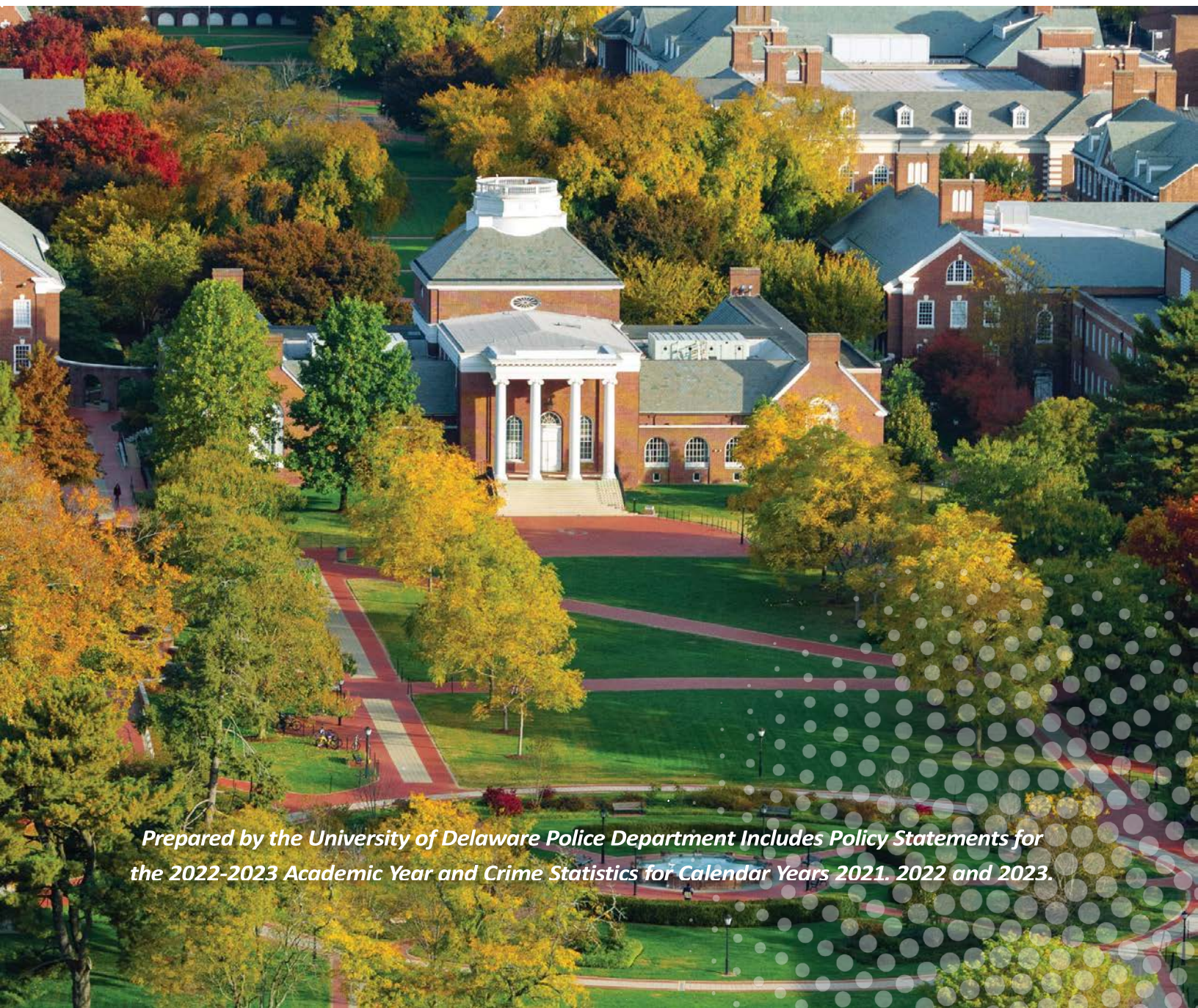




2024

# Annual Security & Fire Safety Report



*Prepared by the University of Delaware Police Department Includes Policy Statements for  
the 2022-2023 Academic Year and Crime Statistics for Calendar Years 2021, 2022 and 2023.*

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## Table of Contents

<b>A Message from the President</b>	<b>3</b>
<b>A Message from the Chief</b>	<b>4</b>
<b>Section One: Campus Security Report</b>	
Preparing the Annual Disclosure of Crime Statistics	5
University of Delaware Police Department	6
Reporting of Criminal Actions or Emergencies	7
Response to a Report	8
Security of and Access to Campus Facilities	8
• <b>Maintenance and Security of Campus Facilities</b>	<b>9</b>
• <b>Emergency Response Procedures</b>	<b>10</b>
• <b>Security Awareness and Crime Prevention Programs</b>	<b>17</b>
Crime Reporting	18
Off-Campus Conduct	19
Harassment/Violence/Sexual Misconduct	19
Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking	20
Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault, and Stalking	21
How to be an Active Bystander	27
Risk Reduction	27
Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking	28
Procedures a Victim Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault or Stalking Occurs	32
Resources	36
• <b>Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking</b>	
University of Delaware Non-Discrimination, Sexual Misconduct, and Title IX Policy	41
Statement of Victims' Rights	52
Prevention and Education	53
Sex Offender Registration in Delaware	53
Drug and Alcohol Policies	53
Reportable Crimes	54
<b>Section Two: Fire Safety Report</b>	
Fire Statistics for On-Campus Student Housing Facilities	58
Description of On-Campus Student Housing Fire Safety Systems	73
Policies on Portable Electronic Appliances, Smoking and Open Flames	79
Fire Safety Education and Training Programs for Students, Faculty and Staff	80
Procedures for Student Housing Evacuation in Case of a Fire Emergency	80
Staff Plans for Future Improvements in Fire Safety	82
<b>Section Three: Referenced Student Policies</b>	
Missing Student Policy	84
Student Conduct System Section D, 2, I, xiii	84
Student Conduct System Section C, 1, I	85
Student Conduct System Section C, 2, G	85
Student Code of Conduct Section L	85

## Table of Contents

### Section Four: 2021–2023 Crime Statistics by Campus

Newark Campus	88
Wilmington Campus	90
Associate in Arts Campus	92
Dover Campus	94
Lewes Campus	96
Georgetown Campus	98
Winterthur Campus	100

### Appendices

A – Policy F-01 University of Delaware Environmental Health and Safety Protocol	103
B – Policy 7-51 Emergency Preparedness Policy	107
C – Policy 7-52 Emergency Notification Policy	110
D – 2021 Drug Free Schools Notification	112
E – Policy 4-16 University of Delaware Alcohol / Drug Policy	120
F – Valuable Property and Lost and Found	122

## A Message from the President



At the University of Delaware, our top priority is building and maintaining a safe community so that everyone can learn, work and thrive in a healthy environment. We are proud of the outstanding service and many accomplishments of the UD Police Department, which are reflected in this report. While we have already made significant investments in resources, policies and practices to improve public safety, this collaborative work with our community is always ongoing. Together, we remain committed to keeping our campus as safe as possible to advance our institutional mission.

Dennis Assanis,  
*President*  
University of Delaware



## A Message from the Chief

On behalf of the University of Delaware Police Department, welcome to the University of Delaware. We hope you find this report helpful as it regards your safety and security on campus.

As a community, we recognize that safety is everyone's responsibility. We appreciate the opportunity to share with you information regarding Public Safety policies, programs, and services; campus crime statistics; and fire safety statistics, education and training, and evacuation policies and procedures.

This publication is intended to provide you with information on educational programs, safety practices, crime statistics, and policies regarding the reporting of emergencies and University of Delaware crime rates.

The safety and well-being of all members of the University of Delaware community—students, faculty, staff and visitors—is of utmost importance to the University and a primary responsibility of the University of Delaware Police Department. The Department is responsible for the protection of life and property, the enforcement of state laws and University policies, the prevention and detection of on-campus crimes and other violations, emergency response management, and fire and other safety services.

This information is provided to meet the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998 and has been prepared by the Administrative Services division using statistical and other information supplied by Environmental Health and Safety, Newark Police, Wilmington Police, Lewes Police, Department of Natural Resources Police, Delaware State Police, Student Life, Residence Life, and Campus Security Authorities. The Clery Act requires that the University publish annual crime statistics for the following offenses: Murder, Manslaughter, Rape, Fondling, Incest, Statutory Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Dating and Domestic Violence, and Stalking. In addition, The University publishes statistics for any hate crimes that occur.

- Statistics on crimes reported to the University Police for the past three years that occurred on campus, on public property adjacent to the campus and on university property located off campus, as well as arrests for selected offenses can be found at: [Annual Crime Statistics](#)
- Fire safety statistics, in compliance with the Higher Education Opportunity Act of 2008, can be found at: [Annual Fire Safety Report](#)
- UD's Missing Student Policy, in compliance with the Higher Education Opportunity Act of 2008, can be found at: [Missing Student Policy](#)

The University of Delaware is a state-assisted, privately controlled institution of higher education. The main campus is located in Newark, Delaware and there are branch campuses located in Wilmington, Delaware and Lewes, Delaware. Over half of the 18,946 undergraduates live in residence halls on the Newark campus. The University of Delaware community is made up of over 27,000 people.

Thank you for taking the time to review this report. If you have questions or would like further information about safety and security at the University of Delaware, please contact the University of Delaware Police Department at 302-831-1204.

Sincerely,

Patrick A. Ogden

Chief of Police

University of Delaware

## Section One: *Campus Security Report*

### Preparing the Annual Disclosure of Crime Statistics

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the University community obtained from the following sources: the University of Delaware Police Department, the Newark Police Department, The Delaware State Police, The New Castle County Police Department, The Wilmington Police Department, The Lewes Police Department, The Dover Police Department, The office of Community Standards and Conflict Resolution (CSCR) and Campus Security Authorities. For statistical purposes, crime statistics reported to any of these sources are recorded in the calendar year the crime was reported. A written request for statistical information is made on an annual basis to all Campus Security Authorities (as defined by federal law) and to all University Deans, Directors, and Department Heads. A written request for statistical information is made on an annual basis to all police agencies with policing jurisdiction within the defined Clery geography of all University of Delaware Campuses.

All of the statistics are gathered, compiled, and reported to the University community via this report, which is published by the University of Delaware Police Department. UDPD 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.







## University of Delaware Police Department

The main office of the University of Delaware Police Department is located at 413 Academy Street in Newark, Delaware and is open 24 hours a day, seven days a week.

The well-being of all who attend, work or visit the University of Delaware is vitally important to the University of Delaware Police. While Newark is a relatively safe place, crimes do occur both on and off campus. Our police officers are trained to understand the needs of students, faculty and staff. Officers patrol the campus by vehicle, foot and bicycle. Security officers and student cadets assist the University Police in their preventive patrols. Everyone must do his or her part to

maintain a safe environment. All members of the University Community have a responsibility to themselves and to others to use due care for their safety and to comply with all local, state and University regulations. The University Community is encouraged to report crimes accurately and promptly to the University and/or local police departments, including when the victim elects to, or is unable to, make such a report. Timely reports of information make it easier for the police to gather critical evidence and increase the odds of recovering stolen property and successfully prosecuting a criminal.

The University Police are law enforcement officers of the State of Delaware and are certified by the Delaware Council on Police Training. They have full investigative and arrest authority on campus, as well as on contiguous streets and highways and elsewhere in the state as provided by law. The patrol jurisdiction of University Police Officers is limited to any buildings or properties owned or controlled by the University of Delaware.

A criminal or traffic summons issued by the University Police will be adjudicated by the court system of the City of Newark or the State of Delaware, as appropriate. The University Police work closely with federal, state, county and municipal law enforcement agencies to provide the best possible service.

The University of Delaware Police Department has working relationships with Newark Police Department, Delaware State Police, New Castle County Police, Wilmington Police Department, Elsmere Police Department, Newport Police Department, Middletown Police Department, Dover Police Department, Lewes Police Department, Amtrak Police Department, and CSX Police Department. Under the State of Delaware Law UDPD has a memorandum of understanding with the Newark Police Department regarding any topics, including the investigation of criminal incidents. In addition, the Delaware Code outlines mutual aid between law enforcement agencies within the state. All members of the University of Delaware Police are empowered to enforce University rules and regulations, and those policies include enforcing violations of the law. Security officers document violations of university policy and/or law and contact University Police to report observed violations of federal laws and state laws. The Security Officers have jurisdiction to operate on University of Delaware owned or controlled property. Security officers do not enforce University rules and regulations, nor do they enforce violations of the law. Security officers can detain suspects until police arrival but have no power of arrest.



## Reporting of Criminal Actions or Emergencies

Like any other community of its size, the University of Delaware experiences accidents, injuries, crimes and other emergencies. To report a crime or emergency occurring on campus, the UD Police should be notified at 911 or 831-2222 as soon as possible. These telephone numbers are staffed 24- hours a day by trained telecommunications officers. The University of Delaware does not have a confidential reporting program, and all victims are encouraged to report crimes and emergencies to the UD Police. The UDPD encourages anyone who is the victim or witness of any crime to promptly report the incident to the police. UDPD does not have a voluntary confidential reporting process because police reports are public records under state law, thus UDPD cannot hold reports of crime in confidence. Confidential reports for purposes of inclusion in the annual disclosure of crime statistics can be made to any campus security authorities (the primary CSAs are identified in the Reporting and Disclosure Procedures below). However, some of the CSAs are also Responsible Employees under Title IX, and they are obligated to share reported information involving sexual misconduct, domestic/dating violence and stalking, including information about the identity of the victim and accused, with the Title IX Coordinator. Reports to professional and pastoral counselors can be kept confidential. Professional and pastoral counselors are encouraged to inform their clients, if and when they deem it appropriate, of the procedures to confidentially report crimes to primary CSAs, when they deem it appropriate.

UDPD does not have a voluntary confidential reporting procedure and therefore, professional and pastoral counselors cannot notify their clients of that type of reporting option at UD.

As a result, the University does not have any procedures to encourage pastoral or professional counselors to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis to UPD for inclusion in the annual disclosure of crime statistics.

Members of the community are helpful when they immediately report crimes or emergencies to the University of Delaware Police Department and/or Primary CSAs for purposes of including them in the annual statistical disclosure and assessing them for issuing a Timely Warning Notices, when deemed necessary.

This publication focuses on the University of Delaware Police Department because it has primary responsibility for patrolling the University of Delaware campus and it has been designated as the institution's primary reporting structure for crimes and emergencies. However, criminal incidents or incidents off campus can be reported to the Newark Police Department. Additionally, as outlined below, the University of Delaware has also identified a list of primary campus security authorities (CSA) or preferred receivers of reports to whom crimes can be reported.

### Primary Campus Security Authorities (CSA) or Preferred Receivers of Reports:

- Call the University of Delaware Police Department by dialing (302) 831-2222.
- Report in person to the University of Delaware Police Department at 413 Academy Street, Newark, DE 19716
- Crimes or emergency situations can be reported by dialing 911
- Utilize the CSA reporting link on the UDPD website at [CSA Reporting Form](#)
- Sex Offenses and other incidents of sexual or relationship violence can also be reported to the college's Title IX Coordinator, by dialing (302) 831-8063 or on-campus extension 8063, or in person at the Office of Equity and Inclusion 305 Hullihen Hall.
- Contact the Office of Human Resources (HR) by dialing (302) 831-2171 or on-campus extension 2171, or in person at the HR office located at 413 Academy Street, Newark, DE 19716.
- Contact the Dean of Students by dialing (302) 831-8939 or on-campus extension 8939, or in person at the Division of Student Life Office located in Hullihen Hall.
- Emergency Blue Light Phones located throughout campus can also be used to contact the University of Delaware Police Department to report a crime or emergency.

## Response to a Report

Dispatchers are available at these respective telephone numbers 24 hours a day to answer your calls. In response to a call, UDPD will take the required action, either dispatching an officer or asking the victim to report to UDPD to file an incident report. All reported crimes will be investigated by the University and may become a matter of public record. Crime victims are given on and off campus resource information as necessary and appropriate. UDPD procedures require an immediate response to emergency calls. All UDPD incident reports are forwarded to the Dean of Students Office for review and referral to the office of Community Standards and Conflict Resolution (CSCR) for potential action, as appropriate. UDPD will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the office of Community Standards and Conflict Resolution (CSCR). If assistance is required from the Newark Police Department or the Aetna Fire Department, UDPD will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including UDPD, will offer the victim a wide variety of services.

The University of Delaware campuses are equipped with over 100 outdoor emergency telephones. These telephones are programmed to automatically dial the Police Department when activated. The emergency phones located outdoors are identified by blue lights and are activated by picking up the receiver or pushing a button.

## Security and Access to Campus Facilities

During normal business hours the administrative and academic facilities at UD are open and accessible to students, staff, faculty, and visitors of the University. After normal business hours and during breaks, the University restricts access to its facilities to members of the academic community and bona fide guests. Access times vary depending on the building and the activity, except for those students, faculty and staff with keys or appropriate access authority.

Entry to Residence halls with central corridors is controlled electronically with card access 24 hours a day. They are equipped with special electronic systems intended to indicate a propped door condition that will sound a local alarm if the alarmed doors are not closed promptly. Residence hall community members are not permitted to host guests unless they are also University of Delaware Community members. Residence Hall community members are not permitted to loan their access card or room keys to anyone.

All students, faculty and staff are required to possess ID cards and to present them when requested by a university official. Individuals who do not have legitimate reasons for being on campus or in a University building and who refuse to leave may be arrested pursuant to Section 22-39 (Criminal Trespass) of the Code of the City of Newark or Title 11 Section 821 of the Delaware Code.

UDPD officers, Security officers, and Cadets conduct routine patrols of campus buildings, including residential facilities, to evaluate and monitor safety and security related matters. When school is in session, UDPD has stationary assignments at random locations on campus during class changes.

## Maintenance and Security of Campus Facilities

Lighting and landscaping on the University of Delaware campuses are important considerations. Motor vehicle parking lots, pedestrian walkways and building exteriors are well lit. Officers, paying attention to any burned-out lights, check exterior lights periodically.

Deficiencies are reported to the Facilities Division. Members of the campus community are also encouraged to report any exterior lighting deficiencies to the Police Department at 831-2222 or via email to [Fixit@udel.edu](mailto:Fixit@udel.edu).

1. Each summer the UD Police conduct a lighting survey of the main campus in concert with representatives of the Facilities Division and other members of the University Community. Additionally, a campus wide security survey is conducted annually with representatives of the Resident Student Association, Facilities Division and members of the university administration.

Security officers and Cadets employed by the Department are responsible for patrolling designated areas of the campus on foot and in vehicles, locking and unlocking buildings, providing escorts and transportation to students and staff, and reporting security deficiencies. Security Officers do not have arrest powers or other law enforcement authority.



## Emergency Response Procedures

The University of Delaware's primary emergency notification tool, UD Alert, allows us to send emergency messages to students and staff within minutes. These notices can be sent in a variety of ways: voice messages (to local, cell or home phone), e-mail, and text message (to a pager or cell phone). The University of Delaware will test its UD Alert System once each semester during the academic year. Information will be posted on UDaily prior to the test so as not to alarm the campus community.

Information on additional methods that may be used to communicate emergency information are listed below and can be found at: [Emergency Response Procedures](#)

### EMERGENCY PREPAREDNESS

#### Things to Remember

1. Remain calm, use common sense, and provide aid. Take time to think before acting.
2. Always evacuate the building immediately when you hear an audible alarm or see a visible alarm, when directed by authorities, or when the building becomes life-threatening, e.g., smelling natural gas.
3. Proceed to the emergency gathering point for further instructions.
4. Do not use the telephone for reasons other than emergency purposes.
5. Do not enter elevators during an emergency. If stuck in an elevator do not attempt to force open stalled elevator doors, use the emergency phone to contact the University Police.
6. Keep a flashlight handy if you are in an area that does not have emergency lighting or natural lighting.
7. Know the location of all marked exits from your working area.

#### Emergency reporting

Dial 911 to reach the emergency dispatcher who can summon medical, fire or police response. These individuals can also contact emergency personnel who are not "first responders" but will oftentimes be needed to assist the first responders with incident resolution.

1. If you are in a hazardous situation, don't endanger yourself further. Avoid unstable structures, smoke, electrical hazards, fire, radiation, chemical, or biological exposure, etc. Do not risk your wellbeing to save personal or University property.
2. When you call, give your name, telephone number and location, and the nature and location of the emergency.
3. Don't hang up until the dispatcher ends the conversation.
4. If phone lines are dead, take the message to 413 Academy Street in person or use a cell phone if available and dial 831-2222.

#### Medical emergencies

1. Summon help by dialing 911 to report the illness or injury.
2. Provide the level of first aid for which you are trained and equipped.
3. Whenever possible, have someone meet the ambulance or Police officer at a clearly visible location to quickly direct them to the injured person.
4. Never put yourself at risk to help the injured or ill person.
5. Whenever possible, have someone accompany the injured or ill person to the emergency care facility.
6. Inform department personnel about the incident to assure proper documentation and investigation of the incident are performed.

#### Fire emergencies

1. Be prepared. Practice by holding a fire drill in your building at least once a year.
2. Know where the fire alarm pull stations are and how to activate them.
3. Know your evacuation routes and keep them clear at all times.
4. Know where your emergency telephones are to contact Public Safety.
5. Know where the closest fire extinguishers are and how to use them.
6. Never use the elevator to evacuate.

**If fire or smoke is detected:**

1. Activate the building alarm system.
2. Evacuate the building moving a distance of at least 200 feet from the building. Check your building evacuation plan to determine your gathering point. When outside notify public safety by using a blue light phone or cell phone giving as much information as possible. Persons knowing the reason for the fire should go to the command post established by Public Safety to provide this information.
3. If there is no alarm system, notify others as you leave the building by shouting "fire" and knocking on doors.
4. If possible, close doors and windows as you leave to prevent the fire's spread.
5. If there is smoke in the area, get down on the floor and crawl out of the building.
6. Feel all doors before opening them. If a door is hot, don't open it. Move to a second exit, or if one is not available, stay there and try to open a window for fresh air.
7. Open doors slowly. If you encounter smoke, close the door quickly and stay in the room. Call 911 and give your location. Try to do something to help identify your location from the outside of the building.
8. Never try to fight a fire alone unless it is required to exit the building.

**Your Response in a Shooting**

Please note that such incidents are highly unpredictable, and your response will depend on the exact circumstances. Your first priority is to have an "out" strategy. If you can do so safely, leave the building or area immediately, via door, window or emergency exit. Move away from the immediate path of danger, and take the following steps:

1. Notify anyone you encounter that they should leave the building or area immediately.
2. Get to a safe area away from the danger and take protective cover. Stay there until assistance arrives.
3. Call 911, providing dispatchers your name, the location of the incident (be as specific as possible), the number of shooters (if known), identification or description of the shooter or shooters, the number of persons who may be involved, your exact location, and information about wounds and injuries to anyone, if known.
4. If you are not immediately affected by the situation, take protective cover, staying away from windows and doors until notified otherwise.

**If you are directly involved in an incident and cannot leave the building:**

1. Go to the nearest room or office, close and lock the door, turn off the lights and seek protective cover. If possible, barricade the door. Students should scatter when in the same room, rather than huddle in a corner, which can provide an easy target for a shooter.
2. Keep quiet, act as if no one is in the room, and do not answer the door.
3. If possible, pull the fire alarm to alert authorities to an emergency situation.
4. If you have a cell phone at hand and if it is safe to do so, notify 911, providing dispatchers with as much pertinent information as possible.
5. Wait for University Police and other police officials to assist you out of the building.

**Bomb Threats**

1. Take all calls seriously and report them to the University Police at 911 immediately.
2. Notify your supervisor or the person responsible for the building.
3. Try to obtain as much information from the caller as possible, such as location of the bomb; detonation time; reason for threat; information about the caller, age, affiliation with any organization, etc.
4. Do not try to locate the bomb and never touch suspicious objects.
5. Do not use portable radios in the facility where the bomb is located.

**Robbery/Assault**

1. Cooperate, giving the person exactly what they are asking for, nothing more.
2. Try to notice distinguishing traits: clothing, race, height, weight, age, eye color, facial hair, or other identifying features such as scars, moles, etc.
3. Pay attention to the type of weapon used, if applicable.
4. Listen carefully to their voice for distinguishing characteristics.
5. Record what direction they go after the confrontation. If they use a vehicle, record the license plate number and make and model of the vehicle.
6. Call Police at 911 immediately following the confrontation.

1. Report all accidents involving University vehicles immediately to the University Police at 911 and to Transportation Services at 831-1187 regardless of the amount of damage.
2. Collisions that occur after hours are reported to Transportation Services on the next business day.
3. If you collide with a parked vehicle, stop immediately and attempt to locate the owner after notifying the University Police while on campus. If the collision occurs on the street, notify Newark Police Department.

**Severe Weather**

1. The Vice President for Administration in consultation with the President decides when to cancel class and dismiss employees from work due to extreme weather. Unit managers are not authorized to make this decision unilaterally.

**Motor Vehicle accidents**

2. In general, the University will remain open unless the conditions are very severe. However, if an employee believes they are placed in an unnecessary risk by staying at work or coming to work during severe weather they are permitted to take annual leave or leave without pay, whichever is appropriate.
3. Listen to local radio stations for notifications regarding cancellation of campus activities. Other options include checking the University's home page [www.udel.edu](http://www.udel.edu) or calling 831-2000.

