complainant chooses not to do so if it determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the Complainant or another person, or that the conduct as alleged prevents Duke from ensuring equal access based on a protected class to its programs or activities. If OIE decides to initiate an investigation, OIE will notify the Complainant prior to doing so and appropriately address any reasonable concerns about the Complainant's safety or the safety of others, including by providing Supportive Measures. When a Complaint is accepted for investigation or initiated by OIE, OIE will send both parties a written Notice of Allegations.

At any point prior to a determination of whether alleged conduct constitutes Prohibited Conduct, OIE has discretion to dismiss a Complaint. OIE will promptly notify the Complainant in writing of the basis for the dismissal. If the dismissal occurs after the Respondent has been notified of the allegations, OIE will notify the Respondent in writing simultaneously.

If the report does not include a request from a Complainant for an investigation, OIE will, as appropriate:

- Resolve the matter through an educational response;
- Address the report under another set of procedures or other appropriate actions
- Refer the matter to the Office of Duke Human Resources Staff and Labor Relations, the Office of Faculty Affairs Administration, or other appropriate offices or administrators; or
- Take no further action if the reported conduct would not constitute a violation of the Policy.

If the report does not include a request for an investigation, and if OIE determines that the reported conduct, if proven, could constitute Prohibited Conduct within the scope of these Procedures, OIE will evaluate whether OIE should initiate an investigation even without a request from the Complainant. Duke may place faculty or staff members on administrative leave (or a student employee on leave from their employment) upon a report of Prohibited Conduct and/or during the pendency of an investigation.

Either party may request, or OIE, in its discretion, may offer the parties the opportunity to resolve a report using the Alternative Resolution process. Alternative Resolution is a voluntary, non-punitive, remedies-based process that provides an alternative to an investigation or determination. OIE reserves the right to determine whether Alternative Resolution is appropriate in a specific case. Circumstances when OIE may decline to allow Alternative Resolution may include, but are not limited to, when OIE determines that the alleged conduct would present a future risk of harm to others. Before OIE commences the Alternative Resolution process, both parties must provide informed consent in writing. When an Alternative Resolution process is initiated, OIE will designate a trained Facilitator to work with the parties to attempt to facilitate an Alternative Resolution agreement. At any time prior to reaching a resolution, either party may withdraw, or OIE may end the Alternative Resolution process and resume the formal grievance process. f an Alternative Resolution agreement is signed and agreed to by the Complainant and Respondent, and approved by OIE, the resolution is binding, and the parties are precluded from resuming or starting the formal grievance process for allegations related to the Complaint. Agreements may not be appealed.

When an investigation is initiated, OIE will designate an investigator who will be responsible for gathering evidence related to the allegations and documenting relevant findings and the determination of whether there is sufficient evidence to establish prohibited conduct under the Policy. The investigator will meet with the Complainant and Respondent to review the OIE process. The investigator will also meet with the parties and witnesses to gather information relevant to the allegations and ask questions to adequately assess credibility. Each party will be given the opportunity to identify witnesses and to provide other relevant information, such as documents, communications, photographs, and other evidence. After all known, available, and relevant evidence is gathered, the investigator will prepare a draft investigation report, which is a summary of the relevant evidence. The investigator will make available to each party, and the party's advisor, if any, the draft investigation report in a download-restricted electronic format.

After the time has run for both parties to provide any written response to the draft investigation report, the investigator will review and evaluate all relevant and not otherwise impermissible evidence and determine, by a preponderance of the evidence,

whether the Respondent has violated the Policy.

The Respondent and Complainant both have the right to appeal the investigator's determination regarding responsibility. An appeal is not a re-hearing of the case or decision. OIE may summarily deny an appeal if it is not based on one of the enumerated grounds for appeal. If the appeal is based on one of the above-enumerated grounds for appeal, OIE will appoint an Appellate Officer. The Appellate Officer's role is limited to reviewing the underlying record of the investigation, the appealing party's ("Appellant") written appeal statement, any response to that statement by the other party ("Appellee"), and information presented at a meeting of the Appellate Officer, if convened. OIE will provide written notice to the Appellee that an appeal has been submitted and will give the Appellee an opportunity to review the appeal statement. On their own or at the request of the Appellant or Appellee, the Appellate Officer may convene a meeting to give the parties an opportunity to amplify the reason(s) for the appeal or the response. The Appellate Officer will provide written notification of the final decision to the Appellant and Appellee simultaneously.