**Utility failure**

When a building loses power, it is no longer considered a controlled environment. Normally emergency power is supplied to buildings to provide safe evacuation and not for continued occupancy. Except in situations where leaving the building would be more hazardous, take the following steps:

1. Evacuate laboratory buildings immediately since most fume hoods will not operate when building power ceases.
2. Persons in non-laboratory buildings may occupy for periods up to one hour provided they have a sustainable source of emergency lighting or natural lighting to allow for continued occupancy and safe evacuation. Battery powered emergency lighting generally lasts only 90 minutes.
3. Report the outage to Facilities by calling 831-1141.

More information regarding power outage procedures: [Power Outage Procedures](#)

**Fumes, vapors or gas leaks**

1. If an odor of gas, toxic or noxious material is detected in your work area, leave the area immediately and call the University Police at 911.
2. If the hazard is thought to place all occupants at risk, i.e., natural gas, pull the building fire alarm to evacuate the building.
3. Do not re-enter the building until it is determined safe by the emergency responders. Reporting unsafe conditions

The University is committed to maintaining a safe campus environment. To this end, everyone in the campus community is urged to help by reporting conditions that may pose a serious risk of injury or property damage. Do not assume that someone else will report observed concerns. Report them to one of the following departments: Facilities Management 831-1141 / University Police 831-2222

**Hazardous material spills**

1. Report the spill or other incident involving these hazards to the University Police immediately at 911.
2. Leave the area taking precautions to contain the spill without putting yourself at additional risk if possible and if you know how.
3. Secure the area to prevent others from entering.
4. Remain in a safe area until emergency responders arrive and release you from the scene. Provide all information requested by emergency responders including MSDSs if available. Notify department personnel as appropriate.

The University recognizes its responsibility to provide accurate and timely information to the campus community and the public during emergencies. The University also recognizes its responsibility to students, faculty, and staff to respond to concerns about personal safety and security, and to follow university policies concerning the release of personal information. Please also see 7-06 and 7-51 [Attachments I and J] for details on processes that will be followed when an emergency is declared, and for the persons/positions responsible for carrying out the process.



### Notification Protocol

1. The process for activating a Public Safety Advisory, Timely Warning, or an Emergency Notification begins when a threat or emergency situation is reported to the UDPD or to another responsible University official. For most emergency threats and incidents, the first notice of the situation will be a call to the 9-1-1 Center at either the University or the Newark Police Department.
2. In the event of a threat or emergency in which the Chief of Police or Command Staff is not on-duty or not yet at the incident, a designee, typically either the on-duty Senior Officer of UDPD or a UDPD Dispatcher, will confirm the threat and authorize the appropriate level of notification with basic information and safety instructions. The on-duty Senior Officer of UDPD will utilize the Chain of Command to ensure timely notification of the UDPD Command Staff. The on-duty Senior Officer of UDPD and the UDPD Dispatchers have been trained in and have direct and remote access to the communication systems (i.e. UD Alert, email, LiveSafe app, etc.).
3. For events communicated to UDPD and occurring in the jurisdiction of the Newark Police Department or other regional public safety departments, the on-duty Senior Officer of UDPD will evaluate the situation and make a determination whether the situation meets the protocol of the Clery Act requiring Timely Warning, or an Emergency Notification.
4. The University Police will determine the content of the notification after assessing the situation and choosing appropriate messaging. Pre-approved templates and short messages ("Run, Hide, Fight") are on file within the University 9-1-1 Center.
5. Emergency notification status updates will be made when new information or instructions are available. An "All Clear" notification should also be transmitted once the emergency situation has been resolved or determined to be under control by the on-scene Incident Commander.
6. The following communication systems may be used:
  - ii. UD Alert (Text, Voice, and Email)
  - iii. LiveSafe app
  - iv. Emergency Homepage Override
  - v. Social Media
  - vi. Carillon System
  - vii. Local and regional media (radio, television, print media)

### Timely Warnings

In the event a crime is reported within the UD Clery Geography (On Campus, Public Property and Non campus property), that, in the judgment of the UDPD Command Staff, or designee, constitutes a serious or continuing threat, a campus wide "timely warning" notice will be issued.

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 UD 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 information known by the UDPD Command Staff, or designee). In cases involving sexual assault, they 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.
- A string of burglaries or Motor Vehicle Thefts that occur in reasonably close proximity to one another.
- Major incidents of Arson
- Other Clery crimes as determined necessary by the UDPD Command Staff, or his or her designee in his or her absence.

Timely Warning Notices may also be posted for other locations, even though that is not required by the law, at the sole discretion of UD.

Timely Warning Notices will be distributed as soon as pertinent information is available, in a manner that withholds the names of victims as confidential, and with the goal of aiding in the prevention of similar occurrences.

Timely Warning Notices are typically written and distributed by the UDPD Command Staff, or designee.

Timely Warning Notices will be issued to the campus community via email blast to all UD assigned email accounts. Timely warnings may also be issued using some or all of the following methods of communication: text messages or emails sent through the University's UD ALERT system or building postings by Building Administrators.

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

### **Emergency Notifications**

In the event of an emergency, University of Delaware will initiate and provide, without delay, immediate Emergency Notification to the appropriate segment(s) of the University community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employee and visitors.

If the UDPD Command Staff, or designee, 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 UD community, the University of Delaware Police will determine the content of the message and will use some or all of the systems described below to communicate the threat to the UD Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population by way of an Emergency Notification. Emergency Notifications will be issued to the campus community via Text Message and email blast to all UD assigned email accounts and registered phone numbers. Emergency Notifications may also be issued using some or all of the following methods of communication: phone calls to Cellular and/or land lines, LiveSafe App, Emergency Homepage Override, Social Media, Carillon System or Local and regional Media. If any of these systems fail or the University deems it appropriate, in person communication may be used to communicate an emergency.

University of Delaware will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders (including, but not limited to: UDPD, Newark Police Department, and/or the Local Fire and Emergency Medical Services), compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Follow-up notices/communications will be provided as necessary during an active incident. When a threat is neutralized or effectively removed, campus community members will be appropriately informed via all or some of the notification methods.

All students, faculty, and staff are included in all emergency text, e-mail and voice messaging through their University of Delaware e-mail address and listed phone number(s). Anyone wishing to opt-out of the Emergency Messaging can do so by the following the below link.

To opt-out of emergency text and voice messaging, students, faculty, and staff can do so through <https://www1.udel.edu/alert/alert-instructions.html>

The content of the message will vary depending on the situation. At a minimum, the messages will describe the emergency, provide basic instructions to the community and will direct them to where they can receive additional information.

Follow-up information will be distributed using some or all of the identified communication systems (except fire alarm).

The local news media may be utilized to disseminate emergency information to members of the larger community, including neighbors, parents and other interested parties. The larger community can also access emergency information via the University of Delaware homepage and/or social media.

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.

System to use	Primary Message Creator	Backup Message Creator	Authority for approving & sending messages	Primary Message Sender/Distributor	Backup Message Sender/Distributor
UD Alert	UDPD	UDPD	UDPD Command Staff	UDPD Dispatch	None
LiveSafe Phone App	UDPD	UDPD	UDPD Command Staff	UDPD	UDPD
Emergency Homepage Override	OCM	OCM	OCM Director or Designee	OCM Director or Designee	OCM Director Designee
Social Media	OCM /UDPD	OCM / UDPD	OCM Director or Designee / UDPD PIO	OCM Director or Designee / UDPD PIO or Designee	OCM Director Designee / UDPD PIO Designee
Carillon	UDPD	UDPD	UDPD Command Staff	UDPD Dispatch	None

In conjunction with other emergency agencies, the University 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 and evaluate 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 campus publicizes a summary of the emergency response and evacuation procedures via email at least once each year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

### General Evacuation Procedures

At the sound of a fire alarm or if you are instructed to evacuate, leave your work area immediately and proceed to the nearest exit, and leave the building. If you are the first to recognize a fire situation, activate the alarm, evacuate to a safe location using the nearest exit, and notify UDPD (302-831-2222) Police Emergency or dial 911.

1. Remain Calm
2. Do NOT use Elevators, Use the Stairs.
3. Assist the physically impaired. If he/she is unable to exit without using an elevator, secure a safe location near a stairwell, and immediately inform UDPD or the responding Fire Dept. of the individual's location.
4. Proceed to a clear area at least 150 feet from the building. Keep all walkways clear for emergency vehicles.
5. Make sure all personnel are out of the building.
6. Do not re-enter the building.

### Shelter-in-Place Procedures –What it Means to “Shelter-in-Place”

If an incident occurs and the buildings or areas around you become unstable, 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 that danger. 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.



**Basic “Shelter-in-Place” Guidance**

If an incident occurs and the building you are in is not damaged, stay inside in an interior room until you are told it is safe to come out. If your building is damaged, take your personal belonging (purse, wallet, access card, etc.) and follow the evacuation procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest University building quickly. If police or fire department personnel are on the scene, follow their directions.

**How You Will Know to “Shelter-in-Place”**

A shelter-in-place notification may come from several sources, UDPD, Housing Staff members, other University employees, Newark Police Department, or other authorities utilizing the University’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:

1. 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.
2. Locate a room to shelter inside. It should be:
  - An interior room;
  - Above ground level; and
  - Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms might be necessary.
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (University staff will turn off the ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone (hall staff, faculty, or other staff) to call the list in to UDPD so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

**Public Safety Advisory**

A Public Safety Advisory will be evaluated for situations that do not require a Timely Warning Notice or Emergency Notification, but nevertheless present an important opportunity to share safety or security related information with the campus community.

Circumstances that may give rise to such advisories might include when crimes occur within the Clery campus boundary line, but on private property that is not Clery-reportable; off-campus crimes (Clery or non-Clery crimes) occurring in a location in which a high concentration of students or employees may be found; or other safety or security-related situations that are prudent to share with members of the campus community to apprise them of the circumstances and encourage them to remain steadfast in observing, reporting, and intervening, as appropriate, to promote safety.

## Security Awareness and Crime Prevention Programs

The following is a listing of the crime prevention programs and projects employed by the University of Delaware.

- **Escort Program:** The Police Department provides an escort service to the campus community. This service is staffed by student cadets who are employed and trained by the department. This free service is available during hours of darkness seven days a week.
- **New Student Orientation:** participates in new student orientation held each summer; meeting new students and their parents and making available to them printed materials dealing with campus safety.
- **Emergency Telephones:** As previously indicated, exterior emergency telephones linked directly to the Police Department are located throughout the University's three campuses.



- **Crime Prevention Presentations:** Crime prevention presentations are made to various campus departments, student groups and organizations such as commuter students, international students, resident student association and other recognized student organizations.
- **Electronic Alarm Systems:** The campus wide network of intrusion, duress, elevator and fire alarm systems is monitored by the Police Communications Center.
- **Security Surveys:** Security surveys are conducted for selected campus departments each year.
- **Valuable Property Identification:** The UD Police provides engraving tools for members of the University community to engrave their personal property. In addition, on campus students may register their valuable property [Attachments I] with the Department.
- **Bicycle Registration:** Students and staff who bring bicycles to the campus are encouraged to register their bicycles with Parking Services. Registration forms are available at the department or electronically at: <http://www.udel.edu/transportation/parking>
- **Rape Aggression Defense (R.A.D.) Systems:** RAD is designed to help women learn self- defense. It consists of tactics that help women become more aware of the possible dangers that can develop at any time. It teaches them to be preventive, and to reduce or avoid high- risk situations. RAD classes are conducted throughout the school year and there is no charge for this program.



- **Community Resource Program:** The UD police are committed to providing quality service and protection to the students, staff, faculty and visitors of the University of Delaware. The Community Resource Program is an integral part of this quality service. It is based upon the concept that police officers and the campus community as a whole can work together in creative ways to solve problems related to crime prevention. The primary focus of community policing is to foster positive interaction between the police, students and staff.



- **Web Site:** The University of Delaware Police have developed a web site at [www.udel.edu/police](http://www.udel.edu/police) for quick and up-to-date information on services it provides.
- **Statistics** on crimes reported to the University Police for the past three years that occurred on campus, on public property adjacent to the campus and on university property located off campus, as well as arrests for selected offenses can be found at: [www.udel.edu/police/crime-stats](http://www.udel.edu/police/crime-stats) [Attachments A-D]. All incidents that occur off campus, on public property, and at locations used but not owned by the University are investigated by the agency with primary jurisdiction.

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

During the 2022-2023 academic year, UD offered approximately 20 crime prevention and security awareness programs. Topics such as personal safety, active shooter response, residence hall security, drug and alcohol misuse 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 are encouraged 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 University of Delaware Police Department to report suspicious behavior. For additional questions regarding crime prevention, contact the department directly at (302) 831-2222.

## Crime Reporting

Programs are in place to advise members of the campus community on a timely basis about campus crime and crime-related problems. The media used include the following:

- **Daily Crime Report:** A crime report log is prepared daily describing incidents reported to the University Police and reports made. A hardcopy of the daily report log is maintained in the UDPD Communications Center at 413 Academy Street, Newark, DE 19716 or can be accessed via any computer with Internet access [www.udel.edu/police](http://www.udel.edu/police).
- **Student Newspaper:** The University of Delaware student newspaper, The Review, has access to all the information contained in the daily crime report log. If a serious or unique crime has occurred, a special article may be printed in the newspaper.
- **UDaily:** The University of Delaware's online news service provides daily e-mail news updates and can be accessed at [www.udel.edu/udaily](http://www.udel.edu/udaily)
- **Timely Alerts:** If circumstances warrant it, special timely crime alerts are prepared and distributed via one or more of the following methods: text message, phone message, email, UDPD Social Media applications (Facebook and Twitter), and through the UDaily online news reporting service. These alerts advise the community of the situation, steps to take to avoid being victimized and the number to call for more information. The Chief of Police or his designee, is responsible for preparing the alerts for dissemination to the university community.
- **Web Site:** The University maintains its own website ([www.udel.edu](http://www.udel.edu)) which all University faculty, staff and students, as well as the general public, have access to via their personal or University computers. The UD Police maintains its own website ([www.udel.edu/police](http://www.udel.edu/police)) within this system which is also available as listed above.
- **Uniform Crime Reports:** The University Police annually contribute crime statistics to the State Bureau of Identification for the state of Delaware to be included in the Uniform Crime Report published yearly by the Federal Bureau of Investigation. The yearly report provides detailed statistical information and is available at academic and public libraries.



## Off-Campus Conduct

Students are reminded that all violations of local, state or federal law are subject to University action. A student is responsible for notifying the University of any off-campus arrest.

A student may be subject to withdrawal or emergency suspension from the University under certain circumstances. For more information, see [Student Community Standards](#)

### Monitoring and Recording of Criminal Activity by Students at Non campus locations of Recognized Student Organizations

UD has officially recognized student organizations that own or control housing facilities outside of the UD core campus. If LOCAL PD is called by a citizen to respond to one of those locations, LOCAL PD will typically notify UDPD to respond with them or they will notify UDPD after they have responded to inform UD of the situation. However, LOCAL PD does this out of courtesy and is not “required” to notify or involve UDPD when they respond to a call involving private property.

## Harassment / Violence / Sexual Misconduct

The University of Delaware prohibits all forms of violence and harassment; please review the UD Non-Discrimination Sexual Misconduct and Title IX policy for more information. [Sexual Misconduct Policy](#)

**Confidentiality** — The University will maintain confidentiality to the fullest extent possible. When it is required to conduct an investigation without the consent of the victim, every effort will be made to keep information private. If the Complainant requests that the University not pursue an investigation or asks that their name be held in confidence, the University Title IX Coordinator will weigh each request very carefully. Among the factors the University will consider in assessing a Complainant’s request are:

1. whether the sexual misconduct was perpetrated with a weapon;
2. whether the Respondent has been identified as a Respondent in another alleged incident of sexual misconduct;
3. the age of the Complainant;
4. whether the University possesses other means to obtain relevant evidence (for example, if the University has surveillance camera footage that shows the incident, the University may be able to proceed without the involvement of the Complainant); and
5. whether the University has credible evidence that the Respondent has committed one or more prior violations of the sexual misconduct policy.

In cases in which the University Title IX Coordinator will advise the Complainant if the University intends to proceed with the investigation against the Complainant’s wishes, if the Complainant requests that the University inform the Respondent that the Complainant asked the University not to investigate or seek discipline, the University will do so and inform the Respondent that the University made the decision to go forward with the investigation.

Procedure: The procedure followed for assistance with instances of harassment or violence depend on the course of action the victim would like to take. If you are seeking:

**Care and Support** — you have many options and resources available both on and off campus; for a full list of those resources please visit [Rights, Options and Resources](#)

**University Charges** — you can report to the Title IX Coordinator, Office of Equity and Inclusion, Office of the Dean of Students, Residence Life staff, Office of Graduate and Professional Education, Vice Provost for Faculty Affairs, or UD Police.. All reports made to any of these areas or other University Officials (other than Confidential Resources) will be forwarded immediately to the Office of Equity and Inclusion/Title IX Coordinator.

**Criminal Charges** — Report incidents to the University of Delaware Police. If the incident occurred off campus the police jurisdiction will depend on the location; the UD Police can assist you with determining which agency to contact. For the Newark campus most incidents will fall under Newark Police or New Castle County Police jurisdiction; for Lewes Campus, Lewes Police Department; for Wilmington Campus, Wilmington Police Department.

The University of Delaware prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the university community. Toward that end, The University of Delaware issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official.

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

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

### Domestic Violence:

- i. A Felony or misdemeanor crime of violence committed—
  - A) By a current or former spouse or intimate partner of the victim;
  - B) By a person with whom the victim shares a child in common;
  - C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
  - E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- ii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- i. 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.
- ii. For the purposes of this definition—
  - A) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - B) Dating violence does not include acts covered under the definition of domestic violence.
- iii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Sexual Assault** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim if incapable of giving consent."

- **Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling** is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.

### Stalking:

- i. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - A) Fear for the person's safety or the safety of others; or
  - B) Suffer substantial emotional distress.



ii. For the purposes of this definition—

- A) *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.
- B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
- C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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.

## Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

**Sexual Assault – The State of Delaware does not have a definition of Sexual Assault.**

**Rape –** The State of Delaware additionally provides descriptors commonly associated with consent as part of its full definition of Rape offenses.

### **Rape in the Fourth Degree –**

- (1) Intentionally engages in sexual intercourse with another person, and the victim has not yet reached that victim's sixteenth birthday; or
- (2) Intentionally engages in sexual intercourse with another person, and the victim has not yet reached that victim's eighteenth birthday, and the person is 30 years of age or older, except that such intercourse shall not be unlawful if the victim and person are married at the time of such intercourse; or
- (3) Intentionally engages in sexual penetration with another person under any of the following circumstances:
  - a. The sexual penetration occurs without the victim's consent; or
  - b. The victim has not reached that victim's sixteenth birthday.

### **Rape in the Third Degree –**

- (1) Intentionally engages in sexual intercourse with another person, and the victim has not reached that victim's sixteenth birthday, and the person is at least 10 years older than the victim, or the victim has not yet reached that victim's fourteenth birthday, and the person has reached that person's nineteenth birthday and is not otherwise subject to prosecution pursuant to § 772 or § 773 of this title; or
- (2) Intentionally engages in sexual penetration with another person under any of the following circumstances:
  - a. The sexual penetration occurs without the victim's consent and during the commission of the crime, or during the immediate flight from the crime, or during an attempt to prevent the reporting of the crime, the person causes physical injury or serious mental or emotional injury to the victim; or
  - b. The victim has not reached that victim's sixteenth birthday and during the commission of the crime, or during the immediate flight from the crime, or during an attempt to prevent the reporting of the crime, the person causes physical injury or serious mental or emotional injury to the victim.

### **Rape in the Second Degree –**

- (1) Intentionally engages in sexual intercourse with another person, and the intercourse occurs without the victim's consent; or
- (2) Intentionally engages in sexual penetration with another person under any of the following circumstances:
  - a. The sexual penetration occurs without the victim's consent and during the commission of the crime, or during the immediate flight following the commission of the crime, or during an attempt to prevent the reporting of the crime, the person causes serious physical injury to the victim; or
  - b. The sexual penetration occurs without the victim's consent, and was facilitated by or occurred during the course of the commission or attempted commission of:
    - 1. Any felony; or

2. Any of the following misdemeanors: reckless endangering in the second degree; assault in the third degree; terroristic threatening; unlawfully administering drugs; unlawful imprisonment in the second degree; coercion or criminal trespass in the first, second or third degree; or
- c. The victim has not yet reached that victim's sixteenth birthday and during the commission of the crime, or during the immediate flight from the crime, or during an attempt to prevent the reporting of the crime, the person causes serious physical injury to the victim; or
- d. The sexual penetration occurs without the victim's consent and during the commission of the crime, or during the immediate flight from the crime, or during an attempt to prevent the reporting of the crime, the person displays what appears to be a deadly weapon or represents by word or conduct that the person is in possession or control of a deadly weapon or dangerous instrument; or
- e. The victim has not yet reached that victim's sixteenth birthday and during the commission of the crime, or during the immediate flight from the crime, or during an attempt to prevent the reporting of the crime, the person displays what appears to be a deadly weapon or represents by word or conduct that the person is in possession or control of a deadly weapon or dangerous instrument; or
- f. The sexual penetration occurs without the victim's consent, and a principal-accomplice relationship within the meaning set forth in §271 of this title existed between the defendant and another person or persons with respect to the commission of the crime; or
- g. The victim has not yet reached that victim's twelfth birthday, and the defendant has reached that defendant's eighteenth birthday.

#### **Rape in the First Degree –**

- (a) intentionally engages in sexual intercourse with another person and any of the following circumstances exist:
  - (1) The sexual intercourse occurs without the victim's consent and during the commission of the crime, or during the immediate flight following the commission of the crime, or during an attempt to prevent the reporting of the crime, the person causes physical injury or serious mental or emotional injury to the victim; or
  - (2) The sexual intercourse occurs without the victim's consent, and it was facilitated by or occurred during the course of the commission or attempted commission of:
    - a. Any felony; or
    - b. Any of the following misdemeanors: reckless endangering in the second degree; assault in the third degree; terroristic threatening; unlawfully administering drugs; unlawful imprisonment in the second degree; coercion; or criminal trespass in the first, second or third degree; or
  - (3) In the course of the commission of rape in the second, third or fourth degree, or while in the immediate flight therefrom, the defendant displayed what appeared to be a deadly weapon or represents by word or conduct that the person is in possession or control of a deadly weapon or dangerous instrument; or
  - (4) The sexual intercourse occurs without the victim's consent, and a principal-accomplice relationship within the meaning set forth in § 271 of this title existed between the defendant and another person or persons with respect to the commission of the crime; or
  - (5) The victim has not yet reached that victim's twelfth birthday, and the defendant has reached that defendant's eighteenth birthday.

**Incest** means a person engages in sexual intercourse with another person with whom the person has 1 of the following relationships:

- A male and his child.
- A male and his parent.
- A male and his brother.
- A male and his sister.
- A male and his grandchild.
- A male and his niece or nephew.
- A male and his father's sister or brother.
- A male and his mother's sister or brother.
- A male and his father's wife.
- A male and his wife's child.
- A male and the child of his wife's son or daughter.



- A female and her parent.
- A female and her child.
- A female and her brother.
- A female and her sister.
- A female and her grandchild.
- A female and her niece or nephew.
- A female and her father's sister or brother.
- A female and her mother's sister or brother.
- A female and her mother's husband.
- A female and her husband's child.
- A female and the child of her husband's son or daughter.

(b) The relationships referred to herein include blood relationships without regard to legitimacy and relationships by adoption.

### **Sexual penetration**

- (1) The unlawful placement of an object, as defined in subsection (d) of this section, inside the anus or vagina of another person; or
- (2) The unlawful placement of the genitalia or any sexual device inside the mouth of another person.

### **Unlawful sexual contact in the third degree**

A person has sexual contact with another person or causes the victim to have sexual contact with the person or a third person and the person knows that the contact is either offensive to the victim or occurs without the victim's consent.

### **Unlawful sexual contact in the second degree**

A person intentionally has sexual contact with another person who is less than 18 years of age or causes the victim to have sexual contact with the person or a third person.

### **Unlawful sexual contact in the first degree**

- (1) A person in the course of committing unlawful sexual contact in the third degree or in the course of committing unlawful sexual contact in the second degree, or during the immediate flight from the crime, or during an attempt to prevent the reporting of the crime, the person causes physical injury to the victim or the person displays what appears to be a deadly weapon or dangerous instrument; or represents by word or conduct that the person is in possession or control of a deadly weapon or dangerous instrument.
- (2) The person intentionally has sexual contact with another person who is less than 13 years of age or causes the victim to have sexual contact with the person or a third person.

### **Bestiality**

When a person intentionally engages in any sexual act involving sexual contact, penetration or intercourse with the genitalia of an animal or intentionally causes another person to engage in any such sexual act with an animal for purposes of sexual gratification.

### **Continuous sexual abuse of a child**

- (a) A person commits continuous sexual abuse of a child when, either residing in the same home with the minor child or having recurring access to the child, the person intentionally engages in 3 or more acts of sexual conduct with a child under the age of 18 years of age over a period of time, not less than 3 months in duration.

### **Sex offender unlawful sexual conduct against a child**

- (a) A sex offender who knowingly commits any sexual offense against a child is guilty of sex offender unlawful sexual conduct against a child.
- (b) For purposes of this section, "sex offender" means any person who is, or has been:
  - a. Convicted of any of the offenses specified in §§765 through 780, §787(b)(3)-(4), §1100A, §§1108 through 1112B, §1335(a)(6), §1335(a)(7), §1352(2), §1353(2) or §1361(b) of this title, or of any attempt or conspiracy to commit any of the aforementioned offenses; or

- b. Any juvenile who is adjudicated delinquent of any offense which would constitute any of the offenses set forth in paragraph (a) (4) a. of this section if that juvenile delinquent had been charged as an adult; or
  - c. Convicted or adjudicated delinquent of any offense specified in the laws of another state, commonwealth, territory, or other jurisdiction of the United States requiring registration in that jurisdiction, or a conviction or adjudication in any foreign government, which is the same as, or equivalent to, any of the offenses set forth in paragraph (a)(4)a., (a)(4)b. or (a)(4)d. of this section; or convicted of any federal or military offense enumerated in 42 U.S.C. §16911(5)(A)(iii) and (iv); or
  - d. Convicted or adjudicated delinquent of a violation of §783(4) or §783(6) or §783A (4) or §783A (6) of this title; or
  - e. Charged by complaint, petition, information or indictment with any of the offenses set forth in paragraph (a)(4)a., (a)(4)b., (a)(4)c. or (a)(4)d. of this section, and who thereafter pleads guilty to any offense included in the originally charged offense, as provided in §206 of this title, if the person is thereafter designated as a sex offender by the sentencing judge pursuant to subsection (c) of this section; or
  - f. Convicted or adjudicated delinquent of any of the offenses set forth in paragraph (a)(4) a., (a)(4) b., (a)(4) c. or (a)(4) d. of this section, or of any offense which is the same as or equivalent to such offenses as the same existed and were defined under the laws of this State existing at the time of such conviction; or
  - g. Any person convicted after June 27, 1994, of a violation of §764 of this title if the person had previously been convicted of the same offense or any other offense set forth in this paragraph, and the previous conviction occurred within 5 years of the date of the conviction for the current offense.
- (c) For purposes of this section, the term “sexual offense” shall mean any offense designated as a sexual offense by §761(l) of this title.
- (d) For purposes of this section, “child” means any individual who has not reached that child’s eighteenth birthday. If the underlying sexual offense involves an offense defined by §§1108 through 1112B of this title, “child” also means any individual who is intended by the defendant to appear to be 14 years of age or less. A sex offender who knowingly possesses any material prohibited by §1111 of this title is committing an offense against a child for purposes of this section.

#### **Sexual abuse of a child by a person in a position of trust, authority or supervision in the first degree**

A person is commits sexual abuse of a child by a person in a position of trust, authority or supervision in the first degree when the person:

- (1) Intentionally engages in sexual intercourse with a child who has not yet reached that child’s own sixteenth birthday and the person stands in a position of trust, authority or supervision over the child, or is an invitee or designee of a person who stands in a position of trust, authority or supervision over the child.
- (2) Intentionally engages in sexual penetration with a child who has not yet reached that child’s own sixteenth birthday and the person stands in a position of trust, authority or supervision over the child, or is an invitee or designee of a person who stands in a position of trust, authority or supervision over the child.
- (3) Intentionally engages in sexual intercourse or sexual penetration with a child who has reached that child’s own sixteenth birthday but has not yet reached that child’s own eighteenth birthday when the person is at least 4 years older than the child and the person stands in a position of trust, authority or supervision over the child, or is an invitee or designee of a person who stands in a position of trust, authority or supervision over the child.
- (4) Intentionally engages in sexual intercourse or sexual penetration with a child and the victim has reached that child’s own sixteenth birthday but has not yet reached that child’s own eighteenth birthday and the person stands in a position of trust, authority or supervision over the child, or is an invitee or designee of a person who stands in a position of trust, authority or supervision over the child.
- (5) Engages in an act of sexual extortion, as defined in §774 of this title, against a child who has not yet reached that child’s own sixteenth birthday and the person stands in a position of trust, authority or supervision over the child, or is an invitee or designee of a person who stands in a position of trust, authority or supervision over the child.

#### **Sexual abuse of a child by a person in a position of trust, authority, or supervision in the second degree; penalties.**

- (a) A person commits sexual abuse of a child by a person in a position of trust, authority, or supervision in the second degree when the person:
  - (1) Intentionally has sexual contact with a child who has not yet reached that child’s sixteenth birthday or causes the child to have sexual contact with the person or a third person and the person stands in a position of trust, authority, or supervision over the child, or is an invitee or designee of a person who stands in a position of trust, authority, or supervision over the child.
  - (2) a. Is a male who intentionally exposes his genitals or buttocks to a child who has not yet reached that child’s sixteenth birthday under circumstances in which he knows his conduct is likely to cause annoyance, affront, offense, or

alarm when the person is at least 4 years older than the child and he stands in a position of trust, authority, or supervision over the child, or is an invitee or designee of a person who stands in a position of trust, authority, or supervision over the child.

b. Is a female who intentionally exposes her genitals, breast or buttocks to a child who has not yet reached that child's sixteenth birthday under circumstances in which she knows her conduct is likely to cause annoyance, affront, offense, or alarm when the person is at least 4 years older than the child and she stands in a position of trust, authority, or supervision over the child, or is an invitee or designee of a person who stands in a position of trust, authority, or supervision over the child.

- (3) Suggests, solicits, requests, commands, importunes, or otherwise attempts to induce a child who has not yet reached that child's sixteenth birthday to have sexual contact or sexual intercourse or unlawful sexual penetration with the person or a third person, knowing that the person is thereby likely to cause annoyance, affront, offense, or alarm to the child or another when the person is at least 4 years older than the child and the person stands in a position of trust, authority, or supervision over the child, or is an invitee or designee of a person who stands in a position of trust, authority, or supervision over the child.

#### **Sexual intercourse or penetration with a person in custody**

- (a) It is unlawful for a law-enforcement officer, an employee working at a detention facility, a contractor or employee of a contractor working at a detention facility, or a volunteer working at a detention facility to engage in sexual intercourse or sexual penetration with a person who is in custody, as defined in §1258 of this title.
- (b) Subsection (a) of this section does not apply to a licensed medical doctor or nurse when the penetration occurs for the purpose of diagnosis or treatment or to a law-enforcement officer who is lawfully performing job duties.
- (c) Consent of the person in custody is not a defense to an act in violation of subsection (a) of this section.

#### **Unlawful sexual contact with a person in custody**

- (a) It is unlawful for a law-enforcement officer, an employee working at a detention facility, a contractor or employee of a contractor working at a detention facility, or a volunteer working at a detention facility to intentionally have sexual contact with a person in custody, as defined in §1258 of this title.
- (b) Subsection (a) of this section does not apply to a licensed medical doctor or nurse when the contact occurs for the purpose of diagnosis or treatment or to a law-enforcement officer who is lawfully performing job duties.
- (c) Consent of the person in custody is not a defense to an act in violation of subsection (a) of this section.

**Domestic Violence/Abuse** – Delaware Law (DE Title 10 §1024(a) defines domestic violence as any act or acts committed by an adult against another person who falls into the protected class defined in §1041(2)b. of this title, which constitute any of the following criminal offenses under Title 11: offensive touching (§601); menacing (§602); reckless endangering in the second degree (§603); assault in the third degree (§611); terroristic threatening (§621); vehicular assault in the second degree ([former] §628); sexual harassment (§763); unlawful sexual contact in the third degree (§767); unlawful imprisonment in the second degree (§781); coercion (§ 791); reckless burning or exploding (§804); criminal mischief classified as a misdemeanor (§811); criminal trespass in the first, second or third degree (§821, 822, 823); harassment (§1311); or aggravated harassment (former §1312).

**Domestic Violence** means abuse perpetrated by 1 member against another member of the following protected classes, a) Family, as that term is defined in § 901(12) of this title, regardless, however, of state of residence of the parties, or whether parental rights have been terminated; or b) Former spouses; persons cohabitating together who are holding themselves out as a couple, with or without a child in common; persons living separate and apart with a child in common; or persons in a current or former substantive dating relationship. For purposes of this paragraph, neither a casual acquaintanceship nor ordinary fraternization between 2 individuals in business or social contexts shall be deemed to constitute a substantive dating relationship. Factors to consider for a substantive dating relationship may include the length of the relationship, or the type of relationship, or the frequency of interaction between the parties.

**Dating Violence** – The State of Delaware does not have a definition of Dating Violence

**Stalking** – Delaware law (DE Title 11 §1312) defines Stalking when a person:

- (a) knowingly engages in a course of conduct directed at a specific person and that conduct would cause a reasonable person to:
  - (1) Fear physical injury to himself or herself or that of another person; or

- (2) Suffer other significant mental anguish or distress that may, but does not necessarily, require medical or other professional treatment or counseling.
  - (1) "Course of conduct" means 3 or more separate incidents, including, but not limited to, acts in which the person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveys, threatens, or communicates to or about another, or interferes with, jeopardizes, damages, or disrupts another's daily activities, property, employment, business, career, education, or medical care. A conviction is not required for any predicate act relied upon to establish a course of conduct. A conviction for any predicate act relied upon to establish a course of conduct does not preclude prosecution under this section. Prosecution under this section does not preclude prosecution under any other section of the Code.
  - (2) "A reasonable person" means a reasonable person in the victim's circumstances.

**Consent** – The State of Delaware does not have a definition of consent. Delaware defines Without Consent as (DE Title 11 § 761 (k))

**Without consent –**

The defendant compelled the victim to submit by any act of coercion as defined in §§791 and 792 of this title, or by force, by gesture, or by threat of death, physical injury, pain or kidnapping to be inflicted upon the victim or a third party, or by any other means which would compel a reasonable person under the circumstances to submit. It is not required that the victim resist such force or threat to the utmost, or to resist if resistance would be futile or foolhardy, but the victim need resist only to the extent that it is reasonably necessary to make the victim's refusal to consent known to the defendant; or

The defendant knew that the victim was unconscious, asleep or otherwise unaware that a sexual act was being performed; or

The defendant knew that the victim suffered from a cognitive disability, mental illness or mental defect which rendered the victim incapable of appraising the nature of the sexual conduct or incapable of consenting; or

Where the defendant is a health professional, as defined herein, or a minister, priest, rabbi or other member of a religious organization engaged in pastoral counseling, the commission of acts of sexual contact, sexual penetration or sexual intercourse by such person shall be deemed to be without consent of the victim where such acts are committed under the guise of providing professional diagnosis, counseling or treatment and where at the times of such acts the victim reasonably believed the acts were for medically or professionally appropriate diagnosis, counseling or treatment, such that resistance by the victim could not reasonably have been manifested. For purposes of this paragraph, "health professional" includes all individuals who are licensed or who hold themselves out to be licensed or who otherwise provide professional physical or mental health services, diagnosis, treatment or counseling and shall include, but not be limited to, doctors of medicine and osteopathy, dentists, nurses, physical therapists, chiropractors, psychologists, social workers, medical technicians, mental health counselors, substance misuse counselors, marriage and family counselors or therapists and hypnotherapists; or

The defendant had substantially impaired the victim's power to appraise or control the victim's own conduct by administering or employing without the other person's knowledge or against the other person's will, drugs, intoxicants or other means for the purpose of preventing resistance.

A child who has not yet reached that child's sixteenth birthday is deemed unable to consent to a sexual act with a person more than 4 years older than said child. Children who have not yet reached their twelfth birthday are deemed unable to consent to a sexual act under any circumstances.

**Coercion** – The State of Delaware Defines Coercion as:

the person compels or induces a person to engage in conduct which the victim has a legal right to abstain from engaging in, or to abstain from engaging in conduct in which the victim has a legal right to engage, by means of instilling in the victim a fear that, if the demand is not complied with, the defendant or another will:

1. Cause physical injury to a person; or
2. Cause damage to property; or
3. Engage in other conduct constituting a crime; or
4. Accuse some person of a crime or cause criminal charges to be instituted against a person; or
5. Expose a secret or publicize an asserted fact, whether true or false, tending to subject some person to hatred, contempt or ridicule; or
6. Testify or provide information or withhold testimony or information with respect to another's legal claim or defense; or

7. Use or abuse the defendant's position as a public servant by performing some act within or related to the defendant's official duties, or by failing or refusing to perform an official duty in such manner as to affect some person adversely; or
8. Perform any other act which is calculated to harm another person materially with respect to that person's health, safety, business, calling, career, financial condition, reputation or personal relationships.

## 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."<sup>1</sup> We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list<sup>2</sup> of some ways to be an active bystander. Further information regarding bystander intervention may be found. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

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

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

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

## Risk Reduction

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](http://www.rainn.org))

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you do not 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. **Do not 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. **Do not 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. **Do not accept drinks from people you don't know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa**. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.)**. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).



15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. **Remember that being in this situation is not your fault.** You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
  - b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

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

The University of Delaware 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.

The University of Delaware's 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. The University of Delaware prohibits the crimes of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act);
- B. Provide the definitions of domestic violence, dating violence, sexual assault, and stalking according to any applicable jurisdictional definitions of these terms;
- C. Define consent and describe what behaviors and actions constitute consent, in reference to sexual activity as defined by the student and employee codes of conduct and the purposes for which that definition is used;
- D. What behavior and actions constitute lack of consent, in reference to sexual activity, in the state of Delaware.
- E. Provide 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. Provide 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. Provide 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

The University of Delaware provides primary prevention and awareness programs to all incoming students and employees that involves the distribution of educational materials to new students, participating in and presenting information and materials during new student and employee orientations, providing programs by invitation at staff meetings or academic programs, and requiring incoming first-year students and returning upper-class students to take online courses related to sexual assault and high risk drinking awareness and education. These trainings include:

- Clearly articulated statements that the College prohibits the crimes of domestic violence, dating violence, sexual assault and stalking;
- The Federal and State definitions of domestic violence, dating violence, sexual assault and stalking;
- The University and State definitions of consent;
- A description of safe and positive options for bystander intervention;
- Information on specific risk reduction strategies

The University of Delaware defines **consent** as an affirmative decision to engage willingly in mutually acceptable sexual activity given by clear words or actions. It is an informed decision made freely and actively by all involved parties. In order for a sexual encounter to be consensual, each participant must agree to engage in each act of the encounter. All participants should make clear their willingness or lack of willingness to continue at each progression of the sexual interaction and should not make assumptions about consent during the sexual activity, as confusion or ambiguity may arise. Consent may not be inferred from silence, passivity, lack of resistance or lack of active response alone. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Nor does a current or previous dating or sexual relationship constitute consent to sexual activity in every instance. Either party may withdraw consent at any time during the sexual encounter. Once withdrawal of consent has been expressed by words or actions that indicate a clear desire to end sexual activity, all sexual activity must cease immediately. Sexual conduct will be considered “without consent” if no clear consent, verbal or non-verbal, is given. This includes situations in which an individual’s ability to consent freely is taken away by another person or circumstance. Examples may include, but are not limited to, when an individual is incapacitated due to alcohol or drugs, passed out, fearful for the individual’s safety or the safety of others, physically forced, intimidated, coerced, mentally or physically impaired, threatened, or confined. The use of alcohol or drugs can limit a person’s ability to give consent freely and clearly. Alcohol and other drugs can lower inhibitions and create an atmosphere of confusion over whether or not consent has been freely and clearly given.

The perspective of a reasonable person evaluating another person’s physical or verbal functions will be the basis for determining whether one should have known that the use of alcohol or drugs impaired that person’s ability to give consent. Being intoxicated or impaired by alcohol or drugs does not diminish one’s responsibility to obtain consent and is never an excuse for sexual misconduct.

### Ongoing Prevention and Awareness Campaigns

The University of Delaware provides an annual educational campaign for all students and employees designed to provide ongoing education and programming around issues of sexual violence including sexual assault, domestic violence, dating violence, and stalking. Campaign strategies employed include face-to-face presentations, online training programs, printed materials and self-defense programming. The following are some examples of annual programming offered by the University. This list is not all inclusive:

#### Alcohol Awareness and Bystander Intervention

This program focuses on how alcohol impacts your body and brain, signs of alcohol overdose and impairment, harm reduction strategies, and methods of intervening in risky or dangerous situations involving alcohol.

#### Naloxone Training

Learn how and when to use the opioid overdose reversal medication Naloxone. This training will outline the signs of an opioid related overdose and train the attendee in how to use the lifesaving medication, Naloxone.

**Recovery Ally Training**

Learn how to best support a person in recovery from substance use disorder. This training will discuss what recovery means, how to support a friend/family member, support services available on and around campus, and why language matters when we talk about substance use and recovery.

**Recovery in College**

Students from the Collegiate Recovery Community here at UD will come and talk about their own personal experiences with addiction and recovery as students. They will also talk informatively about addiction and recovery from a medical and sociological perspective, dispelling common misconceptions about substance use disorders in the general population and among college students.

**Substance Use Harm Reduction**

Students will play an interactive game of “Alcohol and Substance Use Jeopardy” during this program to learn more about concepts such as vaping, drugs, alcohol, protective factors, and risk reduction. Students will learn how their decisions affect both themselves and others. Students will also be able to identify alcohol and substance misuse services and resources on campus.

**Understanding Addiction**

This session explores the myths, realities, and science of addiction; signs of misuse; what disordered use is and looks like; behavioral addictions such as gambling and internet gaming; methods of treatment; and recovery and provides information about helpful campus resources.

**Understanding Alcohol**

This program’s focus is on the mechanisms of alcohol—how it impacts your body, your brain, stress, and academics. Learn about alcohol physiology, alcohol overdose, interactions between alcohol and other substances, signs of problematic drinking, and harm reduction strategies, as well as available resources on campus for recovery, alternative activities, or counseling support.

**Blue Hens CARE: Bystander Intervention Workshop**

In this program, participants learn about the bystander approach as a lifelong process, explore safe strategies for interrupting behavior, discuss the role of power and practice supporting others. As Blue Hens, it is our business to look out for each other.

**Blue Hens CARE: How Will YOU Be an Active Bystander? (Part 1)**

In this program, participants learn about the bystander approach as a lifelong process, explore safe strategies for interrupting behavior and discuss the role of power in bystander interaction. As Blue Hens it is our business to look out for each other.

**Blue Hens CARE: How to Support a Survivor (Part 2)**

During this program, participants will discover how to extend support to someone who has experienced sexual violence or relationship abuse, common responses to trauma, identity-related barriers to seeking help and what to say to someone who shares their experience.

**Healthy Relationships: Behind the Post, Courtesy of the One Love Foundation**

This workshop explores all 10 Signs of an Unhealthy Relationship and is your go-to for educating about digital consent and social media.

**Healthy Relationships: Escalation, Courtesy of the One Love Foundation**

Escalation is a compelling film that tells the story of an abusive relationship—from its sweet beginnings to the tragic end. The authentic depiction of unhealthy behaviors escalating into violence helps you recognize and understand the early signs of relationship abuse.

**Borrow a Page from Someone Else's Book: Acknowledging Intersectional Identities**

This intersectionality program will help participants reflect on their own identities and how their own identities impact our experiences in the world. This program will explore how a person's multifaceted identity is a crucial part of someone's experience in college and specifically when navigating experiences of gender-based violence.

**Netflix and Chill**

How do you ask for consent? Talking about sex can be scary, but it's essential to be sure that your behavior is safe and legal. Find out how your peers ask for sex in this fun and interactive exercise. Learn about verbal and nonverbal red flags and learn pathways to mutually respectful sexual encounters.

**Real Man, Strongest Man**

During this interactive exercise students of all genders explore the full range of characteristics and emotions of men we admire in our lives and compare them to the dominant stories about manhood prevalent in our culture. Students will discuss how these contrasting stories affect what it means to be a man.

**Where do you stand?**

This human continuum exercise will help participants identify or clarify their own beliefs and values related to sexual assault, sexual harassment and sexual abuse as they consider and discuss a variety of both provocative and common college sexual scenarios. Students will learn what their peers think about when behavior crosses a line. Traditional myths about sexual assault will be de-bunked.

**Why doesn't she just leave?**

Learn more about Intimate Partner Violence in this interactive simulation, where participants will be placed in a dating situation and asked to make some crucial decisions. Will you stay? Will you go? To whom can you turn? Participants will explore what makes a relationship healthy, unhealthy, or abusive; learn how to help a victim; and become familiar with resources available to students regarding relationships.

**Sexual Assault Prevention for Undergraduates (SAPU):** All incoming undergraduate students (first year, transfers, continuing education, certificate students) receive online education learning that covers awareness and prevention of Dating Violence, Domestic Violence, Sexual Assault and Stalking.

**Alcohol Edu:** All Incoming Undergraduate Students (first year and transfers) receive online education learning that covers awareness and prevention of Sexual assault. AlcoholEdu is required for all new incoming students under the age of 26.

**Sexual Assault for Graduate Students:** All incoming graduate students receive online education learning that covers awareness and prevention of Dating Violence, Domestic Violence, Sexual Assault and Stalking.

**Sexual Assault Prevention for Faculty and Staff:** All employees receive online education learning that covers Dating Violence, Domestic violence, Sexual Assault and Stalking every other Fall semester. All new employees receive this training upon hire.

**New Student Orientation Session on Health and Safety:** Virtual training in 2023 and both live and Asynchronous in 2023 for all incoming students participating in New Student Orientation. Education that covers Sexual Assault and Dating violence.

**ELI Orientation:** All new students at the English Language Institute receive education learning that covers awareness and prevention of Dating Violence, Domestic Violence, Sexual Assault and Stalking. Taught every eight weeks to new groups of incoming English Language Institute students in person.

**Bystander Intervention Workshop:** Promotes a bystander intervention approach, emphasizing that everyone has a role to play in ending sexual misconduct. This education is taught to second year.

**Sexual Assault Prevention:** Ongoing training taught online and in person to new Fraternity and Sorority members that covers awareness and prevention of Dating Violence, Domestic Violence, Sexual Assault, stalking and Bystander Intervention.

**(Employees) Building Supportive Communities:** Clery Act & Title IX- This online module provides an overview of the university's Non-Discrimination, Sexual Misconduct, and Title IX Policy. It provides information and definitions regarding various forms of sexual misconduct, shares university and community resources, and engages the participant in bystander behavior exercises. All new employees are required to complete the course per Delaware State Law.

**(Employees) Bridges: Taking Action:** This course serves as a refresher for all employees, and updates individuals on the university's Non-Discrimination, Sexual Misconduct, and Title IX Policy. All employees are required to complete the course every 2 years, per Delaware State Law.

**(Employees) Diversity, Inclusion, & Belonging:** This course provides employees with a foundational understanding of oppression, privilege, and social justice more broadly. It is intended to create a foundational vocabulary for the university community.

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

After an incident of sexual assault, dating violence, or domestic violence, the victim should consider seeking medical attention as soon as possible at the Christiana Hospital Emergency Department (4755 Ogletown Stanton Rd, Newark, DE 19718). Sexual Assault Nurse Examiners (SANE) at the hospital are trained and certified in physical evidentiary recovery kit collection. Evidence may be collected, even if the victim chooses not to make a report to law enforcement.

The State of Delaware has established an anonymous reporting protocol for victims of sexual assault. The purpose of this protocol allows the State of Delaware to develop an alternative to standard reporting procedures for sexual assault victims. If a sexual assault victim does not currently wish to involve police, there is still an option to have the forensic evidence collected in a timely manner. The evidence will be retained for 180 days. By providing victims with the opportunity to preserve evidence, gather information, solidify their support system, and establish rapport with first responders, the state hopes to create an environment that encourages reporting, even for those victims who initially feel unable, unwilling, or unsure about doing so. Victims may report a sexual assault anonymously at the Christiana Hospital and have forensics evidence collected during the exam.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 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 from abuse 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 infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University adjudicators/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, he or she nevertheless should consider speaking with UDPD or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University 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 university strongly encourages all members of its community to report violations of this policy to law enforcement (including the University of Delaware Police Department or Newark Police Department), it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, the University Student Wellness and Health Promotion, the University Victim Advocate, the Office of Equity and Inclusion and other University offices will assist any victim with notifying law enforcement if the victim so desires.



The University of Delaware Police Department may also be reached directly by calling 302-831-2222, in person at 413 Academy Street, Newark, DE. Additional information about the University of Delaware Police department may be found online at: [UDPD](#). The Newark Police Department may also be reached directly by calling 302-366-7111, or in person at 220 South Main Street Newark, Delaware 19711. Additional information about the Newark Police Department may be found online at [Newark PD](#).