4. ***Anticipated Timelines***

Generally, OIE will complete the initial assessment of a request for an investigation within 20 business days; the investigation of a matter within 90 business days; the determination within 15 days; and any appeal within 20 business days. Generally, an educational response or Alternative Resolution process will be completed within 30 business days.

OIE has authority to extend such timelines for a reasonable period of time on a case-by-case basis for good cause. In the case of such an extension, OIE will notify the affected parties of the extension, including the reason(s) for the extension. Examples of good cause may include but are not limited to the complexity of the case, delays due to holiday or academic breaks, the unavailability of parties or witnesses, and inclement weather or other unforeseen circumstances.

The phrase "business days" refers to those days ordinarily recognized by the Duke administrative calendar as workdays. Unless otherwise indicated as "calendar days," all timeframes in these Procedures refer to business days.

5. ***Decision-Making Process***

For an alternative resolution, if the agreement is signed and agreed to by the Complainant and Respondent and approved by OIE, the resolution is binding, and the parties are precluded from resuming or starting the formal grievance process for allegations related to the Complaint.

For investigations, after the time has run for both parties to provide any written response to the draft investigation report, the investigator will review and evaluate all relevant and not otherwise impermissible evidence and determine, by a preponderance of the evidence, whether the Respondent has violated the Policy.

In cases where a violation has been found, the report shared with the Respondent will include any sanctions. OIE will consult with appropriate administrators to determine sanctions. Appropriate administrators include the Respondent's Dean, Chair, or other Supervisor Designee as determined by Duke.

The determination regarding responsibility becomes final either on the date OIE provides the parties with the written determination of the result of any appeal, or, if neither party appeals,

the date on which an appeal would no longer be considered timely.

The decision of the Appellate Officer will be final, and no subsequent appeals are permitted.

6. ***Standard of Evidence***
   In all cases, investigations and/or hearings that result in a finding of more likely than not (preponderance of evidence standard) that a violation of policy occurred will lead to the initiation of disciplinary procedures against the accused individual.

7. ***Possible Sanctions***
   Sanctions for a finding of responsibility for Employee and Faculty Respondents include, but are not limited to progressive disciplinary action; prohibition from various academic or managerial responsibilities involving the Complainant or others; letter of reprimand placed in a Respondent's personnel file; restrictions on a Respondent's access to Duke programs or facilities; limitations on merit pay or other salary increases for a specific period; or demotion, suspension, or dismissal/termination from Duke, or a recommendation that a separate process required to impose such action be commenced.

8. ***Range of Protective Measures Available to a Victim Alleging Misconduct***
   Protective measures (referred to as supportive measures in Policy) may vary depending on what OIE deems to be reasonable, but generally may include, but are not limited to counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to Complainant(s) and/or Respondent(s); leaves of absence; changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training and education programs related to Prohibited Conduct.

   Supportive measures cannot unreasonably burden either party and must be designed to restore or preserve a party's access to Duke's programs or activities, protect the safety of the parties or Duke's educational environment or to provide support during these Procedures. Supportive measures cannot be imposed for punitive or disciplinary reasons.

   Supportive measures are also available for Respondents.

College-Initiated Protective Measures

In addition to those protective measures previously described the Title IX Coordinator or their designee will determine whether interim interventions and protective measures following the report of domestic violence, dating violence, sexual assault and/or stalking, which may include some or all of the following actions: reasonable academic accommodations, a "no contact" directive between the accused and the victim, transportation, and working conditions, if reasonably available. Sexual assault, domestic violence, dating violence, and stalking are criminal acts which also may subject the perpetrator to criminal and civil penalties under federal and state law. These remedies may be applied to one, both, or multiple parties involved. Violations of the Title IX Coordinator's directives and/or protective measures may constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by Watts College of Nursing.

Appendix 1: N.C. Criminal Law Definitions

North Carolina Statutes: Sexual Assault, Domestic Violence, Dating Violence, and Stalking

Sexual Assault

First-degree Forcible Rape - NCGS 14-27.21:

(a) A person is guilty of first-degree forcible rape if the person engages in vaginal intercourse with another person by force and against the will of the other person, and does any of the following:

(1) Uses, threatens to use, or displays a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon.

(2) Inflicts serious personal injury upon the victim or another person.

(3) The person commits the offense aided and abetted by one or more other persons.

Second-degree Forcible Rape - NCGS 14-27.22:

(a) A person is guilty of second-degree forcible rape 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 disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know the other person is mentally disabled, mentally incapacitated, or physically helpless.

Statutory Rape

NCGS 14-27.23: A person is guilty of statutory rape of a child by an adult if the person is at least 18 years of age and engages in vaginal intercourse with a victim who is a child under the age of 13 years.

NCGS 14-27.24: A person is guilty of first-degree statutory rape if the person engages in vaginal intercourse 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 four years older than the victim.

NCGS 14-27.25: A defendant is guilty of a Class B1 felony if the defendant engages in vaginal intercourse with another person who is 15 years of age or younger and the defendant is at least 12 years old and at least six years older than the person, except when the defendant is lawfully married to the person

First-degree Forcible Sexual Offense - NCGS 14-27.26:

A person is guilty of a first degree forcible sexual offense if the person engages in a sexual act with another person by force and against the will of the other person, and does any of the following:

(1) Employs or displays a dangerous or deadly weapon or an article which the other person reasonably believes to be a dangerous or deadly weapon.

(2) Inflicts serious personal injury upon the victim or another person.

(3) The person commits the offense aided and abetted by one or more other persons.

Second-degree Forcible Sexual Offense - NCGS 14-27.27:

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

(1) By force and against the will of the other person; or

(2) Who is mentally disabled, mentally incapacitated, or physically helpless, and the person performing the act knows or should reasonably know that the other person is mentally disabled, mentally incapacitated, or physically helpless.

Statutory Sexual Offense
NCGS 14-27.28:
A person is guilty of statutory sexual offense with a child by an adult if the person is at least 18 years of age and engages in a sexual act with a victim who is a child under the age of 13 years.

NCGS 14- 27.29:
A person is guilty of first-degree statutory sexual offense if the person engages in a sexual act 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 four years older than the victim.

NCGS 14-27.30:
A defendant is guilty of a Class B1 felony if the defendant engages in a sexual act with another person who is 15 years of age or younger and the defendant is at least 12 years old and at least six years older than the person, except when the defendant is law- fully married to the person.

Sexual Activity by a Substitute Parent or Custodian - NCGS 14- 27.31:If a defendant who has assumed the position of a parent in the home of a minor victim engages in vaginal intercourse or a sexual act with a victim who is a minor residing in the home, the defendant is guilty of a Class E felony.

If a person having custody of a victim of any age or a person who is an agent or employee of any person, or institution, whether such institution is private, charitable, or governmental, having custody of a victim of any age engages in vaginal intercourse or a sexual act with such victim, the defendant is guilty of a Class E felony.

Sexual Activity with a Student - NCGS 14-27.32:
If a defendant, who is a teacher, school administrator, student teacher, school safety officer, or coach, at any age, or who is other school personnel, and who is at least four years older than the victim engages in vaginal intercourse or a sexual act with a victim who is a student, at any time during or after the time the defendant and victim were present together in the same school, but before the victim ceases to be a student, the defendant is guilty of a Class G felony, except when the defendant is lawfully married to the student. The term "same school" means a school at which the student is enrolled and the defendant is employed, assigned, or volunteers.

A defendant who is school personnel, other than a teacher, school administrator, student teacher, school safety officer, or coach, and is less than four years older than the victim and engages in vaginal intercourse or a sexual act with a victim who is a student, is guilty of a Class I felony.

Sexual Battery - NCGS 14-27.33:
A person is guilty of sexual battery if the person, for the purpose of sexual arousal, sexual gratification, or sexual abuse, engages in sexual contact with another person:

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

Taking indecent liberties with children - NCGS 14-202.1:
A person is guilty of taking indecent liberties with children if, being 16 years of age or more and at least

five years older than the child in question, he either:

Willfully takes or attempts to take any immoral, improper, or indecent liberties with any child of either sex under the age of 16 years for the purpose of arousing or gratifying sexual desire; or
Willfully commits or attempts to commit any lewd or lascivious act upon or with the body or any part or member of the body of any child of either sex under the age of 16 years.