### **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 Director, Office of Equity & Inclusion (OEI) & Title IX Coordinator, Dawn Floyd, 305 Hullihen Hall, [titleixcoordinator@udel.edu](mailto:titleixcoordinator@udel.edu), 302-831-8063 by calling, writing or coming into the office to report in person (if the victim so desires.) Reports of all domestic violence, dating violence, sexual assault and stalking made to UDPD will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

The University 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 and an accused party, such as changes to housing, academic, protective orders, transportation and working situations, if reasonably available. The University will make such accommodations or supportive measures, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the University of Delaware Police Department or local law enforcement. Students and employees should contact the Title IX Coordinator, 305 Hullihen Hall, [titleixcoordinator@udel.edu](mailto:titleixcoordinator@udel.edu), 302-831-8063.

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

#### **Sexual Assault**

- Depending on when reported (immediate vs delayed report), institution will provide victim with access to medical care
- University of Delaware will assess immediate safety needs of victim
- University of Delaware will assist victim with contacting local police if complainant requests AND provide the victim with contact information for local police department
- University of Delaware will provide victim with referrals to on- and off-campus mental health providers
- University of Delaware will assess need to implement interim or long-term supportive measures, if appropriate
- University of Delaware will provide the victim with a written explanation of the victim's rights and options
- University of Delaware will provide a "No trespass" or "No Contact" directive to accused party if deemed appropriate
- University of Delaware will provide written instructions on how to apply for Protective Order
- University of Delaware will provide a copy of the policy applicable to Sexual Assault to the victim and inform the victim regarding timeframes for inquiry, investigation, and resolution
- University of Delaware will inform the victim of the outcome of the investigation, whether or not the accused will be administratively charged, and what the outcome of the hearing is
- University of Delaware will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for reporting sex-based discrimination or for assisting in the investigation

#### **Stalking**

- University of Delaware will assess immediate safety needs of victim
- University of Delaware will assist victim with contacting local police if complainant requests AND provide the victim with contact information for local police department
- University of Delaware will provide written instructions on how to apply for Protective Order
- University of Delaware will provide written information to victim on how to preserve evidence
- University of Delaware will assess need to implement interim or long-term supportive measures, if appropriate
- University of Delaware will provide the victim with a written explanation of the victim's rights and options
- University of Delaware will provide a "No trespass" or "No Contact" directive to accused party if deemed appropriate

### Dating Violence

- University of Delaware will assess immediate safety needs of victim
- University of Delaware will assist victim with contacting local police if victim requests AND provide the victim with contact information for local police department
- University of Delaware will provide written instructions on how to apply for Protective Order
- University of Delaware will provide written information to victim on how to preserve evidence
- University of Delaware will assess need to implement interim or long-term supportive measures, if appropriate
- University of Delaware will provide the victim with a written explanation of the victim's rights and options
- University of Delaware will provide a "No trespass" or "No Contact" directive to accused party if deemed appropriate

### Domestic Violence

- University of Delaware will assess immediate safety needs of victim
- University of Delaware will assist victim with contacting local police if victim requests AND provide the victim with contact information for local police department
- University of Delaware will provide written instructions on how to apply for Protective Order
- University of Delaware will provide written information to victim on how to preserve evidence
- University of Delaware will assess need to implement interim or long-term supportive measures, if appropriate
- University of Delaware will provide the victim with a written explanation of the victim's rights and options
- University of Delaware will provide a "No trespass" (PNG) or "No Contact" directive to accused party if deemed appropriate

### ***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***

The University complies with Delaware law in recognizing No Contact orders and Protection from Abuse Orders.

Any person who obtains a Protection from Abuse Order from Delaware or any reciprocal state should provide a copy to UDPD and the Office of the Title IX Coordinator. A complainant may then meet with UDPD to develop a Safety Action Plan, which is a plan for UDPD 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 University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s).

In Delaware, a victim of Domestic Violence or Dating Violence has the right to file a petition for a protection from abuse order with Family Court if you have any one of the following types of relationship with the person whom you are filing the petition against:

- Spouse or former spouse
- Persons living together and holding themselves out as a couple (with or without a child in common)
- Persons living separate and apart but who have a child in common
- Persons in a current or former dating relationship
- Parent or Child (including step – and in-law)
- Brother or Sister (including in-law)
- Son or Daughter (including in-law and where parental rights have been terminated)
- Grandparent or Grandchild
- Any other family member you are related to by blood, adoption, or marriage but only if you reside: in one home under one head"

In Delaware, a court may issue a "no contact" order as a condition of bail. A no-contact order requires that the defendant have no contact with the victim or victims in a case. This includes contact in-person, by telephone or mail, or arranging for other people to make contact with the victim on the defendant's behalf. When no-contact orders are issued, a copy of that order and a victim letter are provided to the victim by the Attorney General's office.

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

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off

campus, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic 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; and
- an explanation of the procedures for institutional disciplinary action

#### **Accommodations and Supportive Measures Available for Victims**

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, the University will provide written notification to students and employees about accommodations available to them, including academic, living, transportation, protective orders and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and supportive measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, university offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, supportive measures or 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 no option for moving to a different section, etc. Potential changes to living situations may include moving 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, living, transportation and/or working situations, supportive measures, or wishes to receive assistance in requesting these accommodations, she or he should contact the Title IX Coordinator, 305 Hullihen Hall, [titleixcoordinator@udel.edu](mailto:titleixcoordinator@udel.edu), 302-831-8063.

## Resources

No matter when or where the incident occurred, support and referral resources are available to help you. Visit [Sexual Misconduct Policy](#) or more information on receiving assistance from the offices listed below.

While the University prefers that all crimes are reported to the Police, it is understood that not everyone wishes to file an official incident report with the police; however, the University would like to ensure that assistance and resources are available to those who need them. Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, the University 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:

### On Campus Resources and Contact Information

On Campus Resources	Employee Resources	Student Resources
Counseling / Mental Health/Legal Assistance	See Off-Campus Resources below	Center for Counseling and Student Development 302-831-2141 24-hr victim support 302-831-1001
Community Standards and Conflict Resolution (Non-Confidential)	See Off-Campus Resources below	302-831-2117
Health & Medical	See Off-Campus Resources below	Student Health Services 302-831-2226 24/7 Nurse-Managed Health Line 888-258-3428 888-258-3428
Title IX Director / Victim Resources	Title IX: 302-831-8063  Human Resources: 302-831-2171	Title IX: 302-831-8063
Student Advocacy & Support - Victim Support Services (Confidential)	See Off-Campus Resources below	Zainab Shah - Victim Advocate 302-831-3457 <a href="mailto:victimsupport@udel.edu">victimsupport@udel.edu</a>
Student Advocacy & Support - General Inquiries (Non-Confidential)	See Off-Campus Resources below	302-831-8939 <a href="mailto:deanofstudents@udel.edu">deanofstudents@udel.edu</a>
Visa and Immigration Assistance	Delaware Office of Immigration Assistance 302-577-8390	International Student & Scholar Services 302-831-2115 302-831-2222 (after-hours emergency phone)
Student Financial Aid	N/A	Student Financial Services 302-831-2792
University of Delaware Police Department	302-831-2222	302-831-2222

Talent & Organizational Development	302-831-2171	302-831-2171
Graduate College		302-831-6824
Disability Support Services	302-831-4643	302-831-4643
Virtual Mental Health Support (TimelyCare)	See Off-Campus Resources below	<a href="https://www.udel.edu/students/health-wellbeing/counseling-center-services/timelycare/">https://www.udel.edu/students/health-wellbeing/counseling-center-services/timelycare/</a>
Federal Student Aid	Student Services Center 302-831-2126	Student Services Center 302-831-2126

### Off Campus Resources and Contact Information

Off Campus Resources	Employee Resources	Employee Resources
Counseling / Mental Health	Delaware Employee Assistance Program CompPsych 877-527-4742	See On-Campus Resources above
Health	Christiana Hospital (Forensic Nurses Available) 302-733-1000	Christiana Hospital (Forensic Nurses Available) 302-733-1000
Victim Advocacy	Domestic Violence 24/7 Helplines: New Castle County - Child Inc. 302-762-6110 Kent/Sussex - People's Place	Domestic Violence 24/7 Helplines: New Castle County - Child Inc. 302-762-6110 Kent/Sussex - People's Place 302-422-8058 Sussex/Bilingual - Abriendo Puertas
Visa and Immigration Assistance	Delaware Office of Immigration Assistance 302-577-8390	Delaware Office of Immigration Assistance 302-577-8390
Newark Police Department	302-366-7111	302-366-7111
New Castle County Police	General Information 302-395-8100 Non-Emergencies 302-573-2800	General Information 302-395-8100 Non-Emergencies 302-573-2800
Wilmington Police Department	General Information 302-576-3940 Non-Emergencies 302-654-5151	General Information 302-576-3940 Non-Emergencies 302-654-5151
Lewes Police Department	302-645-6264	302-645-6264
Suicide Hotline	Northern Delaware 800-652-2929 Southern Delaware 800-345-6785	Northern Delaware 800-652-2929 Southern Delaware 800-345-6785



Federal Student Aid	800-433-3243 <a href="http://www.studentaid.gov">www.studentaid.gov</a>	800 -433-3243 <a href="http://www.studentaid.gov">www.studentaid.gov</a>
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**Confidentiality**

Victims may request that directory information on file with the University be withheld by request. This request can be made to the Registrar's office 302-831-2131.

Regardless of whether a victim has opted-out of allowing the University to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and supportive measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics 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 will be withheld.

### Adjudication of Violations

The university's disciplinary process includes a prompt, fair, and impartial process from the initial investigation to the final result. In all instances, the process will be conducted in a manner that is consistent with the institution's policy, federal and state law, and that is transparent to the complainant (the accuser) and the respondent (the accused). Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within the time frame specified in each policy the institution maintains. However, each procedure allows for extensions of time frames for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. University officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained (Note: everyone does different trainings – there is no one specific training – and the sentence that follows is a descriptor...i.e. "trained on the issues related to dv... etc.) 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, the applicable policy provides that:

1. The accuser and the accused will have timely notice for meetings at which the complainant (the accuser) and the respondent (the accused), or both (in the case of hearings), may be present;
2. The complainant (the accuser) and the respondent (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 do not have a conflict of interest or bias for or against the complainant (the accuser) and the respondent (the accused);
4. The complainant (the accuser) and the respondent (the accused) will have the same opportunities to have others present during any institutional disciplinary proceeding. The complainant (the accuser) and the respondent (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 policy also allows for the complainant (the accuser) and respondent (The accused) to be accompanied by a support person of their choice at any state of the process. The University will not limit the choice of advisor or presence for either the complainant (the accuser) or the respondent (the accused) in any meeting or institutional disciplinary proceeding. However, the role of the advisor is limited to speaking with their advisee only. The advisor may not speak aloud during any meeting, interview, or hearing. The only exception to this applies to hearings held under Appendix C of the policy, where the advisor is permitted to ask relevant questions of the other party and witnesses but may not otherwise address the Hearing Officer, other party, or witnesses.
5. The complainant (the accuser) and the respondent (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 complainant (the accuser) and the respondent (the accused) will be notified simultaneously in writing, of the procedures for the respondent (accused) and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the complainant (the accuser) and the respondent (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.

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

## University of Delaware Non-Discrimination, Sexual Misconduct, and Title IX Policy

### I. SCOPE OF THE POLICY AND POLICY STATEMENT

The purpose of this policy (the “Policy”) is to create and maintain a safe and non-discriminatory environment that protects the constitutional and civil rights of students, faculty and staff, as well as vendors, guests, visitors and volunteers, regardless of their race, color, national origin, sex, disability, religion, age, marital status, veteran status, gender identity or expression, or sexual orientation, or any other characteristic protected by applicable law. The Policy expresses the University’s opposition to discrimination, harassment, sexual misconduct and sexual violence and assists the University in complying with federal, state, and local legal mandates in relation to such misconduct. Acts of discrimination and harassment undermine the University’s mission by threatening the careers, educational experiences, and well-being of the University community and are strictly prohibited.

The University of Delaware does not discriminate on the basis of race, color, national origin, sex, disability, religion, age, marital status, veteran status, gender identity or expression, or sexual orientation, or any other characteristic protected by applicable law in its employment, education programs and activities, admissions policies, and scholarship and loan programs as required by Title IX of the Educational Amendments of 1972, the Americans with Disabilities Act of 1990, as amended, Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964, and other applicable statutes and University policies. The University of Delaware further prohibits sex discrimination, sexual assault, sexual harassment, dating violence, domestic violence, stalking and discrimination and harassment on the basis of the protected classes above by anyone on property owned, leased or controlled by the University. The University also prohibits such conduct committed by students, faculty, staff, volunteers, or vendors off University property, if:

- A. The conduct was in connection with a University or University-recognized program or activity;
- B. The conduct is alleged to have created a hostile environment for a member of the University community on property owned, leased or controlled by the University or in connection with a University or University-recognized program or activity;
- C. The Respondent’s conduct disrupts the normal functions and processes of the University or a University- recognized program or activity and is egregiously offensive to the University’s mission; or
- D. The Respondent’s continued presence on campus or involvement in a University or University-recognized program or activity poses a serious threat to persons or property, regardless of where the conduct occurred.

Inquiries and complaints about discrimination and/or harassment may be brought to the Title IX Coordinator of the University’s Office of Equity and Inclusion (“OEI”). OEI ensures compliance, with respect to the implementation of the procedures in this Policy, in response to complaints of discrimination and/or harassment. Any question of interpretation regarding this Policy shall be referred to the Title IX Coordinator.

The University will respond to complaints or reports about conduct prohibited by this Policy with measures designed to stop or eliminate the behavior, prevent the recurrence of the prohibited conduct and remediate any adverse effects of such conduct on campus or in University or University-recognized programs or activities.

This Policy applies to all persons who are employed by, attending, or affiliated with the University; participating in, or attempting to participate in any University program or activity, including but not limited to administrators, faculty, staff, students, trustees, vendors, volunteers, and guests; and/or visiting the University campus or any property owned, leased or controlled by the University. Nothing in this Policy is intended to curtail the rights provided to employees under applicable collective bargaining agreements. To the extent there is a conflict, the terms of the applicable collective bargaining agreement control.

## II. DEFINITIONS

- A. “Advisor” means an individual who has agreed to provide support or advice to a Complainant or a Respondent. Complainants and Respondents are permitted to bring an Advisor of their own choosing, including a family member or an attorney, to any meeting or proceeding that is held in connection with the Investigation and resolution of a Complaint brought under this Policy. The Advisor may not speak aloud during any meeting or investigation interview, including by addressing anyone other than the party whom the Advisor is advising. The only exception to this applies to hearings held under Appendix C; at such hearings, the Advisor is permitted to ask relevant questions of the other party and witnesses, but may not otherwise address the Hearing Officer, other party, or witnesses. Any Advisor who disrupts or interferes with any meeting, interview, or hearing, may be asked to leave.
- B. “Appeal” means a process for a party to request a review of the procedures or determinations made by the Investigator, Hearing Officer and/ or Sanctions Officer based on specific criteria set forth in this Policy. The appeal process is documentary under this Policy and does not involve a hearing.
- C. “Appellate Board” means the group of people available to hear appeals of decisions and sanctions in cases involving alleged violations of this Policy by students, staff, or administrators.
1. In a case involving a student Respondent, the Appellate Board in each case is made up of a faculty member, a staff member, a student and a non-voting chairperson, who may be either a faculty or staff member. The student member is an undergraduate student if the Respondent is an undergraduate student, a continuing education student or an English Language Institute student. The student member is a graduate student if the Respondent is a graduate student.
  2. In a case involving a staff or administrator Respondent, the Appellate Board in each case is made up of three staff members or administrators and a non-voting chairperson, who will also be a staff member or administrator.
  3. In cases in which a faculty member is appealing a decision or sanction, the Appellate Board will be the Faculty Senate Committee on Welfare and Privileges, which will make a recommendation to the Provost.
  4. The members of the Appellate Board will be impartial and free from demonstrated bias, including bias for or against complainants or respondents generally, and free from any actual conflict of interest, and will disclose any real or reasonably perceived conflicts of interest to the Title IX Coordinator as soon as such conflicts are discovered by the member of the Appellate Board.
- D. All members of the Appellate Board serving in any cases under this Policy will be trained in adjudicating and reviewing cases involving alleged sexual misconduct and other violations of this Policy. “Appellate Officer” means the Provost or designee available to hear appeals of decisions and sanctions filed by a non-faculty member in cases in which the other party is a faculty member. The Appellate Officer will be impartial and free from demonstrated bias, including bias for or against complainants or respondents generally, and free from any actual conflict of interest, and will disclose any real or reasonably perceived conflicts of interest to the Title IX Coordinator as soon as such conflicts are discovered by the Appellate Officer. The Appellate Officer will have training in reviewing appeals under this Policy.
- E. “Complainant” means the person who is alleged to have experienced the prohibited conduct, regardless of whether that individual makes a complaint or desires disciplinary action. A Complainant may be a student, employee, faculty member, volunteer, vendor, visitor or guest.
- F. “Confidential resources” mean University employees or offices designated by this Policy who are not obligated to report disclosures of prohibited conduct under this Policy to the Title IX Coordinator. Information about Confidential Resources, include the confidential offices on campus, can be found at [Sexual Misconduct Policy](#)
- G. “Consent” is an affirmative decision to engage willingly in mutually acceptable sexual activity given by clear words or actions. It is an informed decision made freely and actively by all involved parties. In order for a sexual encounter to be consensual, each participant must agree to engage in each act of the encounter. All participants should make clear their willingness or lack of willingness to continue at each progression of the sexual interaction and should not make assumptions about consent during the sexual activity, as confusion or ambiguity may arise.
- Consent may not be inferred from silence, passivity, lack of resistance or lack of active response alone. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Nor does a current or previous dating or sexual relationship constitute consent to sexual activity in every instance.
- Either party may withdraw consent at any time during the sexual encounter. Once withdrawal of consent has been expressed by words or actions that indicate a clear desire to end sexual activity, all sexual activity must cease immediately. Sexual conduct will be considered “without consent” if no clear consent, verbal or non-verbal, is given. This includes

situations in which an individual's ability to consent freely is taken away by another person or circumstance. Examples may include, but are not limited to, when an individual is incapacitated due to alcohol or drugs, passed out, fearful for the individual's safety or the safety of others, physically forced, intimidated, coerced, mentally or physically impaired, threatened, or confined. The use of alcohol or drugs can limit a person's ability to give consent freely and clearly. Alcohol and other drugs can lower inhibitions and create an atmosphere of confusion over whether or not consent has been freely and clearly given. The perspective of a reasonable person evaluating another person's physical or verbal functions will be the basis for determining whether one should have known that the use of alcohol or drugs impaired that person's ability to give consent. Being intoxicated or impaired by alcohol or drugs does not diminish one's responsibility to obtain consent and is never an excuse for sexual misconduct.

- H. "Days" means business days when all University offices are open. This does not include weekends, holidays or inclement weather days when University offices are closed.
- I. "Deputy Title IX Coordinators" means University employees designated to assist the University Title IX Coordinator in responding to reports of sexual misconduct, providing training to employees and students and creating an environment free from sexual misconduct. The following individuals have been designated as Deputy Title IX Coordinators:
  1. For Undergraduate Students: Adam Cantley, Dean of Students, 132 Hullihen Hall, University of Delaware, Newark, DE 19716, 302-831-8939, [adamcan@udel.edu](mailto:adamcan@udel.edu).
  2. For Faculty: Matthew Kinservik, Ph.D., Vice Provost for Faculty Affairs, 116 Hullihen Hall, University of Delaware, Newark, DE 19716, 302-831-2101, [matthewk@udel.edu](mailto:matthewk@udel.edu).
  3. For Graduate Students: Mary Martin, Ph.D., Associate Vice Provost for Graduate and Professional Education, 234 Hullihen Hall, University of Delaware, Newark, DE 19716, 302-831-8916, [marym@udel.edu](mailto:marym@udel.edu).
  4. For Athletics: James Coleman. Senior Associate Athletic Director, Diversity 134 Whitney Athletic Center, University of Delaware, Newark, DE 19716, 302-831-0757, [jcoleman@udel.edu](mailto:jcoleman@udel.edu).

J. "Emergency Removal Provisions"

If the University determines that the conduct, as alleged, poses an immediate threat of physical harm to one or more members of the University community, or to the University's educational environment, the University may instruct that the Respondent be removed, on an interim basis, from the University, from residence halls, or from specific programs or activities. Any such assessment will be made on a case-by-case basis, based on an individualized safety and risk analysis. The decision to remove the Respondent will be provided to Respondent in writing. For cases proceeding under Appendix C, Emergency Removal shall be limited to instances in which there is an immediate threat to the physical health or safety of any student or other individual, arising from the allegations of prohibited conduct as defined in Appendix C.

Respondent shall have an opportunity to challenge the decision immediately following the removal. To challenge the removal, the Respondent should contact the appropriate administrator as listed below, who will explain the process for challenging an emergency removal.

1. For students (Undergraduate and Graduate), the Emergency Removal decision will be made and communicated by Community Standards and Conflict Resolution (CSCR) and the Dean of Students will review any challenges raised by the Respondent. A Respondent who wishes to challenge an Emergency Removal should email their request to [deanofstudents@udel.edu](mailto:deanofstudents@udel.edu).
2. For faculty, the Emergency Removal decision will be made and communicated by the Vice Provost for Faculty Affairs, [vpfaculty@udel.edu](mailto:vpfaculty@udel.edu), and the provisions set forth in the Faculty Handbook for Emergency Involuntary Leave with Pay will be utilized if the Respondent wishes to challenge the Emergency Removal.
3. For staff and administrators, the Emergency Removal decision will be made and communicated by the Director of Employee Labor and Relations and the Vice President for Human Resources will review any challenges raised by the Respondent. A Respondent who wishes to challenge an Emergency Removal should email their request to [jaup@udel.edu](mailto:jaup@udel.edu).

The decision to use an Emergency Removal shall not be considered as evidence that any determination has been made regarding potential responsibility, as a Respondent is presumed to be not responsible until the conclusion of the process as set forth below in Appendix B, C or D, as may be appropriate.

- K. "Employee" means anyone employed by the University, including but not limited to, faculty and staff, part-time and full-time employees and student workers in their capacity as an employee.
- L. "Faculty Member or Faculty" means any full- or part-time professor, associate professor, assistant professor or instructor, excluding faculty members who also hold administrative appointments.

- M. "Formal Complaint" means the document that meets the requirements below and initiates an investigation pursuant to Appendix C. It has a very specific definition within this Policy, and whether one is filed does not depend on the label applied to the document, but instead on whether certain specific elements are met. A Formal Complaint must be filed and signed by a Complainant or signed by the Title IX Coordinator, alleging conduct which would constitute a violation of Appendix C and requesting that the University investigate the allegations(s). At the time of filing a Formal Complaint, a Complainant must be participating in, or attempting to participate in, an education program or activity of the University. A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail (email), by using the contact information listed on the OEI homepage, or as described in this Policy. Individuals who would like more information about filing a Formal Complaint are invited to contact the Title IX Coordinator for additional information.
- In the event that the Title IX Coordinator signs the Formal Complaint, this act does not make the Title IX Coordinator the "Complainant" for purposes of this Policy.
- N. "Hearing Officer" means an appropriately trained professional, who may or may not be a University employee, who facilitates a hearing, including maintaining decorum, making determinations regarding evidence and relevancy of questions, and resolving procedural questions that may arise during the hearing. The Title IX Coordinator will assign a Hearing Officer on a case-by-case basis and communicate the identity of the Hearing Officer to the parties in the Notice of Hearing. The Hearing Officer(s) will be impartial and free from demonstrated bias, including bias for or against complainants or respondents generally, and free from any actual conflict of interest, and will disclose any real or reasonably perceived conflicts of interest to the Title IX Coordinator as soon as such conflicts are discovered by the Hearing Officer. The Hearing Officer will have training in conducting hearings under this Policy, including Appendices B and C.
- O. "Investigator" means an appropriately trained professional, who may or may not be a University employee, who reviews and investigates reports made under this Policy. The Title IX Coordinator will assign an Investigator on a case-by-case basis and communicate the identity of the Investigator to the parties in the Notice of Investigation. The Investigator(s) will be impartial and free from demonstrated bias, including bias for or against complainants or respondents generally, and free from any actual conflict of interest, and will disclose any real or reasonably perceived conflicts of interest to the Title IX Coordinator as soon as such conflicts are discovered by the Investigator and will have training in investigating and evaluating conduct under this Policy.
- P. "Prohibited Conduct" means the conduct that is prohibited by this Policy which includes discrimination, harassment and retaliation on the basis of a protected status. *See Appendices B, C and D for specific offenses.*
- Q. "Remedial measures or Remedies" are measures that may be implemented as part of the sanctioning to ensure the hostile environment experienced by the Complainant has been addressed, and to restore or preserve equal access to the University's educational programs or activities. Such measures may include providing an escort to ensure safe movement around campus; ensuring the Complainant and Respondent do not share classes, work spaces or extracurricular activities; reassignment of residence halls; tutoring or other academic support; arranging for extra time to complete or re-take a class or withdraw from a class without academic or financial penalty; job reassignment; targeted training for a group of students, faculty or staff; and other remedies that can be tailored to the needs of the parties and the University.
- R. "Respondent" means the person who allegedly committed a violation of this Policy. A Respondent may be a student, employee, faculty member, volunteer, vendor or other individual on campus.
- S. "Sanctioning Officer" means an appropriately trained administrator who determines the appropriate sanction following a determination that this Policy has been violated. The Sanctioning Office will be impartial and free from demonstrated bias, including bias for or against complainants or respondents generally, and free from any actual conflict of interest, and will disclose any real or reasonably perceived conflicts of interest to the Title IX Coordinator as soon as such conflicts are discovered by the Sanctioning Officer to the Title IX Coordinator as soon as such conflicts are discovered by the sanctioning officer, and will have training in imposing sanctions under this Policy.
1. In a case involving a student Respondent, the Director of Community Standards and Conflict Resolution (CSCR) designee shall determine the appropriate sanctions or corrective actions.
  2. In a case involving a staff or administrator Respondent, the appropriate Vice President or highest-level supervisor shall determine the appropriate sanctions or corrective actions.
  3. In a case involving a faculty member, the Dean of the College in which the Respondent is primarily employed shall determine the appropriate sanction or corrective actions.
- T. "Sanctions" means disciplinary and/or educational measures imposed following a determination of responsibility. Please see specific sanctions listed in the appendices.
- U. "Staff or administrator" means any non-faculty University employee, whether part-time or full-time, temporary or permanent, exempt or non-exempt. Administrator includes faculty members who hold administrative appointments.



- V. “Student” is any individual who is currently enrolled, was enrolled within the previous two terms or is eligible to enroll for the next term. The word “student” as used throughout this Policy includes Student Organizations. [“Term” is defined as an academic session in which classes are offered. This includes traditional semesters (Fall and Spring) as well as special sessions (Winter and Summer).]
- W. “Supervisor” means the Complainant’s or the Respondent’s immediate manager if the Complainant or Respondent is a University employee.
- X. “Supportive Measures” are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge, to either party whether or not a Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the University’s education programs and activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University’s educational environment, or deter sexual harassment. Supportive measures may include, but are not limited to:
  1. offering support services to both parties;
  2. separating the Complainant’s and Respondent’s academic, living or work situations;
  3. issuing a mutual ban from contact for both parties to refrain from communication;
  4. providing increased security at the locations or activities where the misconduct occurred;
  5. offering escort services;
  6. placing restrictions on Respondent (not available through resolution process outlined in appendix C); and
  7. other measures as determined on a case-by-case basis.
- Y. “Support person” means a person providing support to the Complainant or Respondent throughout the processing of any complaint under this Policy. A support person may be anyone who is not a party to or witness in the case. The role of the support person will be limited. The Complainant and Respondent each have the opportunity to be accompanied by one Advisor and one support person. The Complainant and Respondent may also choose to proceed without a support person or with only a support person and not an Advisor. Support persons may be a friend, family member, attorney, or union representative, but support persons may not stand in place of either the Complainant or Respondent, act as legal counsel for a party, or otherwise actively participate in any of the proceedings. If a support person fails to comply with this Policy or is otherwise disruptive to the process, the Title IX Coordinator, Investigator or Hearing Officer may ask the support person to leave the room and continue with the meeting, interview or hearing without the support person present.
- Z. “University Title IX Coordinator or Title IX Coordinator” means that official or designee. The Title IX Coordinator oversees the University’s response to complaints or reports to ensure compliance with Title IX and other applicable laws addressed through this Policy. The Title IX Coordinator will also identify and address any patterns or systemic problems revealed by complaints or reports made under this Policy.

**The University Director, Office of Equity & Inclusion (OEI) & Title IX Coordinator is Dawn Floyd, 305 Hullihen Hall, Newark, DE 19716, (302) 831-8063, [titleixcoordinator@udel.edu](mailto:titleixcoordinator@udel.edu).**

AA. “Vendor” means a company or individual providing goods or services on the University campus or to the University community through a contractual relationship with the University.

BB. “Visitor or Guest” means an individual who is not officially affiliated with the University but is present on campus either independently or as the guest of a University employee or student.

CC. “Volunteer” means an individual who is not employed by the University but is providing goods or services on the University campus or to the University community, at the request of or with the authorization of the University, without receiving compensation from the University.

### III. POLICY STANDARDS AND PROCEDURES

#### A. Standard of Evidence

The standard of proof in all cases will be the preponderance of the evidence. This means that a finding of responsibility requires that it is more likely than not, based on all the relevant evidence and reasonable inferences from the evidence, that the Respondent violated this Policy. Individuals are presumed not responsible for violating this Policy unless and until a finding has been made, at the conclusion of the process, that the Respondent has violated this Policy. This standard of proof differs from the higher standard used in criminal cases, beyond a reasonable doubt. Therefore, there could be instances when the criminal justice system declines to prosecute a case criminally, but a finding of responsibility is reached under this Policy.

B. Burden of Proof and Burden of Gathering Evidence

The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility in each complaint rests on the University and not the parties.

C. Policy Interpretation and Revisions

Any questions regarding the policy should be addressed to the University Title IX Coordinator, who is responsible for updating and interpreting this Policy. The University conducts regular reviews and updates to this Policy. The University may, due to legal or institutional need, make changes to this Policy at any time as deemed appropriate by University officials. The Policy posted at [Sexual Misconduct Policy](#) is the current and active version.

D. First Amendment and Academic Freedom Protections

The University is committed to free expression and academic freedom. We are equally committed to creating and maintaining an environment free from discrimination and harassment for all members of the University community. Members of the University community are free to examine and discuss all questions of interest to them and to express their opinions. Academic freedom is the freedom to teach, to conduct research and other scholarly or creative activities, and to publish or otherwise disseminate the results, even if the conclusions are unpopular or contrary to public opinion. Nothing in this Policy is meant to infringe upon the First Amendment rights of University employees and students. Nor is this Policy meant to infringe upon academic freedom protections set forth in the Faculty Handbook and in the Collective Bargaining Agreement between the University and the American Association of University Professors (AAUP). The University will consider First Amendment rights and academic freedom protections in the consideration and investigation of reports under this Policy.

E. Amnesty

The University grants amnesty to students who may have violated the Code of Conduct's alcohol and drug Policy, <http://www1.udel.edu/amnesty/>, when they allegedly experienced Prohibited Conduct under this Policy. Therefore, no alcohol or drug charges are applied to students who report that they were under the influence of alcohol or drugs when the reported misconduct took place.

F. Supportive Measures

Any Supportive Measures put in place will be kept confidential, except to the extent that doing so impairs the ability of the institution to provide the supportive measures. For example, in order to effectuate a housing change, staff at Residential Life shall be informed of the need to assist with a housing change as directed by the Title IX Coordinator but will not be provided with any of the details of any complaint.

Supportive Measures remain in place until the case has been investigated and resolved or until lifted by the appropriate University official or designee. The decision about whether particular Supportive Measures are appropriate and when they should be lifted will be made by:

1. the Dean of Students or designee when the Respondent is an undergraduate student;
2. the Associate Vice Provost for Graduate and Professional Education or designee if the Respondent is a graduate student;
3. the Vice Provost for Faculty Affairs or designee if the Respondent is a faculty member;
4. the Director, Employee Relations or designee if the Respondent is a staff member; and
5. the Title IX Coordinator or designee if the Respondent is a volunteer, visitor or vendor.

G. Disability Accommodations

OEI partners with the Office of Disability Support Services ("DSS") with respect to the provision of reasonable accommodations for disabilities. If you require an accommodation to participate fully in any part of the OEI process set forth in the Policy, contact the Title IX Coordinator at your earliest convenience. If you have the requested accommodation on file with DSS, OEI will implement the accommodation. If you do not have the requested accommodation on file, OEI will connect you with DSS to initiate the accommodation request process.

H. Consolidation of Cases

In the event that the allegations under this Policy involve allegations of a violation of a separate policy, whether Student Code of Conduct, Faculty Handbook, or Staff Handbook, the University shall have the right, within its sole discretion, to consolidate those other allegations within one investigation and/or hearing. Allegations of a violation of a separate policy are not required to be handled using the procedural requirements set forth in this Policy.

I. Transfer of Cases, Sharing of Information

For any case brought under this Policy, should the case be dismissed and then transferred to another office for handling, the University shall have the right to transfer all communications and information gathered to any other University administrator who will be reviewing and/or handling the case.

J. No Conflict of Interest or Bias

Any individual carrying out this Policy shall be free from any actual conflict of interest or bias that would impact the handling of their obligations to carry out this Policy. Should the Title IX Coordinator have a conflict of interest, the Title IX Coordinator is to immediately notify the Vice President of Human Resources, who will determine whether any actual conflict of interest or demonstrated bias exists, in which case the Vice President of Human resources shall designate an Acting Title IX Coordinator for purposes of carrying out the handling and finalization of the matter at issue. Should any Investigator, Hearing Officer, Sanctioning Officer, or Appellate Officer have a conflict of interest, they are to notify the Title IX Coordinator upon discovery of the conflict.

Each party may also object to the Title IX Coordinator or designated Investigator, Hearing Officer, Sanctioning Officer, or appeals board member or officer, on the grounds of an actual bias or conflict of interest. If any of the parties' object, they must notify the Title IX Coordinator in writing within three days of learning of the conflict of interest or demonstrated bias, in which case the Title IX Coordinator will evaluate whether the objection is substantiated. The party raising the objection will be notified in writing of the findings within two (2) days. If it is determined that an actual bias or conflict of interest exists, the person who was the subject of the objection will be removed and replaced.

K. Presumption of non-responsibility

The decision to proceed with an investigation is not a determination that the Respondent has engaged in the conduct as alleged. Any Respondent is presumed not responsible for the conduct that is the subject of the investigation, unless and until a decision of responsibility has been made upon the completion of the adjudication process.

L. Prohibition on Retaliation

The University will not intimidate, threaten, coerce or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX and its regulations or any other state or federal anti-discrimination law or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing under this Policy. Any reports of retaliation should be made to the Title IX Coordinator.

The exercise of rights protected under the First Amendment does not constitute retaliation.

M. Requests for Delays and Extensions of Time

The Title IX Coordinator may extend any deadlines within this Policy, for good cause shown and documented. The Complainant and Respondent will be notified in writing of any extension, the reasons for it, and projected new timelines.

N. Prohibition on False Evidence Provided During Title IX Process

The parties and witnesses are expected to provide truthful information to the Investigator, Hearing Officer, and appeals officer. In the event false evidence is knowingly provided during the Title IX Process, the individual providing the false information will be referred to the appropriate office for review and next steps.

O. Reporting Prohibited Conduct

1. To OEI or Title IX Coordinator

Reports of potential violations of this Policy may be made to the Title IX Coordinator. Reports may be filed at any time by using the online reporting forms available on the [OEI Homepage](#). The forms/report may also be dropped off at OEI, 305 Hullihen Hall, sent by email to [titleixcoordinator@udel.edu](mailto:titleixcoordinator@udel.edu), or mailed to OEI, 305 Hullihen Hall, Newark, DE 19716. Upon receipt of a report, the Title IX Coordinator will reach out to the Complainant to conduct an intake interview (*see below*). Reports may be made by an individual who experienced, witnessed or otherwise learned about the alleged misconduct.

2. Formal Complaints under Appendix C

Formal Complaints under Appendix C may be submitted to the Title IX Coordinator via email to [titleixcoordinator@udel.edu](mailto:titleixcoordinator@udel.edu), mail to OEI, 305 Hullihen Hall, Newark, DE 1971 or in person at 305 Hullihen Hall. Questions about Formal Complaints should be directed to the Title IX Coordinator.

A Formal Complaint may only be filed by a Complainant and must include the following information:

- a. The Complainant's physical or digital signature, or information that otherwise indicates that the Complainant is the person filing the Formal Complaint;

- b. A description of the specific conduct that is alleged to be a policy violation, with the name of the Respondent (if known); and
- c. A request for an investigation.

If a report is submitted in a form that does not meet the requirements for a Formal Complaint, the Title IX Coordinator will contact the Complainant to confirm Complainant's intent to file a Formal Complaint and how to remedy the deficiencies. Further, if the Formal Complaint does not have sufficient information to determine whether or not the conduct as alleged will fall under Appendix C, the Title IX Coordinator will contact the Complainant to schedule an intake interview.

Upon receipt of a Formal Complaint, the Title IX Coordinator will reach out to the Complainant to conduct an intake interview. In the event that the Complainant declines to participate in an intake interview, and if the Formal Complaint contains an allegation meeting all of the jurisdictional elements of Appendix C of this Policy, and the Formal Complaint is signed (or includes an electronic submission from the Complainant), and the Formal Complaint requests an investigation, the Title IX Coordinator will, within 3 days, put the Respondent and Complainant on notice of the allegation and commence the investigation process.

The Title IX Coordinator shall have the discretion to sign a Formal Complaint and initiate an investigation when a Complainant's allegations involve violence, use of weapons, serial predation, or similar factors that threaten the University community. When the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator does not become the "Complainant" for purposes of this Policy.

### 3. To University of Delaware Police Department (UDPD) or Other Law Enforcement Agency

A report of sexual misconduct or other criminal misconduct may be filed with the University Police Department ("UDPD"), if the alleged misconduct occurred on campus, or other law enforcement agency, if the alleged misconduct occurred off campus, for a criminal investigation. Filing a report of sexual misconduct with a law enforcement agency, including UDPD, does not preclude the Complainant from also filing a report with the University Title IX Coordinator, and filing a report with the University Title IX Coordinator does not preclude a Complainant from also reporting the incident to a law enforcement agency, including UDPD. If a report of sexual misconduct is made to both the University Title IX Coordinator and a law enforcement agency, the University will, to the extent possible, coordinate its investigation with the law enforcement agency to minimize the burden on the Complainant, Respondent and witnesses. However, the University may need to delay its fact investigation for a reasonable period of time while the police are conducting their fact investigation.

### P. Responsibility to Report Prohibitive Conduct Under this Policy

All members of the University community have a responsibility to make the University a safe and supportive environment for everyone. This responsibility includes reporting safety or security concerns and crimes or policy violations, including potential violations of this Policy.

In an emergency situation, members of the University community should immediately call 911 to report any crime or other incident that poses a risk of harm to the University community.

**Any** University employee, including student employees, who is not a confidential resource under this Policy and who witnesses, is advised of or learns about an alleged violation of this Policy **must promptly notify** the University Title IX Coordinator of the incident by email, telephone or using the Online Reporting Form available on the [OEI Homepage](#). The employee must report to the University Title IX Coordinator all relevant details about the alleged misconduct known to the employee or shared with them.

Any employee who learns about a report under this Policy will respect the privacy of the parties. The employee will inform only those who need to know, which will include the University Title IX Coordinator. The employee and the University Title IX Coordinator will not share information about the alleged incident with law enforcement without the Complainant's consent, unless the employee has a duty under University policy, federal or state law (e.g., mandatory reporting of child abuse) to report such an incident to law enforcement or unless the Complainant has already reported the incident to law enforcement.

***The fact that a report from an employee is given to the University Title IX Coordinator does not necessarily mean the University will undertake an investigation into the allegations.*** The University Title IX Coordinator will ensure that the Complainant is made aware of rights and resources available to them, as well as their options and, if appropriate, how to file a Formal Complaint under Appendix C. These rights include:

1. the right to be accompanied to meetings about the incident with an advisor and a support person;
2. the availability of confidential resources both on and off campus;
3. the availability of medical assistance both on and off campus;

4. the availability of interim or supportive measures;
5. the strict prohibition against retaliation;
6. the available reporting options for an incident under this Policy, including the option to report or not report the incident to law enforcement; and
7. a copy of this Policy or a link to its location on the website, which includes a description of the University's adjudication process.

Employees should make every effort to inform a Complainant of the employee's reporting obligations before the Complainant reveals any specific information. If the Complainant wishes to maintain confidentiality, they should be encouraged to speak with one of the University's Confidential Resources.

The University provides anonymous reporting mechanisms through the University Police Department's LiveSafe App and through an EthicsPoint Compliance Hotline, <http://www.udel.edu/compliance/>. If identifying information for the Complainant is provided through either reporting mechanism, the University Title IX Coordinator will provide an outreach with support resources and may request an opportunity to meet with Complainant responsive to information included within either report. Public awareness events such as Take Back the Night, candlelight vigils, protests, survivor speak outs or other forums in which Complainants disclose incidents of sexual misconduct or other forms of discrimination or harassment are not considered notice to the University or its employees of sexual misconduct and need not be reported to the Title IX Coordinator. The University will make an effort to provide information about rights and available resources at these and other similar events.

The only time a University employee who is not a confidential resource does not have to report an instance of Prohibited Conduct under this Policy is if that employee personally experienced such misconduct, although the University encourages those employees to report such incidents.

1. Delaware State Law Requirements:

As required by Delaware state law, all employees and University trustees must also take the following steps in incidents of sexual assault that involve one or more University students or that occur on the University campus:

- a. Tell the Complainant that you can report the incident to law enforcement.
  - (1) If the Complainant says no, you do not need to report the incident to law enforcement but should still report it to the Title IX Coordinator.
  - (2) If the Complainant would like you to report to law enforcement, contact the University Police Department ("UDPD") at (302) 831-2222 or visit their office at 413 Academy Street within 24 hours of the Complainant asking you to make the report.
- b. Provide a copy of, or direct the Complainant to, the Delaware Victims' Bill of Rights.
- c. Provide the Complainant with on and off campus resources for confidential counseling, medical services and advocacy services.
- d. Report your compliance with these steps to the University Title IX Coordinator at [titleixcoordinator@udel.edu](mailto:titleixcoordinator@udel.edu).

**Requesting Confidentiality or Anonymity after Reporting an Incident: How the University Will Consider the Request and Respond**

If the Complainant requests that the University not pursue an investigation or asks that their name be held in confidence, the University Title IX Coordinator will weigh each request very carefully. Among the factors the University will consider in assessing a Complainant's request are:

1. whether the sexual misconduct was perpetrated with a weapon;
2. whether the Respondent has been identified as a Respondent in another alleged incident of sexual misconduct;
3. the age of the Complainant;
4. whether the University possesses other means to obtain relevant evidence (for example, if the University has surveillance camera footage that shows the incident, the University may be able to proceed without the involvement of the Complainant); and
5. whether the University has credible evidence that the Respondent has committed one or more prior violations of the sexual misconduct policy.

In cases in which the University Title IX Coordinator will advise the Complainant if the University intends to proceed with the investigation against the Complainant's wishes, if the Complainant requests that the University inform the Respondent that the Complainant asked the University not to investigate or seek discipline, the University will do so and inform the Respondent that the University made the decision to go forward with the investigation.

Q. Procedures to Respond to Reports of Violative Conduct Under this Policy

Upon receipt of a report of prohibited conduct under this Policy, the University will generally proceed as described below

1. OUTREACH FROM TITLE IX COORDINATOR TO COMPLAINANT(S), IF IDENTIFIED.

Upon receipt of information alleging a potential violation of this Policy, the Title IX Coordinator shall send to the Complainant's University email address or other email address provided an outreach communication which may include as appropriate the following information:

- a. available confidential resources;
- b. the option to report to law enforcement and the right to decline to report to law enforcement;
- c. an invitation to schedule an informational intake meeting with the Title IX Coordinator to discuss in greater detail the Complainant's rights and reporting options and the University's resolution processes.

2. INFORMATIONAL INTAKE MEETING

An informational meeting is an opportunity for a Complainant to discuss with the Title IX Coordinator in greater detail the University's response to reports of prohibited conduct under this Policy, Complainant's options to report, and supportive measures, which are available with or without the filing of a Complaint. In this meeting, the Title IX Coordinator will also explain the process for filing a Formal Complaint, if appropriate.

For those Complainants who wish to proceed with a resolution process available under this Policy, they have the opportunity in this meeting to share specific information with the Title Coordinator to be incorporated into a Complaint for assessment. The Title IX Coordinator may ask the Complainant what actions they are requesting of OEI. The Complainant may request:

- a. No further action be taken by the University on the Complaint;
- b. To participate in the Alternative Resolution Process set forth in Appendix A;
- c. To participate in the applicable OEI adjudication process set forth in Appendices B, C or D; or
- d. More time to make a decision.

3. DECISION TO PROCEED

The Title IX Coordinator will review the information provided and assess whether the alleged misconduct, as reported, falls within the scope of this Policy. If the information provided does not allege conduct covered by this Policy, the Complainant will be notified of the appropriate University process for next steps if any. If the Complaint falls within this Policy, the Title IX Coordinator must next weigh the request from the Complainant and may determine as follows:

- a. No further action is warranted; or
- b. Further action is warranted, and the Title IX Coordinator will determine the appropriate available options for resolution of the complaint, which may include proceeding under Appendix A, B, C, or D.

The assessment and determination of next steps responsive to the Complaint shall be sent via University email to the Complainant within 3 days of the filing of the Complaint. If the Title IX Coordinator determines that the Complaint is eligible for an Alternative Resolution under Appendix A, the Complainant will be given the opportunity to select that process if they choose as set forth in Appendix A.

In the event the allegation involves a sexual assault, dating or domestic violence, or stalking, within Clery geography, or some other criminal conduct under the Clery Act, the Title IX Coordinator will also notify the Clery Coordinator of the allegations.

4. TITLE IX COORDINATOR ASSESSMENT PROCESS UNDER THIS POLICY TO DETERMINE APPROPRIATE RESOLUTION PROCESS

The Title IX Coordinator will assess the information presented using the following sets to determine whether the Complaint may proceed under Appendix B, C, and/or D using the following steps:

- a. Nature of Complaint. Does the complaint allege:
  - (1) Conduct on the basis of sex that is also Dating Violence, Domestic Violence, Stalking, or Sexual Assault;
  - (2) Unwelcome conduct of a sexual nature that can be determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or



- (3) An employee of the University conditioned the provision of an aid, benefit or service of the University on an individual's participation in unwelcome sexual conduct (quid pro quo sexual harassment)?
- b. Location. Does the complaint allege that the incident(s):
  - (1) Occurred on the University's campus, within the United States;
  - (2) Occurred in a building owned or controlled by a recognized organization, such as in a sorority or fraternity house of an affiliated sorority or fraternity, and within the United States; or
  - (3) Was part of one of the University's programs or activities, such as part of a field trip or team athletic event, and within the United States?
- c. Substantial Control of Respondent. Does the institution have substantial control over the Respondent, meaning the Respondent is a student (whether applicant, admitted, or currently enrolled) or employee (applicant, hired but not yet working, or employed)?
- d. Status of Complainant. Is the Complainant a student (whether applicant, admitted, or currently enrolled) or employee (applicant, hired but not yet working, or employed)?

**If the answer is yes to at least one question under A, at least one question under B, C and D, Appendix C will apply and the case must proceed under Appendix C, unless the parties and the Title IX Coordinator agree to the Alternative Resolution Process set forth in Appendix A. In certain circumstances in which there are multiple allegations and at least one allegation must proceed under Appendix C. All allegations will proceed under Appendix C, unless the parties and the Title IX Coordinator agree to the Alternative Resolution Process. For complaints that are not eligible to proceed under Appendix C, the Title IX Coordinator will determine whether Appendix B or D will apply and whether the complaint is eligible for the Alternative Resolution Process set forth in Appendix A.**

#### 5. COMPLAINANT AND RESPONDENT RIGHTS

- a. Be treated with respect by all University officials;
- b. Be informed of the available support resources or measures available;
- c. Be free of any form of retaliation and free to report such retaliation for disciplinary action;
- d. Obtain a mutual ban from contact with the other party upon request;
- e. Be accompanied by one Advisor and one Support Person throughout the process, including at any meetings or interviews;
- f. Experience an adequate, reliable, impartial and prompt investigation of the allegations conducted within a reasonable period of time after the complaint is filed;
- g. Receive written notice of the date, time and location of any interview scheduled with the Investigator;
- h. Be kept informed of the status of the investigation, to the extent possible;
- i. Inspect and review all evidence which is directly related to the allegations;
- j. Meet with the Investigator and present information on their own behalf, identify witnesses or other third parties who might have relevant information and identify or provide relevant documents or other information the party believes may be helpful to the investigation;
- k. Have past unrelated behavior excluded from the investigation process;
- l. Question the selection of the Title IX Coordinator, Investigator, Hearing Officer, the person(s) deciding the sanction and the Appellate Officer or members of the Appellate Board on the basis of an actual conflict of interest or demonstrated bias;
- m. Be notified of the determination and any sanctions applied, if applicable;
- n. Initiate and participate in an appeal process;
- o. Waive any of the rights contained herein.

#### 6. WRITTEN NOTICE OF INVESTIGATION

Upon the filing of a Complaint under this Policy and the determination to proceed with a formal investigation, written notice shall be provided to the Respondent and the Complainant. Such notice shall include the following information:

- a. The specific allegation and the specific conduct that is alleged to have occurred;
- b. The identity of the Complainant(s);
- c. The date and location (if known) of the conduct that is alleged to have occurred;

- d. A copy of this Policy, which contains the process that will be followed, including an explanation that each party shall have the right to inspect and review all evidence directly related to the allegations prior to the completion of the investigation;
- e. A statement indicating that the decision to accept a complaint does not presume that the conduct at issue has occurred, and that the Respondent is presumed not responsible, unless and until, at the conclusion of the adjudication process, there is a determination of responsibility;
- f. An explanation that each party may be accompanied by an Advisor and a Support Person of their choice, who may be a parent, friend, attorney, or union representative;
- g. The date and time of the initial meeting with the Title IX Coordinator, with a minimum of two (2) days' notice;
- h. The University's alcohol and drug amnesty policy;
- i. The name and contact information for the assigned Investigator;
- j. Information regarding Supportive Measures, which are available equally to the Respondent and to the Complainant.
- k. The expectation that all parties will provide truthful information as part of the investigation and hearing processes, and that the failure to do so may be referred to the appropriate office for handling

**Note:** Should additional allegations be added at a later time, the Parties will again be provided with a full written notice.