Indecent liberties between children - NCGS 14-202.2:
A person who is under the age of 16 years is guilty of taking indecent liberties with children if the person either:

Willfully takes or attempts to take any immoral, improper, or indecent liberties with any child of either sex who is at least three years younger than the defendant for the purpose of arousing or gratifying sexual desire; or
Willfully commits or attempts to commit any lewd or lascivious act upon or with the body or any part or member of the body of any child of either sex who is at least three years younger than the defendant for the purpose of arousing or gratifying sexual desire.

Taking indecent liberties with a student - NCGS 14-202.4:
(a) If a defendant, who is a teacher, school administrator, student teacher, school safety officer, or coach, at any age, or who is other school personnel and is at least four years older than the victim, takes indecent liberties with a victim who is a student, at any time during or after the time the defendant and victim were present together in the same school but before the victim ceases to be a student, the defendant is guilty of a Class I felony, unless the con- duct is covered under some other provision of law providing for greater punishment. A person is not guilty of taking indecent liberties with a student if the person is lawfully married to the student.
(b) If a defendant, who is school personnel, other than a teacher, school administrator, student teacher, school safety officer, or coach, and who is less than four years older than the victim, takes indecent liberties with a student as provided in subsection (a) of this section, the defendant is guilty of a Class I felony.

Solicitation of a Child by Computer to Commit an Unlawful Sex Act - NCGS 14-202.3:
Offense.–A person is guilty of solicitation of a child by a computer if the person is 16 years of age or older and the person knowingly, with the intent to commit an unlawful sex act, entices, advises, coerces, orders, or commands, by means of a computer or any other device capable of electronic data storage or transmission, a child who is less than 16 years of age and at least five years younger than the defendant, or a person the defendant believes to be a child who is less than 16 years of age and who the defend- ant believes to be at least five years younger than the defendant, to meet with the defendant or any other person for the purpose of committing an unlawful sex act. Consent is not a defense to a charge under this section.

Jurisdiction. –The offense is committed in the State for purposes of determining jurisdiction, if the transmission that constitutes the offense either originates in the State or is received in the State.

Incest – NGS 14-178

a) Offense. – A person commits the offense of incest if the person engages in carnal intercourse with the person's (i) grandparent or grandchild, (ii) parent or child or stepchild or legally adopted child, (iii) brother or sister of the half or whole blood, or (iv) uncle, aunt, nephew, or niece.
b) Punishment and Sentencing.

a. A person is guilty of a Class B1 felony if either of the following occurs:
    i. The person commits incest against a child under the age of 13 and the person is at least 12 years old and is at least four years older than the child when the incest occurred.
    ii. The person commits incest against a child who is 13, 14, or 15 years old and the person is at least six years older than the child when the incest occurred.
b. A person is guilty of a Class C felony if the person commits incest against a child who is 13, 14, or 15 and the person is more than four but less than six years older than the child when the incest occurred.
c. In all other cases of incest, the parties are guilty of a Class F felony.

c) No Liability for Children Under 16. – No child under the age of 16 is liable under this section if the other person is at least four years older when the incest occurred.

Domestic Violence

NC General Statutes – Chapter 50B-1. Domestic Violence; definition.

a) Domestic violence means the commission of one or more of the following acts upon an aggrieved party or upon a minor child residing with or in the custody of the aggrieved party by a person with whom the aggrieved party has or has had a personal relationship, but does not include acts of self-defense:
    a. Attempting to cause bodily injury, or intentionally causing bodily injury; or
    b. 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, that rises to such a level as to inflict substantial emotional distress; or
    c. Committing any act defined in G.S. 14-27.21 through G.S. 14-27.33.
b) For purposes of this section, the term "personal relationship" means a relationship wherein the parties involved:
    a. Are current or former spouses;
    b. Are persons of opposite sex who live together or have lived together;
    c. Are related as parents and children, including others acting in loco parentis to a minor child, or as grandparents and grandchildren. For purposes of this subdivision, an aggrieved party may not obtain an order of protection against a child or grandchild under the age of 16;
    d. Have a child in common;
    e. Are current or former household members;
    f. Are persons of the opposite sex who are in a dating relationship or have been in a dating relationship. For purposes of this subdivision, a dating relationship is one wherein the parties are romantically involved over time and on a continuous basis during the course of the relationship. A casual acquaintance or ordinary fraternization between persons in a business or social context is not a dating relationship.
c) As used in this Chapter, the term "protective order" includes any order entered pursuant to this Chapter upon hearing by the court or consent of the parties.