### University-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 measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include but are not limited to a University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. 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 the University.

## Statement of Victim's Rights

- Victims have the right to choose counseling and medical treatment, and to prosecute and report their case through the University Judicial System and/or the off-campus court system. They also have the right to refuse all these options without reproach from any University personnel.
- Victims have the right to be treated with dignity and seriousness by campus personnel.
- Victims of crimes against an individual have the right to be reasonably free from intimidation and harm.
- University personnel are encouraged to inform all victims that (1) victims are not responsible for crimes committed against them; (2) victims are not negligent toward their own safety and thus do not assume the risk of crime; and (3) victims should always report their crime, despite the possibility of adverse publicity for the University.
- Victims will be made aware of appropriate student services, including counseling.
- Victims are entitled to the same support opportunities available to the accused in a campus disciplinary proceeding.
- If the accused is prohibited from contacting the victim or entering the victim's residence, the victim will be notified that the ban is in effect.
- Any victim who does not wish to remain in his/her present residence hall or class section may be granted a transfer to any available housing or class section.
- The victim has the right to information regarding the status of his/her case, including the results of any disciplinary proceedings.
- Both the accused and the victim are entitled to have an advisor/advocate present during the student conduct process.

## Prevention and Education

Programs in the prevention of gender-based violence are offered regularly throughout the year to students, faculty, and staff. Programs are offered throughout the year by many departments and committees; Sexual Assault Prevention and Education, Office of Equity and Inclusion, Human Resources, UD Police Community Resource Unit, Student Wellness, and Residence Life to name a few.

During this past year there were numerous programs presented to the University community (faculty/staff/ students) covering the following topics: bystander intervention, sexual assault, dating violence, stalking, harassment, discrimination, consent, diversity and inclusion, rights and responsibilities, sexual assault myths, decision-making, alcohol, hate-based discrimination, and substance misuse.

## Sex Offender Registration in Delaware

In accordance with Title 11, Chapter 41 of the Delaware Code, information regarding registered sex offenders is maintained by the Delaware State Police. The Delaware State Police have created the Sex Offender Central Registry, a searchable database that may be accessed via an internet website. This database located at [www.state.de.us/dsp/sexoff/](http://www.state.de.us/dsp/sexoff/) may be used to locate registered sex offenders by name, address, city, county, or zip code. Convicted sex offenders from out of state must register with the Delaware State Police within 7 business days of establishing permanent or temporary residency within the State of Delaware and all registrants must indicate where they intend to reside, be employed and/or study. A list of registered offenders who have identified the University of Delaware as their place of employment, residence, or study can be found at the above listed website.

### Notification to Victims of Crimes of Violence

The University 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.

## Drug and Alcohol Policies

The abuse of alcohol and the use of illegal drugs by members of the University community are incompatible with the goals of an academic institution. In order to ensure that alcohol and illegal drugs do not interfere with the goals of the University, substance misuse programs have been developed that apply to the University as both an educational institution and a workplace.

UD Administrative Policy 4-16 prohibits the unlawful possession, use, sale or distribution of illegal drugs and alcohol on campus. The University of Delaware Police Department is responsible for the enforcement of state underage drinking laws and enforcement of Federal and State drug laws. Please also see the **Drug Free Schools Notification** [Attachment M].  
<https://www.udel.edu/students/health-wellbeing/drug-free-act/>

The student policies of the University of Delaware on alcohol and drugs can be found in the University of Delaware Student Guide to University Policies <https://www.udel.edu/students/community-standards/student-guide/>. University regulations clearly prohibit the unauthorized possession, use, manufacture, distribution, or sale of alcoholic beverages on University property or in University facilities. In addition, students are prohibited from using drugs, possessing drugs or drug paraphernalia, and from selling or otherwise distributing drugs.

Violations of these policies will result in immediate sanctions within the University's Student Judicial System. Students may receive penalties that include mandatory alcohol and drug evaluations and other sanctions from disciplinary probation to expulsion. If students are found guilty of violating any local, state or federal laws concerning alcohol and drugs, they will receive significant sanctions. These penalties may include fines and mandatory prison terms. The State of Delaware, in particular, has very strict minimum mandatory sentencing laws for the selling of drugs. State and local laws concerning drugs and alcohol are summarized in the Student Guide to University Policies.

The University of Delaware is committed to educating its students in the areas of drug and alcohol use. Student Wellness in Warner Hall provides education on substance use and misuse. If students have any questions concerning the health risks associated with the illicit use of drugs and the misuse of alcohol or would like more information on drug/alcohol misuse education programs offered by the University, they should contact Student Wellness or visit: <http://sites.udel.edu/studentwellness/>.

The University of Delaware employs licensed psychologists and psychiatrists in the Center for Counseling and Student Development who will assist students having problems with alcohol and drug misuse.

Every student at the University should read and become familiar with the policies on drugs and alcohol use that are discussed in the Student Guide to University Policies.

If you have any questions concerning alcohol and drug regulations or health risks, please feel free to contact the following offices:

**Student Wellness:** (302) 831-3457

**Student Life Office:** (302) 831-8939

**Counseling and Student Development:** (302) 831-2141

## Reportable Crimes

**Murder and Non-negligent Manslaughter** is defined as the willful (non-negligent) killing of one human being by another.

**Manslaughter by Negligence** is defined as the killing of another person through gross negligence.

**Sexual Assault** is defined as any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. These include **Rape, Fondling, Incest, and Statutory Rape**.

**Robbery** is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated assault** is 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.

**Burglary** is the unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle theft** is the theft or attempted theft of a motor vehicle.

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

**Weapons: Carrying, Possessing, etc.,** is defined as the violation of laws or ordinances prohibiting the manufacture sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

**Substance Misuse Violations**-are defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

**Liquor Law Violations**-are defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

**Domestic Violence**-includes physical, sexual, or psychological harm by a current or former spouse (partner).

**Dating Violence**-includes physical, sexual, or psychological harm by a current or former dating partner.

**Stalking**-is generally defined as repeated (two or more occasions) visual or physical proximity, nonconsensual communication, or verbal, written, and/or implied threats, that would cause a reasonable person fear. Cyber-stalking or stalking through technology such as texting, Facebook, and GPS trackers, is increasingly prevalent. The University of Delaware's policy defines stalking as "Purposely and repeatedly engaging in behavior directed at a specific person which reasonably causes that person alarm, distress, fear or a change of normal behavior' and it is a prohibited activity.

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## Section Two: *Fire Safety Report*



## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

A Safe and Healthful Campus Environment



## University of Delaware 2023 Annual Fire Safety Report

The **Higher Education Opportunity Act**, enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution.

## I. 2023 Fire Statistics for

## a. On-campus Student Housing Facilities – Newark

Residential Facility	# Fires	Date	Location	Cause & Category of Fire	Injuries	Deaths	Property Damage
Alpha Phi 158 S. College Ave	0	N/A	N/A	N/A	N/A	N/A	N/A
Alpha Delta Phi 303 Hollowell Dr.	0	N/A	N/A	N/A	N/A	N/A	N/A
Alpha Sigma Alpha 231 Hollowell Dr.	0	N/A	N/A	N/A	N/A	N/A	N/A
Alpha XI Delta 175 W. Main St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Brown Hall 12 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Caesar Rodney Pod A, 358 Academy St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Caesar Rodney Pod B, 352 Academy St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Caesar Rodney Pod C, 354 Academy St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Cannon Hall 269 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Chi Omega 233 Hollowell Dr.	0	N/A	N/A	N/A	N/A	N/A	N/A
Christiana East Tower, 16 Christiana Drive (Closed)	0	N/A	N/A	N/A	N/A	N/A	N/A
Christian West Tower, 7 Christiana Drive (Closed)	0	N/A	N/A	N/A	N/A	N/A	N/A
Gamma Phi Beta 59 Lovett Ave.	0	N/A	N/A	N/A	N/A	N/A	N/A
George Read Hall, 111 Christiana Dr.	2	3/24/2023	1 <sup>st</sup> Floor Corridor	Intentional lit papers on bulletin board	N/A	N/A	\$0-999
Gilbert Hall 310 Haines St.	0					N/A	
Graduate House 183 W. Main St.	0	N/A	N/A	N/A	N/A	N/A	N/A

## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

A Safe and Healthful Campus Environment

Residential Facility	# Fires	Date	Location	Cause & Category of Fire	Injuries	Deaths	Property Damage
Harrington Hall–A, 158 Courtney St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Harrington Hall–B 156 Courtney St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Harrington Hall–C 152 Courtney St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Harrington Hall–D 407 Academy St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Harrington Hall–E 403 Academy St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Harter Hall 11 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Independence Hall 302 Hollowell Dr.	0	N/A	N/A	N/A	N/A	N/A	N/A
James Smith Hall 202 Hollowell Dr.	1	3/30/23	5 <sup>th</sup> Floor Student Lounge	Unintentional fan coil unit motor failure	N/A	N/A	\$0-999
Kent Hall 273 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Lane Hall 303 Academy St.	0	N/A	N/A	N/A	N/A	N/A	N/A
New Castle Hall 271 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Ray Street A 15 Ray St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Ray Street B 35 Ray St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Ray Street C 20 Ray Street	0	N/A	N/A	N/A	N/A	N/A	N/A
Redding Hall 306 Haines St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Russell Hall A 270 Haines St.	1	10/15/23	2 <sup>nd</sup> Floor Resident Room	Unintentional Unattended Cooking	N/A	N/A	\$0-999
Russell Hall B 262 Haines St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Russell Hall C 264 Haines St.	1	12/07/23	1 <sup>st</sup> Floor Commons Hallway	Intentional lit insect carcass on floor	N/A	N/A	\$0-999
Russell Hall D 266 Haines St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Russell Hall E 272 Haines St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Sharp Hall 23 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A

## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

A Safe and Healthful Campus Environment

Residential Facility	# Fires	Date	Location	Cause & Category of Fire	Injuries	Deaths	Property Damage
Smyth Hall 400 Academy St	0	N/A	N/A	N/A	N/A	N/A	N/A
South Academy 412 Academy St	6	5/5/23	4 <sup>th</sup> Floor Hallway	Intentional, Rooms 442, 445, 446, 447, 448 door name tags burned	N/A	N/A	\$0-999
Squire Hall 279 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Sussex Hall 277 The Green	0				N/A	N/A	
Sypherd Hall 24 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Thomas McKean 162 Hollowell Dr.	2	3/18 & 9/2/23	3 <sup>rd</sup> floor hallway & 2 <sup>nd</sup> floor resident room	Intentional, Room Name Tag Burned Unintentional Electric Cord failure in resident room	N/A	N/A	\$0-999 \$0-999
Thompson Hall 301 Academy St	1	3/18/23	1 <sup>st</sup> Floor Hallway	Intentional lit papers on bulletin board	N/A	N/A	\$0-999
200 University Courtyard Apts.	0	N/A	N/A	N/A	N/A	N/A	N/A
300 University Courtyard Apts.	1	11/4/23	Student Apartments 3105	Unintentional Stove malfunction	N/A	N/A	\$100-999
400 University Courtyard Apts.	0	N/A	N/A	N/A	N/A	N/A	N/A
500 University Courtyard Apts.	1	12/28/23	Student Apartment 5207	Unintentional Power Strip Failure	N/A	N/A	\$0-999
600 University Courtyard Apts.	0	N/A	N/A	N/A	N/A	N/A	N/A
700 University Courtyard Apts.	0	N/A	N/A	N/A	N/A	N/A	N/A
800 University Courtyard Apts.	0	N/A	N/A	N/A	N/A	N/A	N/A

## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

A Safe and Healthful Campus Environment

## b. On-Campus Student Housing Facilities – Lewes Daiber Housing

Residential Facility	# Fires	Date	Location	Cause & Category of Fire	Injuries	Deaths	Property Damage
15969 Maury Circle, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
15968 Maury Circle, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
15969 Maury Circle, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
15968 Maury Circle, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
15985 Maury Circle	0	N/A	N/A	N/A	N/A	N/A	N/A
15984 Maury Circle	0	N/A	N/A	N/A	N/A	N/A	N/A
34806 Sussex DRIVE, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
34806 Sussex DRIVE, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
15966 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
15973 Bowman Drive, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
15974 BOWMAN DRIVE, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
15973 Bowman Drive, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
15974 Bowman Drive, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
15990 Bowman Drive, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
15990 Bowman Drive, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
16003 Bowman Drive, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
16004 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
16003 Bowman Drive, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
16010 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
16018 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
16024 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
16030 Bowman Drive, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
16030 Bowman Drive, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
16044 Bowman Drive, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
16029 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
16044 Bowman Drive, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
16051 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
16054 Bowman Drive, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
16054 Bowman Drive, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
16066 Bowman Drive, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
16066 Bowman Drive, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A

HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

A Safe and Healthful Campus Environment

c. Leased Student Housing Facilities – Newark

Residential Facility	# Fires	Date	Location	Cause & Category of Fire	Injuries	Deaths	Property Damage
The Waverly Apts. Building 800 Hamlet Way	0	N/A	N/A	N/A	N/A	N/A	N/A
The Waverly Apts. Building 820 Hamlet Way	0	N/A	N/A	N/A	N/A	N/A	N/A



## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

A Safe and Healthful Campus Environment

## II. 2022 Fire Statistics for:

### a. On-campus Student Housing Facilities – Newark

Residential Facility	# Fires	Date	Location	Cause & Category of Fire	Injuries	Deaths	Property Damage
Alpha Phi 158 S. College Ave	0	N/A	N/A	N/A	N/A	N/A	N/A
Alpha Delta Phi 303 Hollowell Dr.	0	N/A	N/A	N/A	N/A	N/A	N/A
Alpha Sigma Alpha 231 Hollowell Dr.	0	N/A	N/A	N/A	N/A	N/A	N/A
Alpha Xi Delta 175 W. Main St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Brown Hall 12 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Caesar Rodney Pod A, 358 Academy St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Caesar Rodney Pod B, 352 Academy St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Caesar Rodney Pod C, 354 Academy St	0	N/A	N/A	N/A	N/A	N/A	N/A
Cannon Hall 269 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Chi Omega 233 Hollowell Dr.	0	N/A	N/A	N/A	N/A	N/A	N/A
Christiana East Tower, 16 Christiana Drive (Closed)	0	N/A	N/A	N/A	N/A	N/A	N/A
Christian West Tower, 17 Christiana Drive (Closed)	0	N/A	N/A	N/A	N/A	N/A	N/A
Gamma Phi Beta 59 Lovett Ave.	1	4/3/22	Kitchen	Unintentional Unattended Cooking	N/A	N/A	\$0-999
George Read Hall, 111 Christiana Dr.	1	5/26/22	1 <sup>st</sup> Floor Restroom	Intentional Burnt Paper found within sink	N/A	N/A	\$0-999
Gilbert Hall 310 Haines St.	1	8/27/22	1 <sup>st</sup> Floor Elevator Machine Room	Unintentional Burnt Belt	N/A	N/A	\$0-999
Graduate House 183 W. Main St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Harrington Hall-A, 158 Courtney St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Harrington Hall-B 156 Courtney St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Harrington Hall-C 152 Courtney St.	0	N/A	N/A	N/A	N/A	N/A	N/A

## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

A Safe and Healthful Campus Environment

Residential Facility	# Fires	Date	Location	Cause & Category of Fire	Injuries	Deaths	Property Damage
Harrington Hall – D 407 Academy St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Harrington Hall- E 403 Academy St	0	N/A	N/A	N/A	N/A	N/A	N/A
Harter Hall 11 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Independence Hall 302 Hollowell Dr.	0	N/A	N/A	N/A	N/A	N/A	N/A
James Smith Hall 202 Hollowell Dr.	0	N/A	N/A	N/A	N/A	N/A	N/A
Kent Hall 273 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Lane Hall 303 Academy St.	0	N/A	N/A	N/A	N/A	N/A	N/A
New Castle Hall 271 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Ray Street A 15 Ray St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Ray Street B 35 Ray St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Ray Street C 20 Ray Street	0	N/A	N/A	N/A	N/A	N/A	N/A
Redding Hall 306 Haines St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Russell Hall A 270 Haines St	0	N/A	N/A	N/A	N/A	N/A	N/A
Russell Hall B 262 Haines St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Russell Hall C 264 Haines St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Russell Hall D 2 66 Haines St	0	N/A	N/A	N/A	N/A	N/A	N/A
Russell Hall E 272 Haines St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Sharp Hall 23 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Smyth Hall 400 Academy St	0	N/A	N/A	N/A	N/A	N/A	N/A
South Academy 412 Academy St	0	N/A	N/A	N/A	N/A	N/A	N/A
Squire Hall 279 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Sussex Hall 277 The Green	1	3/26/22	1 <sup>st</sup> Floor Common Area Kitchen	Unintentional Unattended Cooking	N/A	N/A	\$0-999

## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

A Safe and Healthful Campus Environment

Residential Facility	# Fires	Date	Location	Cause & Category of Fire	Injuries	Deaths	Property Damage
Sypherd Hall 24 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Thomas McKean 162 Hollowell Dr.	0	N/A	N/A	N/A	N/A	N/A	N/A
Thompson Hall 301 Academy St	4	2/8/22	2 <sup>nd</sup> Floor Corridor	Intentional 4 doors paper name tags burned	N/A	N/A	\$0-999
200 University Courtyard Apts.	0	N/A	N/A	N/A	N/A	N/A	N/A
300 University Courtyard Apts.	1	10/1/22	Apartment 3301	Unintentional Cooking	N/A	N/A	N/A
400 University Courtyard Apts.	0	N/A	N/A	N/A	N/A	N/A	N/A
500 University Courtyard Apts.	0	N/A	N/A	N/A	N/A	N/A	N/A
600 University Courtyard Apts.	0	N/A	N/A	N/A	N/A	N/A	N/A
700 University Courtyard Apts.	0	N/A	N/A	N/A	N/A	N/A	N/A
800 University Courtyard Apts.	0	N/A	N/A	N/A	N/A	N/A	N/A

## b. On-Campus Student Housing Facilities – Lewes Daiber Housing

Residential Facility	# Fires	Date	Location	Cause & Category of Fire	Injuries	Deaths	Property Damage
15969 Maury Circle, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
15968 Maury Circle, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
15969 Maury Circle, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
15968 Maury Circle, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
15985 Maury Circle	0	N/A	N/A	N/A	N/A	N/A	N/A
15984 Maury Circle	0	N/A	N/A	N/A	N/A	N/A	N/A
34806 Sussex DRIVE, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
34806 Sussex DRIVE, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
15966 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
15973 Bowman Drive UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
15974 Bowman Drive UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
15973 Bowman Drive UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
15974 Bowman Drive UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
15990 Bowman Drive,	0	N/A	N/A	N/A	N/A	N/A	N/A

UNIT 1

## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

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Residential Facility	# Fires	Date	Location	Cause & Category of Fire	Injuries	Deaths	Property Damage
15990 Bowman Drive UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
16003 Bowman Drive UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
16004 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
16003 Bowman Drive UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
16010 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
16018 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
16024 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
16030 Bowman Drive UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
16030 Bowman Drive UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
16044 Bowman Drive UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
16029 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
16044 Bowman Drive UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
16051 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
16054 Bowman Drive UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
16054 Bowman Drive UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
16066 Bowman Drive UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
16066 Bowman Drive, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A

HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
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c. Campus Leased Student Housing Facilities – Newark

Residential Facility	# Fires	Date	Location	Cause & Category of Fire	Injuries	Deaths	Property Damage
The Waverly Apts. Building 800 Hamlet Way	0	N/A	N/A	N/A	N/A	N/A	N/A
The Waverly Apts. Building 820 Hamlet Way	0	N/A	N/A	N/A	N/A	N/A	N/A

## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
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### III. 2021 Fire Statistics for:

#### a. On-campus Student Housing Facilities – Newark

Residential Facility	# Fires	Date	Location	Cause & Category of Fire	Injuries	Deaths	Property Damage
Alpha Phi 158 S. College Ave	0	N/A	N/A	N/A	N/A	N/A	N/A
Alpha Delta Phi 303 Hollowell Dr.	0	N/A	N/A	N/A	N/A	N/A	N/A
Alpha Sigma Alpha 231 Hollowell Dr.	0	N/A	N/A	N/A	N/A	N/A	N/A
Alpha XI Delta 175 W. Main St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Brown Hall 12 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Caesar Rodney Pod A, 358 Academy St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Caesar Rodney Pod B, 352 Academy St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Caesar Rodney Pod C, 354 Academy St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Cannon Hall 269 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Chi Omega 233 Hollowell Dr.	0	N/A	N/A	N/A	N/A	N/A	N/A
Christiana East Tower, 16 Christiana Drive (Closed)	0	N/A	N/A	N/A	N/A	N/A	N/A
Christian West Tower, 17 Christiana Drive (Closed)	0	N/A	N/A	N/A	N/A	N/A	N/A
Gamma Phi Beta 59 Lovett Ave.	0	N/A	N/A	N/A	N/A	N/A	N/A
George Read Hall, 111 Christiana Dr.	1	1/8/21	Room 443	Unintentional Heating Unit Motor	N/A	N/A	\$0-999
Gilbert Hall 310 Haines St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Graduate House 183 W. Main St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Harrington Hall-A, 158 Courtney St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Harrington Hall-B 156 Courtney St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Harrington Hall-C 152 Courtney St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Harrington Hall – D 407 Academy St.	0	N/A	N/A	N/A	N/A	N/A	N/A



## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

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Residential Facility	# Fires	Date	Location	Cause & Category of Fire	Injuries	Deaths	Property Damage
Harrington Hall- E 403 Academy St	0	N/A	N/A	N/A	N/A	N/A	N/A
Harter Hall 11 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Independence Hall 302 Hollowell Dr.	0	N/A	N/A	N/A	N/A	N/A	N/A
James Smith Hall 202 Hollowell Dr.	0	N/A	N/A	N/A	N/A	N/A	N/A
Kent Hall 273 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Lane Hall 303 Academy St.	0	N/A	N/A	N/A	N/A	N/A	N/A
New Castle Hall 271 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Ray Street A 15 Ray St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Ray Street B 35 Ray St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Ray Street C 20 Ray Street	0	N/A	N/A	N/A	N/A	N/A	N/A
Redding Hall 306 Haines St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Russell Hall A 270 Haines St	0	N/A	N/A	N/A	N/A	N/A	N/A
Russell Hall B 262 Haines St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Russell Hall C 264 Haines St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Russell Hall D 266 Haines St	0	N/A	N/A	N/A	N/A	N/A	N/A
Russell Hall E 272 Haines St.	0	N/A	N/A	N/A	N/A	N/A	N/A
Sharp Hall 23 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Smyth Hall 400 Academy St	0	N/A	N/A	N/A	N/A	N/A	N/A
South Academy 412 Academy St	0	N/A	N/A	N/A	N/A	N/A	N/A
Squire Hall 279 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Sussex Hall 277 The Green	0	N/A	N/A	N/A	N/A	N/A	N/A
Sypherd Hall 24 The Green	1	4/10/20	Room 024 Mechanical	Unintentional Water Pump Failure	N/A	N/A	\$100-999

## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

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Residential Facility	# Fires	Date	Location	Cause & Category of Fire	Injuries	Deaths	Property Damage
Thomas McKean 162 Hollowell Dr.	0	N/A	N/A	N/A	N/A	N/A	N/A
Thompson Hall 301 Academy St	0	N/A	N/A	N/A	N/A	N/A	N/A
200 University Courtyard Apts.	0	N/A	N/A	N/A	N/A	N/A	N/A
300 University Courtyard Apts.	0	N/A	N/A	N/A	N/A	N/A	N/A
400 University Courtyard Apts.	0	N/A	N/A	N/A	N/A	N/A	N/A
500 University Courtyard Apts.	0	N/A	N/A	N/A	N/A	N/A	N/A
600 University Courtyard Apts.	0	N/A	N/A	N/A	N/A	N/A	N/A
700 University Courtyard Apts.	0	N/A	N/A	N/A	N/A	N/A	N/A
800 University Courtyard Apts.	0	N/A	N/A	N/A	N/A	N/A	N/A

## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

A Safe and Healthful Campus Environment

## b. On-Campus Student Housing Facilities – Lewes Daiber Housing

Residential Facility	# Fires	Date	Location	Cause & Category of Fire	Injuries	Deaths	Property Damage
15969 Maury Circle, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
15968 Maury Circle, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
15969 Maury Circle, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
15968 Maury Circle, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
15985 Maury Circle	0	N/A	N/A	N/A	N/A	N/A	N/A
15984 Maury Circle	0	N/A	N/A	N/A	N/A	N/A	N/A
34806 Sussex Drive, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
34806 Sussex Drive, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
15966 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
15973 Bowman Drive UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
15974 Bowman Drive, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
15973 Bowman Drive UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
15974 Bowman Drive UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
15990 Bowman Drive UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
15990 Bowman Drive UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
16003 Bowman Drive UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
16004 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
16003 Bowman Drive UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
16010 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
16018 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
16024 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
16030 Bowman Drive, UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
16030 Bowman Drive, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
16044 Bowman Drive UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
16029 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
16044 Bowman Drive, UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
16051 Bowman Drive	0	N/A	N/A	N/A	N/A	N/A	N/A
16054 Bowman Drive UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
16054 Bowman Drive UNIT 2	0	N/A	N/A	N/A	N/A	N/A	N/A
16066 Bowman Drive UNIT 1	0	N/A	N/A	N/A	N/A	N/A	N/A
16066 Bowman Drive UNIT 2	1	N/A	Kitchen	Unintentional Unattended Cooking	N/A	N/A	\$1000-9999

## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

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c. **Campus Leased Student Housing Facilities – Newark**

Residential Facility	# Fires	Date	Location	Cause & Category of Fire	Injuries	Deaths	Property Damage
ONE EASTON Apartments, 1 Easton Court	0	N/A	N/A	N/A	N/A	N/A	N/A
The Waverly Apts. Building 800 Hamlet Way	0	N/A	N/A	N/A	N/A	N/A	N/A
The Waverly Apts. Building 820 Hamlet Way	0	N/A	N/A	N/A	N/A	N/A	N/A

## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

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The University of Delaware Fire Activity Log is maintained by Kevin McSweeney, Campus Fire Marshal, [kmcsween@udel.edu](mailto:kmcsween@udel.edu). The link for access is found at: <https://www1.udel.edu/ehs/generalhs/fire/log/>. The Fire Log is kept at the Environmental Health and Safety Office, 222 South Chapel Street, Newark, DE 19716.

d. Description of On-Campus Student Housing Fire Safety Systems:

Facility Name & Address	Fire Alarm Monitoring Done on Site by UDPD	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evac Plans & Instructions	Number of Evacuation (Fire) Drills During Prior Calendar Year
Alpha Phi 158 S. College Ave	X	X	X	X	X	4
Alpha Delta Phi 303 Hollowell Dr.	X	X	X	X	X	4
Alpha Sigma Alpha 231 Hollowell Dr.	X	X	X	X	X	4
Alpha XI Delta 175 W. Main St.	X	X	X	X	X	4
Brown Hall 12 The Green	X	X	X	X	X	4
Caesar Rodney Pod A, 358 Academy St.	X	X	X	X	X	4
Caesar Rodney Pod B, 352 Academy St.	X	X	X	X	X	4
Caesar Rodney Pod C, 354 Academy St.	X	X	X	X	X	4
Cannon Hall 269 The Green	X	X	X	X	X	4
Chi Omega 233 Hollowell Dr.	X	X	X	X	X	4
Gamma Phi Beta 59 Lovett Ave.	X	X	X	X	X	4
George Read Hall, 111 Christiana Dr.	X	X	X	X	X	4
Gilbert Hall 310 Haines St.	X	X	X	X	X	4
Graduate House 183 W. Main St.	X	X	X	X	X	4
Harrington Hall-A, 158 Courtney St.	X	X	X	X	X	4
Harrington Hall-B 156 Courtney St.	X	X	X	X	X	4
Harrington Hall-C 152 Courtney St.	X	X	X	X	X	4

## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

A Safe and Healthful Campus Environment

Facility Name & Address	Fire Alarm Monitoring Done on Site by UDPD	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evac Plans & Instructions	Number of Evacuation (Fire) Drills During Prior Calendar Year
Harrington Hall – D 407 Academy St.	X	X	X	X	X	4
Harrington Hall- E 403 Academy St.	X	X	X	X	X	4
Harter Hall 11 The Green	X	X	X	X	X	4
Independence Hall 302 Hollowell Dr.	X	X	X	X	X	4
James Smith Hall 202 Hollowell Dr.	X	X	X	X	X	4
Kent Hall 273 The Green	X	X	X	X	X	4
Lane Hall 303 Academy St.	X	X	X	X	X	4
New Castle Hall 271 The Green	X	X	X	X	X	4
Ray Street A 15 Ray St.	X	X	X	X	X	4
Ray Street B 35 Ray St.	X	X	X	X	X	4
Ray Street C 2 0 Ray Street	X	X	X	X	X	4
Redding Hall 306 Haines St.	X	X	X	X	X	4
Russell Hall A 270 Haines St.	X	X	X	X	X	4
Russell Hall B 262 Haines St.	X	X	X	X	X	4
Russell Hall C 264 Haines St.	X	X	X	X	X	4
Russell Hall D 266 Haines St.	X	X	X	X	X	4
Russell Hall E 272 Haines St.	X	X	X	X	X	4
Sharp Hall 23 The Green	X	X	X	X	X	4
Smyth Hall 400 Academy St.	X	X	X	X	X	4
SARH 412 Academy St.	X	X	X	X	X	4
Squire Hall 279 The Green	X	X	X	X	X	4



## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

A Safe and Healthful Campus Environment

Facility Name & Address	Fire Alarm Monitoring Done on Site by UDPD	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evac Plans & Instructions	Number of Evacuation (Fire) Drills During Prior Calendar Year
Sussex Hall 277 The Green	X	X	X	X	X	4
Sypherd Hall 24 The Green	X	X	X	X	X	4
Thomas McKean 162 Hollowell Dr.	X	X	X	X	X	4
Thompson Hall 3 01 Academy St.	X	X	X	X	X	4
200 University Courtyard Apts.	X	X	X	X	X	4
300 University Courtyard Apts.	X	X	X	X	X	4
400 University Courtyard Apts.	X	X	X	X	X	4
500 University Courtyard Apts.	X	X	X	X	X	4
600 University Courtyard Apts.	X	X	X	X	X	4
700 University Courtyard Apts.	X	X	X	X	X	4
800 University Courtyard Apts.	X	X	X	X	X	4
Warner Hall 280 The Green	X	X	X	X	X	4

## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

A Safe and Healthful Campus Environment

## b. Lewes Campus Dwellings

Facility Name & Address	Fire Alarm Monitoring Done on Site by UDPD	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evac Plans & Instructions	Number of Evacuation (Fire) Drills During Prior Calendar Year
15969 Maury Circle, Unit 2			X	X		
15968 Maury Circle, Unit 1			X	X		
15969 Maury Circle, Unit 1			X	X		
15968 Maury Circle, Unit 2			X	X		
15985 Maury Circle			X	X		
15984 Maury Circle			X	X		
34806 Sussex Drive, Unit 2			X	X		
34806 Sussex Drive, Unit 1			X	X		
15966 Bowman Drive			X	X		
15973 Bowman Drive, Unit 2			X	X		
15974 Bowman Drive, Unit 1			X	X		
15973 Bowman Drive, Unit 1			X	X		
15974 Bowman Drive, Unit 2			X	X		
15990 Bowman Drive, Unit 1			X	X		
15990 Bowman Drive, Unit 2			X	X		
16003 Bowman Drive, Unit 2			X	X		
16004 Bowman Drive			X	X		
16003 Bowman Drive, Unit 1			X	X		
16010 Bowman Drive			X	X		
16018 Bowman Drive			X	X		
16024 Bowman Drive			X	X		
16030 Bowman Drive, Unit 1			X	X		
16030 Bowman Drive, Unit 2			X	X		

## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

A Safe and Healthful Campus Environment

Facility Name & Address	Fire Alarm Monitoring Done on Site by UDPD	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evac Plans & Instructions	Number of Evacuation (Fire) Drills During Prior Calendar Year
16044 Bowman Drive, Unit 1			X	X		
16029 Bowman Drive			X	X		
16044 Bowman Drive, Unit 2			X	X		
16051 Bowman Drive			X	X		
16054 Bowman Drive, Unit 1			X	X		
16054 Bowman Drive, Unit 2			X	X		
16066 Bowman Drive, UNIT 1			X	X		
16066 Bowman Drive, UNIT 2			X	X		

## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

**A Safe and Healthful Campus Environment**

## c. Newark Leased Housing

Facility Name & Address	Fire Alarm Monitoring Done on Site by 3 <sup>rd</sup> Party	Full Sprinkler System	Smoke Detection	Fire Extinguishers	Evac Plans & Instructions	Number of Evacuation (Fire) Drills During Prior Calendar Year
One Easton, 1 Easton Court	X	X	X	X	X	N/A
The Waverly, Building 800	X	X	X	X	X	N/A
The Waverly, Building 820	X	X	X	X	X	N/A

**IV. Policies on portable electrical appliances, smoking and open flames:**

On campus, housing facilities have prohibitions against the following activities:

- a. Smoking.
- b. Using lighted candles or other open flames devices.
- c. Cooking in unapproved areas (bedrooms) including use of toaster ovens and appliances with an open heating element. Microwaves are allowed in Student Housing Rooms.
- d. Use of space heaters (Except when issued by Residential Facilities for emergency outages of heat).
- e. Use of extension cords.
- f. Tampering with or blocking any fire protection equipment.
- g. Possession of fireworks.
- h. Use of halogen lamps or halogen bulbs.
- i. E-bikes, scooters, or hover boards (Use or Storage)
- j. 3D Printers

Additional information is available on the following web sites:

Fire Safety Program in Residence Halls - [http://www1.udel.edu/reslife/community\\_living/regulations.html](http://www1.udel.edu/reslife/community_living/regulations.html)

Residential Facilities - Safety and Environment - [http://www.udel.edu/reslife/community\\_living/safety.html](http://www.udel.edu/reslife/community_living/safety.html)

Facilities Management Guidelines for Student Housing - <http://sites.udel.edu/livingatud/floor-plans-building-information/>

**Reporting Fires**

Per federal law, the University of Delaware is required to annually disclose statistical data on all fires that occur in on-campus student housing facilities. Therefore, if you encounter a live fire in one of these facilities, you should immediately get to a safe place, then dial 911. Once the emergency has passed, you should notify UDPD at 302-831-2222 to investigate and document the incident for disclosure in the University's annual fire statistics.

If a member of the UD community finds evidence of a fire that has been extinguished, and the person is not sure whether UDPD has already responded, the community member should immediately notify UDPD at 302-831-2222 to investigate and document the incident for disclosure in the University's annual fire statistics.

## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

A Safe and Healthful Campus Environment

### V. Fire safety education and training programs for students, faculty and staff.

The Fire Protection Team within the Department of Environmental Health & Safety provides training to Residence Life-Housing Staff including Resident Assistants, Complex Coordinators, Residence Hall Coordinators and Greek House Directors. The training includes annual R/A Fire Safety Training. The training provides information on fire protection features of facilities, fire prevention and emergency reaction procedures, and fire extinguisher training for residents.

Graduate Students and staff for Chemistry/Biochemistry, Chemical Engineering and Biology Lab Programs were provided lab fire safety and hands-on fire extinguisher training.

The Fire Protection Element is also involved in public education programs such as New Student Orientation, AG-Day, Graduate Fair, Grad Student Lab Fire Safety, ARAMARK Employee Training, Public Safety In-Service Training, UD Bus Drivers and General Population Fire Extinguisher Training.

An online computer-based Student Resident Fire and Campus Safety Training Program using Canvas course instruction is available. The course is made up of fire-related topics such as safe cooking, fire reaction, and fire extinguisher training. Other uses of Canvas instructional software includes an on-line public assembly crowd manager-training program beginning in July 2019. The team also provides Zoom/Hybrid and live fire safety training for Residence Life Staff, UD Health Science Clinics and Center for Disability Studies.

### VI. Procedures for student housing evacuation in the case of a fire emergency.

#### *Procedures for Student Housing Fire Evacuations*

- A. In the event of a fire or fire alarm activation all occupants shall evacuate the building. Prior to opening residence hall sleeping room door:
  1. Check for heat by feeling door with back of your hand; if hot, do not open the door and take refuge in the room.
  2. If the handle is cool, open the door slowly and check for smoke. If the corridor is smoke filled, close the door, and take refuge in the room. If clear, proceed to nearest exit/exit stairwell. Stay low to the floor if a smoke condition is encountered.
- B. All responses to a fire or fire alarm activation should be completed using reasonable judgment with the objective of making sure no persons are endangered in the process.
- C. An individual who discovers a fire or other emergency, such as abnormal heating of material, hazardous gas leaks, hazardous material or flammable liquid spill, smoke, or burning odor, shall immediately follow these procedures:
  1. Leave the area if it is unsafe.
  2. Give the alarm by:
    - a) Sounding the building evacuation alarm by pull box or, if not available, by notifying occupants of the building by other means.
    - b) Notifying UD Police by University telephone (911) or by an Emergency Phone, (302) 831-2222 from a cell phone or Live Safe App.
    - c) When utilizing the building fire alarm system for emergencies other than fire (hazardous materials, flammable liquid spill, etc.) immediately notify UD Police with the nature of the emergency by University telephone (911), Emergency Phone, (302) 831-2222 from a cell phone, or Live Safe App.
  3. Isolate the area by closing all doors and windows.
  4. Shut down all equipment in the area if possible.



## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

**A Safe and Healthful Campus Environment**

- D. When notified of fire or other emergency, personnel must:
1. Evacuate the building and move to an area at least 200 feet from the building.
  2. Do Not Use Elevators, only use the stairwells and exits
  3. Do not reenter the building until advised by the person in charge. Entrances, sidewalks, and driveways shall be kept clear to allow emergency vehicles and personnel access.
- E. In case of an emergency a person with a disability should take the following actions:
1. Proceed immediately to an "AREA OF REFUGE."
  2. If an "AREA OF REFUGE" is not available proceed immediately to the nearest marked exit/exit stairway and wait inside the stair tower landing.
  3. Alert a responsible person of your intentions by hallway emergency phone, cell phone or Live Safe App.
  4. Wait for trained emergency responders to rescue you.
- F. Supervisory personnel should assist in the evacuation of persons from the building. For the evacuation of persons with disabilities, note the area occupied and communicate this information to a Police Officer at the Command Post once outside the building. Remain at the command post to provide additional information as necessary for the fire department.
- G. Anyone who notes that individuals who may have been in the building are missing should immediately inform the Fire Department Officer in charge and/or University Police.
- H. Anyone having specific information concerning the nature and/or location of the emergency condition should report this information to the UD Police Command Post. These individuals shall remain at the Command Post until their help is requested by the Fire Department, Fire Marshal, or representative of the Department of Environmental Health and Safety
- The campus fire safety team continuously strives to assure student-housing residents are prepared for a fire emergency within their residence hall, Greek House, leased apartment and dwellings. Individual sleeping rooms have evacuation maps along with detailed instructions to follow. Hallways and Corridors have evacuation maps, which include location of meeting places to gather upon the building evacuation.

## HIGHER EDUCATION OPPORTUNITY ACT REPORTING



ENVIRONMENTAL  
HEALTH &  
SAFETY

**A Safe and Healthful Campus Environment**

**VII. Plans for future improvements in fire safety:**

UD continually evaluates the fire protection systems within student housing facilities. Evaluations culminate in the incorporation of fire safety upgrades. Such upgrades occur through replacements or building renovations. Current plans include:

- Replacement of attic dry sprinkler systems at University Courtyard Apts.
- Projecting to replace fire detection and alarm systems at Thompson and Lane Residence Halls this calendar year. Carried over from previous year.
- The Christiana Towers (East and West) and Commons student housing buildings have been closed and are waiting demolition.
- 16th Annual Residence Hall Assistant Night Safety Training in August.
- Continued use of Canvas for Residence Hall Fire Safety Training on-line: <https://canvas.instructure.com/enroll/HKK4DY>
- Continuing to provide enhanced fire extinguisher training with the purchase of a new Lion Bulls Eye laser fire extinguisher training system. Hands-on fire extinguisher training at Sorority and Fraternity Houses is provided on-location at each residence.

Access to UD Department of Public Safety Clery Reporting at: <http://www1.udel.edu/police/clery/>

### Section Three: *Referenced Student Policies*



## Missing Student Policy

1. The University of Delaware (UD) takes student safety seriously. To this end, and in compliance with the Missing Student Notification Policy and Procedures (Section 488 of the Higher Education Opportunity Act of 2008), the following policy has been developed in order to assist in locating UD students, who, based on the facts and circumstances known to the University, are determined to be missing. It is the policy of UD to actively investigate any report of a missing student. All students will be notified of the missing student policy and the procedures UD would follow in the event that they are reported missing.
2. Each student living in on campus residence facility will be asked annually to identify the name and contact number of the individual(s) designated as a confidential missing person contact, whom UD will notify within 24 hours of the determination that the student is missing. Students are advised that for any student under the age of 18, and not an emancipated individual, the institution is required to notify a custodial parent or guardian within 24 hours of the determination that the student is missing, students are also advised that, in addition to notifying any additional contact person designated by the student. Students are also advised that, in addition to notifying any additional contact person designated by the student. Students are advised that, for all missing students, UD will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing. When students are informed of their option to provide a confidential contact, they are advised that their contact information will be registered confidentially, made accessible only to authorized campus officials, and will not be disclosed except to law enforcement personnel in furtherance of a missing person investigation.
3. If a member of the University community has reason to believe that a student has been missing for 24 hours, he or she must report it to the University of Delaware Police Department (UDPD), located at 413 Academy Street, Newark DE 19716. For non-emergencies call 831-2222; for emergencies call 911. Suspected missing students should be reported immediately to the University of Delaware Police Department. All efforts will be made immediately (no waiting period) to locate the student to determine his or her state of health and well-being.

These efforts include, but are not limited to, calling the student's cell phone and sending a text message, looking at social networking sites, checking the student's room, interviewing roommates and friends, checking attendance in class, checking ID card access and key fob use, and locating the student's vehicle.

If upon investigation by UDPD, the student is determined missing for at least 24 hours, the Dean of Students will contact the student's designated missing person contact (or custodial parent or legal guardian if the student is under the age of 18 and is not emancipated or has failed to designate a missing person contact), within 24 hours of the determination that the student is missing. UDPD will continue to investigate utilizing established police investigative procedures and in collaboration with staff from the Dean of Students' Office and Residence Life. UDPD will also co-ordinate its efforts with outside law enforcement agencies in full compliance with legal obligations and good police practice. Regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, UD will inform the local Police Department (or the local law enforcement agency with jurisdiction) that the student is missing within 24 hours.

4. The Missing Student Policy will be included in the following documentations:
  - a. Student Guide to University Policies;
  - b. Information provided to students at point they complete emergency contact information (SIS);
  - e. Annual Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act

## Student Guide to Policies: Student Conduct System, Section D, 2, a, xiii

The office of Community Standards and Conflict Resolution (CSCR) will notify the charged student and the complainant via e-mail of the outcome, rationale, proposed sanction(s) (if any), and the right of appeal. The office of Community Standards and Conflict Resolution (CSCR) will notify the victim of sexual assault or sexual harassment of the outcome and sanctions applied and the right of appeal.

## Student Guide to Policies: Student Conduct System, Section C, 1, I

A charged student is entitled to:

- i. Be assisted by a student conduct advisor of his or her choice from among the members of the University community. For undergraduate students, names of advisors familiar with the student conduct process are available upon request through the office of Community Standards and Conflict Resolution (CSCR). It is the responsibility of the charged student to obtain an advisor if so desired and to provide the advisor's name to the office of Community Standards and Conflict Resolution (CSCR) (for undergraduate students) or the Office of Graduate and Professional Education (for graduate students) at least 3 business days prior to the Administrative Hearing. An advisor should be selected promptly. The advisor may:
  - Advise the charged student on the presentation of a response to the allegations;
  - Accompany the charged student at all student conduct meetings; and
  - Advise the charged student in the preparation of any appeal.

## Student Guide to Policies: Student Conduct System, Section C, 2, G

A victim of sexual assault or sexual harassment is entitled to:

Have an advocate throughout the conduct process, with the advocate serving the same role as a student conduct advisor to the charged student. It is the responsibility of the victim to obtain an advocate if so desired and to provide the advocate's name to the office of Community Standards and Conflict Resolution (CSCR) (for undergraduate students) or the Office of Graduate and Professional Education (for graduate students) at least 3 business days prior to the hearing.

## Student Guide to Policies: Code of Conduct, Section L

### L. Off-Campus Conduct

#### 1. Statement of Policy

Violations of local, state, or federal law are subject to University action. A student who has pleaded guilty to or otherwise accepted responsibility for a violation (e.g. Probation Before Judgment or no lo contendere) should be aware that the University may also sanction the student.

#### 2. Notification of Criminal Arrest

- a. A student is responsible for notifying the University of any off-campus arrest.
- b. When the office of Community Standards and Conflict Resolution (CSCR) (for undergraduate students) or the Office of Graduate and Professional Education (for graduate students) is informed of the arrest of a student, the University will send a letter to the student requiring that he or she make an appointment for an interview with the office of Community Standards and Conflict Resolution (CSCR) or Office of Graduate and Professional Education. During this interview, the facts involved in the student's arrest, the student's obligation to keep the University informed of the progress of the criminal charge(s), and the student's obligation to advise the University of the final disposition of the criminal charge(s) will be discussed with the student.

#### 3. Withdrawal When Certain Criminal Charges are Pending

The University may withdraw any student when certain charges are pending against that student, subject to the procedures set forth in the Student Conduct System section of this Guide.

Specifically, withdrawal may be mandated where the crime involves an act of violence, the sale, manufacture or delivery of drugs or any other conduct that is egregiously offensive to the University's mission.

#### 4. Emergency Suspension

The University may remove any student where the continued presence of the student on-campus poses a threat to safety or the rights, welfare, or property of another, subject to the procedures set forth in the Student Conduct System section of this Guide.

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## Section Four: 2021–2023 Crime Statistics by Campus



## Newark Campus

**University of Delaware**  
**Crime Statistics – Newark Campus**  
**2021–2023**

Crime Report	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded
Murder	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Rape	2023	5	5	1	0	0
	2022	15	12	0	0	0
	2021	5	4	0	0	1
Fondling	2023	1	1	0	0	0
	2022	5	4	0	0	0
	2021	5	1	0	0	0
Incest	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Statutory Rape	2023	0	0	0	0	0
	2022	2	0	0	0	0
	2021	0	0	0	0	0
Robbery	2023	0	0	0	2	0
	2022	1	1	0	0	0
	2021	4	3	0	4	0
Aggravated Assault	2023	3	1	0	6	0
	2022	3	2	0	17	0
	2021	5	3	0	3	0
Burglary	2023	10	6	1	0	0
	2022	7	2	1	0	0
	2021	4	3	0	0	2
Motor Vehicle Theft	2023	4	0	0	0	0
	2022	1	0	0	1	0
	2021	0	0	1	2	1
Arson	2023	14	12	0	0	0
	2022	6	6	0	0	0
	2021	0	0	0	0	0
Dating Violence	2023	11	7	0	0	0
	2022	14	10	0	0	0
	2021	8	6	0	1	0
Domestic Violence	2023	1	0	1	2	0
	2022	2	0	0	1	0
	2021	1	0	1	1	0
Stalking	2023	19	7	0	0	0
	2022	27	18	0	0	0
	2021	7	2	0	0	0

University of Delaware Crime Statistics – Newark Campus (Continued) 2021–2023							
Arrests	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded	
Liquor Law  Drugs  Weapons	2023	1	0	0	33	0	
	2022	0	0	0	40	0	
	2021	0	0	0	15	0	
	2023	0	0	0	3	0	
	2022	0	0	0	5	0	
	2021	2	1	1	8	0	
	2023	0	0	0	4	0	
	2022	0	0	0	3	0	
	2021	0	0	0	2	0	
Judicial Referrals	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded	
Liquor Law  Drugs  Weapons	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	1	1	0	0	0	
	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	

1st and 2nd offenses of Marijuana and Alcohol Possession and Consumption have been decriminalized in Delaware. This accounts for the reduction in Arrests and

- \* Incidents that occur in a Residence Hall are counted in both the "On-Campus" and "On-Campus Residential" column
- \* These incidents occurred on property adjacent to campus or at off-campus student organization locations, and may have been handled by Another Police Agency
- \* Aggravated Assaults increased due to a Social media trend of shooting pedestrians with water pellets from BB guns.
- \* Stalking's increased due to a social media scam involving the exchange of compromising photos and monetary extortion requests related to this.