Violation of a Domestic Violence Protection Order - NCGS 50B-4.1:

Except as otherwise provided by law, a person who knowingly violates a valid protective order entered pursuant to this Chapter or who knowingly violates a valid protective order entered by the courts of another state or the courts of an Indian tribe shall be guilty of a Class A1 misdemeanor.

Dating Violence

Dating Violence: The state of North Carolina does not have a definition of dating violence. Dating partners are covered under the Domestic Violence laws of the state.

Stalking

Stalking - NCGS 14-277.3A (c)

Offense.–A defendant is guilty of stalking if the defendant willfully on more than one occasion harasses another person with- out legal purpose or willfully engages in a course of conduct directed at a specific person without legal purpose and the defendant knows or should know that the harassment or the course of conduct would cause a reasonable person to do any of the following:

a) Fear for the person's safety or the safety of the person's immediate family or close personal associates.
b) Suffer substantial emotional distress by placing that person in fear of death, bodily injury, or continued harassment.

Cyberstalking - NCGS 14- 196.3:

It is unlawful for a person to:

(1) Use in electronic mail or electronic communication any words or language threatening to inflict bodily harm to any person or to that person's child, sibling, spouse, or dependent, or physical injury to the property of any person, or for the purpose of extorting money or other things of value from any person.

(2) Electronically mail or electronically communicate to another repeatedly, whether or not conversation ensues, for the purpose of abusing, annoying, threatening, terrifying, harassing, or embarrassing any person.

(3) Electronically mail or electronically communicate to another and to knowingly make any false statement concerning death, injury, illness, disfigurement, indecent conduct, or criminal conduct of the person electronically mailed or of any member of the person's family or household with the intent to abuse, annoy, threaten, terrify, harass, or embarrass.

(4) Knowingly permit an electronic communication device under the person's control to be used for any purpose prohibited by this section.

(5) Knowingly install, place, or use an electronic tracking device without consent, or cause an electronic tracking device to be in- stalled, placed, or used without consent, to track the location of any person.

(c) Any offense under this section committed by the use of electronic mail or electronic communication may be deemed to have been committed where the electronic mail or electronic communication was originally sent, originally received in this State, or first viewed by any person in this State.

Crime Statistics for 2023, 2024, and 2025:

Primary Crimes	Year	On Campus***	Noncampus	Public Property	Total	Residential Facilities*
Murder/Non-Negligent Manslaughter	2025	0	0	0	0	N/A
	2024	0	0	0	0	N/A
	2023	0	0	0	0	N/A
Manslaughter by Negligence	2025	0	0	0	0	N/A
	2024	0	0	0	0	N/A
	2023	0	0	0	0	N/A
Rape	2025	3	1	0	4	N/A
	2024	0	4	0	4	N/A
	2023	0	7	0	7	N/A
Fondling	2025	3	4	0	7	N/A
	2024	0	5	0	5	N/A
	2023	0	1	0	1	N/A
Incest	2025	0	0	0	0	N/A
	2024	0	0	0	0	N/A
	2023	0	0	0	0	N/A
Statutory Rape	2025	0	0	0	0	N/A
	2024	0	0	0	0	N/A
	2023	0	0	0	0	N/A
Robbery	2025	0	4	0	4	N/A
	2024	0	1	0	1	N/A
	2023	0	1	0	1	N/A
Aggravated Assault	2025	3	5	0	8	N/A
	2024	0	5	0	5	N/A
	2023	0	5	0	5	N/A
Burglary	2025	5	2	0	7	N/A
	2024	0	3	0	3	N/A
	2023	0	6	0	6	N/A
Motor Vehicle Theft	2025	0	13	0	13	N/A
	2024	0	2	0	2	N/A
	2023	0	2	0	2	N/A
Arson	2025	0	0	0	0	N/A
	2024	0	1	0	1	N/A
	2023	0	0	0	0	N/A

Arrests and Referrals for Disciplinary Action	Year	On Campus***	Noncampus	Public Property	Total	Residential Facilities*
Liquor Law Violation Arrests	2025	0	0	0	0	N/A
	2024	0	0	0	0	N/A
	2023	0	1	0	1	N/A
Drug Law Violation Arrests	2025	2	1	0	3	N/A
	2024	0	2	0	2	N/A
	2023	0	2	0	2	N/A
Weapons Law Violation	2025	3	1	0	4	N/A

Arrests and Referrals for Disciplinary Action	Year	On Campus***	Noncampus	Public Property	Total	Residential Facilities*
Arrests	2024	0	4	0	4	N/A
	2023	0	1	0	1	N/A
Liquor Law Violation Referrals for Disciplinary Action	2025	0	0	0	0	N/A
	2024	0	0	0	0	N/A
	2023	0	0	0	0	N/A
Drug Law Violation Referrals for Disciplinary Action	2025	0	0	0	0	N/A
	2024	0	0	0	0	N/A
	2023	0	0	0	0	N/A
Weapons Law Violation Referrals for Disciplinary Action	2025	0	0	0	0	N/A
	2024	0	0	0	0	N/A
	2023	0	0	0	0	N/A

VAWA Offenses	Year	On Campus***	Noncampus	Public Property	Total	Residential Facilities*
Domestic Violence	2025	6	5	0	11	N/A
	2024	0	10	0	10	N/A
	2023	0	5	0	5	N/A
Dating Violence	2025	0	0	0	0	N/A
	2024	0	0	0	0	N/A
	2023	0	0	0	0	N/A
Stalking	2025	3	6	0	9	N/A
	2024	0	14	0	14	N/A
	2023	0	7	0	7	N/A

Hazing	Year	On Campus***	Noncampus	Public Property	Total	Residential Facilities*
Hazing**	2025	0	0	0	0	N/A
	2024	N/A	N/A	N/A	N/A	N/A
	2023	N/A	N/A	N/A	N/A	N/A

**Watts College of Nursing does not have any on-campus student housing facilities/residential facilities.*

***In accordance with the Stop Campus Hazing Act, institutions are required to report Hazing statistics beginning with the 2025 calendar year. Because the requirement to collect and disclose Hazing statistics took effect on January 1, 2025, "N/A" will be used in place of statistics for any prior years referenced in this report.*

****Duke University Hospital was previously included in Watts College of Nursing's Noncampus geography because it was not reasonably contiguous to the institution's Main Campus. Effective July 1, 2025, Watts College of Nursing relocated its Main Campus from 2828 Croasdaile Drive to 311 Trent Drive. As a result of this relocation, Duke University Hospital became reasonably contiguous to the Main Campus and effective August 1, 2025, when Watts College of Nursing resumed clinical instruction at the hospital following the relocation, was recategorized as an On-Campus location for Clery Act reporting purposes.*

Accordingly, Clery-reportable crimes occurring at Duke University Hospital are included in the Noncampus category for periods prior to August 1, 2025, and in the On-Campus category for periods on and after August 1, 2025. Readers should consider this change when comparing crime statistics across

reporting years, as shifts between geography categories may be attributable to this change in classification rather than a change in the volume of reported crime.

UNFOUNDED CRIMES

If a crime is reported as occurring On Campus, in or on Noncampus buildings or property, or on Public Property, and the reported crime is investigated by sworn or commissioned law enforcement authorities and found to be false or baseless, the crime is considered to be "unfounded."

Institutions must report the total number of: criminal offenses; hate crimes; and domestic violence, dating violence, or stalking incidents that have been unfounded.

There was one (1) unfounded crime in 2023, three (3) unfounded crimes in 2024, and five (5) unfounded crimes in 2025.

Note: The one disclosed unfounded crime for 2023, the three unfounded crimes for 2024, and the five *disclosed unfounded crimes for 2025 are the result of a local law enforcement agency response to our annual request for crime statistics.*

HATE CRIME REPORTING:

There were zero (0) hate crimes reported in 2023, 2024, and 2025.