One Hate crime from 2021 (One Public Property Hate Crime, Intimidation, Characterized by Race Bias) was counted twice (Once in the wrong geography) and removed from the 2020-2022 ASFR

## Hate Crimes

### 2021:

- One On Campus Hate Crime, Intimidation, Characterized by National Origin Bias
- One On Campus Hate Crimes, Intimidation, Characterized by Race Bias
- One On Campus Hate Crime, Intimidation, Characterized by Sexual Orientation Bias

### 2022:

- One On Campus, Hate Crime, Intimidation, Characterized by Race Bias

### 2023:

- One On Campus Hate Crime, Destruction of Property, Characterized by National Origin Bias
- One On Campus, On-Campus Residential Hate Crime, Intimidation, Characterized by National Origin Bias

## Unfounded Crimes

**2021:** There were four unfounded crimes

**2022:** There were no unfounded crimes

**2023:** There were no unfounded crimes

## Wilmington Campus

### University of Delaware Crime Statistics – Wilmington Campus 2021–2023

Crime Report	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded
Murder	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	N/A	N/A	0	0
	2021	0	N/A	N/A	0	0
Manslaughter by Negligence	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	N/A	N/A	0	0
	2021	0	N/A	N/A	0	0
Rape	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	N/A	N/A	0	0
	2021	0	N/A	N/A	0	0
Fondling	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	N/A	N/A	0	0
	2021	0	N/A	N/A	0	0
Incest	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	N/A	N/A	0	0
	2021	0	N/A	N/A	0	0
Statutory Rape	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	N/A	N/A	0	0
	2021	0	N/A	N/A	0	0
Robbery	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	N/A	N/A	0	0
	2021	0	N/A	N/A	0	0
Aggravated Assault	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	N/A	N/A	0	0
	2021	0	N/A	N/A	0	0
Burglary	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	N/A	N/A	0	0
	2021	0	N/A	N/A	0	0
Motor Vehicle Theft	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	N/A	N/A	0	0
	2021	0	N/A	N/A	0	0
Arson	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	N/A	N/A	0	0
	2021	0	N/A	N/A	0	0
Dating Violence	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	N/A	N/A	0	0
	2021	0	N/A	N/A	0	0
Domestic Violence	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	N/A	N/A	0	1
	2021	0	N/A	N/A	0	0
Stalking	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	N/A	N/A	0	0
	2021	0	N/A	N/A	0	0

University of Delaware Crime Statistics – Wilmington Campus (Continued) 2021–2023							
Arrests	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded	
Liquor Law	2023	N/A	N/A	N/A	N/A	N/A	
	2022	0	N/A	N/A	0	0	
	2021	0	N/A	N/A	0	0	
Drugs	2023	0	N/A	N/A	1	0	
	2022	0	N/A	N/A	0	0	
	2021	0	N/A	N/A	0	0	
Weapons	2023	0	N/A	N/A	1	0	
	2022	0	N/A	N/A	0	0	
	2021	0	N/A	N/A	0	0	
Judicial Referrals	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded	
Liquor Law	2023	N/A	N/A	N/A	N/A	N/A	
	2022	0	N/A	N/A	0	0	
	2021	0	N/A	N/A	0	0	
Drugs	2023	N/A	N/A	N/A	N/A	N/A	
	2022	0	N/A	N/A	0	0	
	2021	0	N/A	N/A	0	0	
Weapons	2023	N/A	N/A	N/A	N/A	N/A	
	2022	0	N/A	N/A	0	0	
	2021	0	N/A	N/A	0	0	

\* These incidents occurred on property adjacent to campus or at off-campus student organization locations, and may have been handled by Another Police Agency

### Hate Crimes

**2021:** No Hate Crimes Reported

**2022:** No hate Crimes Reported

**2023:** Wilmington Campus is no longer a separate campus, there is no program of study, and it is no longer used for educational purposes

### Unfounded Crimes

**2021:** There were no Unfounded crimes

**2022:** There was (1) One Unfounded crime

**2023:** Wilmington Campus is no longer a separate campus, there is no program of study, and it is no longer used for educational purposes

## Associate in Arts Campus

University of Delaware Crime Statistics – Associate in Arts Campus – Wilmington 2022-2023						
Crime Report	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded
Murder	2023	0	0	0	0	0
	2022	0	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0	0
	2022	0	0	0	0	0
Rape	2023	0	0	0	0	0
	2022	0	0	0	0	0
Fondling	2023	0	0	0	0	0
	2022	0	0	0	0	0
Incest	2023	0	0	0	0	0
	2022	0	0	0	0	0
Statutory Rape	2023	0	0	0	0	0
	2022	0	0	0	0	0
Robbery	2023	0	0	0	0	0
	2022	0	0	0	0	0
Aggravated Assault	2023	0	0	0	1	0
	2022	0	0	0	0	0
Burglary	2023	0	0	0	0	0
	2022	0	0	0	0	0
Motor Vehicle Theft	2023	0	0	0	1	0
	2022	0	0	0	0	0
Arson	2023	0	0	0	0	0
	2022	0	0	0	0	0
Dating Violence	2023	0	0	0	0	0
	2022	0	0	0	0	0
Domestic Violence	2023	0	0	0	0	0
	2022	0	0	0	0	0
Stalking	2023	0	0	0	0	0
	2022	0	0	0	0	0



**University of Delaware**  
**Crime Statistics – Associate in Arts Campus – Wilmington (continued)**  
**2022-2023**

Arrests	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded
Liquor Law	2023	0	0	0	0	0
	2022	0	0	0	0	0
Drugs	2023	0	0	0	0	0
	2022	0	0	0	0	0
Weapons	2023	0	0	0	0	0
	2022	0	0	0	0	0

Judicial Referrals	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded
Liquor Law	2023	0	0	0	0	0
	2022	0	0	0	0	0
Drugs	2023	0	0	0	0	0
	2022	0	0	0	0	0
Weapons	2023	0	0	0	0	0
	2022	0	0	0	0	0

\* These incidents occurred on property adjacent to campus or at off-campus student organization locations, and may have been handled by Another Police Agency

\* The Associate Arts Campus in Wilmington Delaware did not exist prior to 2022.

#### Hate Crimes

**2022:** No Hate Crimes Reported

**2023:** No Hate Crimes Reported

#### Unfounded Crimes

**2022:** There were no Unfounded crimes

**2023:** There were no Unfounded crimes



## Dover Campus

**University of Delaware**  
**Crime Statistics – Dover Campus**  
**2021–2023**

Crime Report	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded
Murder	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Rape	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Fondling	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Incest	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Statutory Rape	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Robbery	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Aggravated Assault	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Burglary	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Motor Vehicle Theft	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Arson	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Dating Violence	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Domestic Violence	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Stalking	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0

**University of Delaware  
Crime Statistics – Dover Campus (Continued)  
2021 – 2023**

Arrests	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded
Liquor Law	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Judicial Referrals	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded
Liquor Law	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0
	2023	N/A	N/A	N/A	N/A	N/A
	2022	0	0	0	0	0
	2021	0	0	0	0	0

\* These incidents occurred on property adjacent to campus or at off-campus student organization locations, and may have been handled by Another Police Agency

### Hate Crimes

**2021:** No Hate Crimes Reported

**2022:** No Hate Crimes Reported

**2023:** Dover Campus no longer meets the criteria for a separate campus, there is no program of study, and it is no longer used for educational purposes

### Unfounded Crimes

**2021:** There were no unfounded crimes

**2022:** There were no unfounded crimes

**2023:** Dover Campus no longer meets the criteria for a separate campus, there is no program of study, and it is no longer used for educational purposes

## Lewes Campus

University of Delaware Statistics – Lewes Campus 2021–2023							
Crime Report	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded	
Murder	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
Manslaughter by Negligence	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
Rape	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
Fondling	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
Incest	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
Statutory Rape	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
Robbery	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
Aggravated Assault	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
Burglary	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
Motor Vehicle Theft	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
Arson	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
Dating Violence	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
Domestic Violence	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
Stalking	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	

**University of Delaware**  
**Crime Statistics –Lewes Campus (Continued)**  
**2021–2023**

Arrests		Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded
	Liquor Law	2023	0	0	0	0	0
		2022	0	0	0	0	0
		2021	0	0	0	0	0
	Drugs	2023	0	0	0	0	0
		2022	0	0	0	0	0
		2021	0	0	0	0	0
	Weapons	2023	0	0	0	0	0
		2022	0	0	0	0	0
		2021	0	0	0	0	0
Judicial Referrals		Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded
	Liquor Law	2023	0	0	0	0	0
		2022	0	0	0	0	0
		2021	0	0	0	0	0
	Drugs	2023	0	0	0	0	0
		2022	0	0	0	0	0
		2021	0	0	0	0	0
	Weapons	2023	0	0	0	0	0
		2022	0	0	0	0	0
		2021	0	0	0	0	0

\* These incidents occurred on property adjacent to campus or at off-campus student organization locations, and may have been handled by Another Police Agency

#### Hate Crimes

**2021:** No Hate Crimes Reported

**2022:** No Hate Crimes Reported

**2023:** No Hate Crimes Reported

#### Unfounded Crimes

**2021:** There were no unfounded crimes

**2022:** There were no unfounded crimes

**2023:** There were no unfounded crimes

## Georgetown Campus

University of Delaware  
Crime Statistics – Georgetown Campus  
2021–2023

Crime Report	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded
Murder	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Rape	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Fondling	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Incest	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Statutory Rape	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Robbery	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Aggravated Assault	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Burglary	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Motor Vehicle Theft	2023	0	0	0	0	0
	2022	1	0	0	0	0
	2021	0	0	0	0	0
Arson	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Dating Violence	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Domestic Violence	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Stalking	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0

**University of Delaware  
Crime Statistics – Georgetown Campus (Continued)  
2021–2023**

Arrests							
	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded	
	Liquor Law	2023	0	0	0	0	0
		2022	0	0	0	0	0
		2021	0	0	0	0	0
	Drugs	2023	0	0	0	1	0
		2022	0	0	0	0	0
		2021	0	0	0	0	0
	Weapons	2023	0	0	0	0	0
		2022	0	0	0	0	0
		2021	0	0	0	0	0
Judicial Referrals							
	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded	
	Liquor Law	2023	0	0	0	0	0
		2022	0	0	0	0	0
		2021	0	0	0	0	0
	Drugs	2023	0	0	0	0	0
		2022	0	0	0	0	0
		2021	0	0	0	0	0
	Weapons	2023	0	0	0	0	0
		2022	0	0	0	0	0
		2021	0	0	0	0	0

\* These incidents occurred on property adjacent to campus or at off-campus student organization locations, and may have been handled by Another Police Agency

#### Hate Crimes

**2021:** No Hate Crimes Reported

**2022:** No Hate Crimes Reported

**2023:** No Hate Crimes Reported

#### Unfounded Crimes

**2021:** There were no unfounded crimes

**2022:** There were no unfounded crimes

**2023:** There were no unfounded crimes

## Winterthur Campus

### University of Delaware Crime Statistics – Winterthur Campus 2021–2023

Crime Report	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded
Murder	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Manslaughter by Negligence	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Rape	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Fondling	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Incest	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Statutory Rape	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Robbery	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Aggravated Assault	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Burglary	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Motor Vehicle Theft	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Arson	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Dating Violence	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Domestic Violence	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0
Stalking	2023	0	0	0	0	0
	2022	0	0	0	0	0
	2021	0	0	0	0	0



University of Delaware Crime Statistics – Winterthur Campus (Continued) 2021–2023							
Arrests	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded	
Liquor Law	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
Drugs	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
Weapons	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
Judicial Referrals	Year	On-Campus	On-Campus Residential	Non-Campus*	Public Property*	Unfounded	
Liquor Law	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
Drugs	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	
Weapons	2023	0	0	0	0	0	
	2022	0	0	0	0	0	
	2021	0	0	0	0	0	

\* These incidents occurred on property adjacent to campus or at off-campus student organization locations, and may have been handled by Another Police Agency

#### Hate Crimes

**2021:** No Hate Crimes Reported

**2022:** No Hate Crimes Reported

**2023:** No Hate Crimes Reported

#### Unfounded Crimes

**2021:** There were no unfounded crimes

**2022:** There were no unfounded crimes

**2023:** There were no unfounded crimes

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## Appendices

### Appendix A:

### University of Delaware Environmental Health and Safety Protocol

**Section:** Fire/Life Safety

**Protocol Name:** Campus Fire Safety Plan

**Origination Date:** November 15, 1978

**Revisions:** June 5, 1989; October 1, 1990; May 1, 1996; September 26, 2003

**Protocol Number:** F-01

#### I. SCOPE OF PROTOCOL

This protocol addresses the requirements and actions taken in the event of a fire or other type emergency at the University of Delaware and applies to all university departments, faculty, staff and students. It also addresses policy and procedure for fire prevention and compliance with recognized codes and standards within university buildings.

#### II. DEFINITIONS: Reserved

#### III. PROTOCOL STATEMENT

- A. These protocol requirements are to establish uniform procedures throughout the University, and provide for the life safety of employees, students, and guests of the University in case of a fire or other emergencies.
- B. Other requirements for emergency response and fire safety measures are found in the current edition following references:
  1. DE State Fire Prevention Regulation
  2. NFPA 1 Uniform Fire Code
  3. International Fire Code (IFC)

#### IV. PROTOCOL STANDARDS AND PROCEDURES

- A. In the event of a fire or fire alarm activation all occupants shall evacuate the building.
- B. All responses to a fire or fire alarm activation should be completed using reasonable judgment with the objective of making sure no persons are endangered in the process.
- C. An individual who discovers a fire or other emergency, such as abnormal heating of material, hazardous gas leaks, hazardous material or flammable liquid spill, smoke, or burning odor, shall immediately follow these procedures:
  1. Leave the area if it is unsafe.
  2. Give the alarm by:
    - a) Sounding the building evacuation alarm by pull box or, if not available, by notifying occupants of the building by other means.
    - b) Notifying UD Police by University telephone (911) or by an Emergency Phone or (302) 831-2222 by cell phone.
    - c) When utilizing the building fire alarm system for emergencies other than fire (hazardous materials, flammable liquid spill, etc.) immediately notify UD Police with the nature of the emergency by University telephone (911), Emergency Phone or (302) 831-2222 by cell phone
  3. Isolate the area by closing all doors and windows.
  4. Shut down all equipment in the area if possible.
- D. When notified of fire or other emergency alarm system or orally, personnel must:
  1. Evacuate the building and move to an area at least 200 feet from the building.
  2. Do not reenter the building until advised by the person in charge. Entrances, sidewalks, and driveways shall be kept clear to allow emergency vehicles and personnel access.

- E. In case of an emergency a person with a disability should take the following actions:
  - 1. Proceed immediately to an "AREA OF REFUGE."
  - 2. If an "AREA OF REFUGE" is not available proceed immediately to the nearest marked exit and wait inside the stair tower landing.
  - 3. Alert a responsible person of your intentions.
  - 4. Wait for trained emergency responders to rescue you.
- F. Supervisory personnel should assist in the evacuation of persons from the building. For the evacuation of persons with disabilities, note the area occupied and communicate this information to a Police Officer at the Command Post once outside the building. Remain at the command post to provide additional information as necessary for the Fire Department.
- G. Anyone who notes that individuals who may have been in the building are missing should immediately inform the Fire Department Officer in charge and/or University Police.
- H. Anyone having specific information concerning the nature and/or location of the emergency condition should report this information to the UD Police Command Post (University Police car with green light). These individuals shall remain at the Command Post until their help is requested by the Fire Department, Fire Marshal, representative of the Department of Environmental Health and Safety, or UD Police. EHS will deploy a Red Tent during major emergencies that will act as the gathering point for Facilities Support Staff, EHS follow-on responders and key building occupants with knowledge pertinent to the emergency.
- I. University Police have responsibility for initial response and crowd control as well as enforcing directions given by the Department of Environmental Health and Safety. Building occupants/owners shall comply with directives from the Department of Environmental Health and Safety and University Police.
- J. Delegation of Authority in Emergency Situations
  - 1. When the Fire Department responds to an emergency situation the Fire Chief or his designee has the ultimate authority for the resolution of the incident.
    - a) EHS Fire Marshal may be called to the scene to act as a liaison to the Fire Chief. This individual is responsible for the investigation of the cause and origin of the fire as well as assuring compliance with applicable codes
  - 2. When an emergency situation does not involve the Fire Department, the Department of Environmental Health and Safety has the ultimate authority to resolve the incident to assure the protection of human health and the environment.
- K. Use a portable fire extinguisher to:
  - 1. Assist with ability to evacuate,
  - 2. Assist another to evacuate, or
  - 3. Control a small fire if you are properly trained.
  - 4. If a small, contained fire is discovered, the following actions may be done while using good judgment:
    - a) Report the fire to UD Police at 9-1-1, Emergency Phone or (302)-831-2222 from a cell phone
    - b) Evacuate the immediate area of the fire using verbal instructions.
    - c) Ask for assistance from a person in the immediate area.
    - d) Extinguish the fire with a portable fire extinguisher.
    - e) Contact Environmental Health and Safety immediately even if no appreciable damage results. This will ensure that the City Fire Marshal is notified as required by law, that extinguishers are recharged, insurance reports filed, and hazardous conditions corrected to reduce the chance of recurrence.
  - 5. Do not allow re-occupancy of the immediate fire area until cleared by UD Police and/or Environmental Health and Safety.
- L. Campus Fire Prevention and Code Compliance
  - 1. FIRE DRILL PROCEDURES
 

Fire drills are required by law. They are held not only to comply with this law, but also to provide training and awareness for occupants, visitors and employees in the buildings. The drills will be coordinated with Residence Life, Safety Committees and/or Building representatives. All UD buildings are subject to fire drills. See <http://www.udel.edu/ehs/generalhs/fire/fire-drills.html> for more information.

## 2. EXITS IN OCCUPIED BUILDINGS

Exit doors must be unlocked anytime a building is occupied. Doors, aisles, corridors or passageways leading directly to an exit must be kept clear of all obstructions at all times to include chairs, tables, merchandise, equipment or similar impediments. No door, exit corridor, aisle, passageways leading to an exit or exit sign may be fully or partially covered, blocked, locked, or hidden by any decorations, objects (signs, banners, tables, chairs, etc.) or covering (sheets, banners, drapes, etc.). Areas directly outside of an entrance or exit must be kept clear of all encumbrances for a minimum distance of 12 feet. With the exception of supervised Custodial work areas, fire doors and exit stair doors are not to be propped open.

## 3. FIRE/LIFE-SAFETY EQUIPMENT

Any attempt to tamper with, damage or disable a fire-life safety device is a punishable offense per DE State Fire Prevention Regulation. Only authorized Electronics Staff, UD\ Police, or authorized fire protection contractors (with Electronics Approval) are permitted to operate valves, control panels and like fire life-safety equipment. Area around fire protection control panels, sprinkler valves, etc. shall remain unobstructed and be provided with a 3' area of clear space. Storage heights shall remain at least 18-inches from sprinkler heads (36' in storage buildings/warehouses). In the event of fire protection system impairment or scheduled outage, EHS Fire Marshal will coordinate with building occupants/users with acceptable compensatory measures such as fire watch until the system is returned to service.

## 4. ELECTRICAL EQUIPMENT

All electrical equipment utilized (lights, wires, plugs, connections, sockets, etc.) shall be UL approved and in good condition. The use of improvised wiring is prohibited.

All combustibles shall be kept at least 6 inches from any incandescent/fluorescent bulbs, electrical sockets, plugs, or other electrical appliance. All switches, outlets, fuse/circuit breakers, and junction boxes must have suitable cover plates. Extension cords WILL NOT be used in lieu of permanent electrical wiring. Electrical cords will NOT be spliced, taped, draped over nails or metal objects, run through windows or doors or under rugs, or in any way be placed that may subject the wiring to damage.

## 5. GENERAL HOUSEKEEPING

Good housekeeping (cleanliness and orderliness in day-to-day activities) is a basic tenet of fire prevention. In general terms, any condition relative to the cleanliness of a building that could compromise fire safety constitutes poor housekeeping and may be identified as a fire hazard. Supervisors and managers are responsible for maintaining an acceptable level of cleanliness and orderliness throughout their building.

## 6. PORTABLE SPACE HEATERS

Portable space heaters are prohibited unless issued by Facilities Maintenance and Operations. If a space cannot be adequately heated via the installed building heating system, contact UD Facilities Operations Desk at (302)-831-1141 to report the condition. If the building heating system cannot be repaired in a timely manner, Facilities may supply and maintain a temporary space heater meeting UD requirement.

<http://www.udel.edu/ehs/generalhs/fire/space-heater.html>

## 7. COOKING IN AUTHORIZED AREAS

The use of cooking appliances such as stoves, hotplates, grills, toaster ovens and fryers shall be restricted to approved food preparation areas such as dormitory common area kitchens, apartment kitchens and Dining Services and Catering designated areas. Cooking is not permitted in offices, dormitory sleeping rooms, laboratories and other workspaces. Office and recognized workplace breakrooms are permitted to use coffee makers, microwave ovens and like appliances.

## 8. PROHIBITED ITEMS WITHIN RESIDENCE HALLS AND APARTMENTS

Residential occupancies such as dormitories and student apartments are required to adhere to the prohibited items and actions as published by the Department of Residence Life. Actions such as tampering with fire/life-safety devices, smoking or burning incense, and use of many cooking appliances is not permitted. See [http://www1.udel.edu/reslife/community\\_living/regulations.html](http://www1.udel.edu/reslife/community_living/regulations.html) for more information.

## 9. WELDING/CUTTING/BRAZING-HOT WORK PERMITS

Hot work outside of approved locations requires the use of FM Global Hot Work Permit forms and applicable precautionary measures; especially presence of a Fire Watch during and for a prescribed time after the hot work is complete. FPPD Project Managers and Facilities M&O Supervisors are authorized to approve hot work requests. EHS/Fire Safety is to be contacted to issue Hot Work Permits for all other users and can be contacted at 831-8475 or [fire-safe@udel.edu](mailto:fire-safe@udel.edu). See <https://www1.udel.edu/ehs/generalhs/fire/hot-work-permit-program.html> for more information.

10. OPEN FLAME, SPECIAL EFFECTS AND PYROTECHNICS

The use of open flames on campus requires the event and materials proposed be reviewed by EHS/Fire Safety and issue of Open Flame Permit. Please note items such as bonfires, or other outdoor burning is not permitted by City of Newark Ordinance. See <http://www.udel.edu/ehs/generalhs/fire/open-flame.html> for more information. Special effects requests, including but not limited to fog machines, dry ice, and CO2 devices will be reviewed in similar manner as the Open Flame Permit. Special effects requests are restricted to public assembly buildings such as CFA, BCC and Student Centers with coordination of venue managers. Pyrotechnics use in Delaware is prohibited unless licensed with the DE State Fire Marshal's Office; including but not limited to sparklers, firecrackers and like materials. Paper aka Oriental Lanterns are prohibited to be used in the State of Delaware. See <http://www.udel.edu/ehs/generalhs/fire/fireworks-specialeffects.html> for more information.

11. TENT PERMITS

Events utilizing tents or inflatable structures needs to be reviewed and may require a tent permit issued by the City of Newark. EHS/Fire Safety is required to review all tent permit requests prior to being submitted to the City of Newark. See <http://www.udel.edu/ehs/generalhs/fire/tent-permit-procedures.html> for more information and details. For more information regarding this policy, contact the Department of Environmental Health and Safety (ext. 8475).

## Appendix B:

### Emergency Preparedness Policy

**Section:** Emergency Management

**Policy Name:** Emergency Preparedness Policy

**Policy Owner:** Emergency Management

**Responsible University Office:** Campus & Public Safety

**Origination Date:** June 2007

**Revisions:** September 22, 2022

**Policy Number:** 7-51

#### I. Scope of Policy

This policy addresses the emergency preparedness process at the University of Delaware. This policy applies to all University departments, faculty, staff, students, and visitors.

#### II. Definitions

a. Emergency Operations Center (EOC) - An EOC is the centralized location from which emergency operations can be directed and coordinated. An Emergency Manager will be designated to lead the Center, and the Center will serve as an umbrella organization bringing together all of the elements necessary to support the incident response.

b. Incident Command System - The Incident Command System (ICS) is a standardized, on-scene, all-hazard incident management concept. ICS consists of a scalable response organization providing a common framework within which people can work together effectively. These people may be drawn from multiple agencies that do not routinely work together, and ICS is designed to give standard response and operation procedures to reduce the problems and potential for miscommunication. ICS consists of procedures for managing personnel, facilities, equipment, and communications. The ICS system can be utilized from the time an incident occurs until the requirement for management and operations no longer exist.

c. National Incident Management System - The National Incident Management System (NIMS) guides all levels of government, nongovernmental organizations and the private sector to work together to prevent, protect against, mitigate, respond to and recover from incidents. NIMS provides stakeholders across the whole community with the shared vocabulary, systems and processes to successfully deliver the capabilities described in the National Preparedness System. NIMS defines operational systems that guide how personnel work together during incidents.

#### III. Policy Statement

The University of Delaware can be threatened by emergency and disaster situations both natural, such as, winter storms, hurricanes, floods, tornadoes, and man-made situations such as hazardous materials accidents, biological outbreaks, terroristic threats, and criminal activity. When such incidents occur, it is the policy of the University to:

- Protect human life; prevent/minimize personal injury
- Protect the environment
- Prevent/minimize damage to existing structures, research data, laboratories, and library collections
- Restore normal operations

As such, the purpose of the University of Delaware Emergency Operations Plan (EOP) is to establish University policy and procedure for managing events that may threaten the safety and security of people, property, and the environment on any of the University campuses.

#### IV. Policy Standards and Procedures

Emergency situations are handled according to their severity and potential impact on the campus so that the response is commensurate with the actual conditions. The University Emergency Operations Plan (EOP) provides detailed policy and



procedures for the management of all hazards occurrences that threaten the safety and security of people, property, the environment, or critical operations on all University campuses.

### Organization and Roles

Overall, the University maintains a whole-of-University approach to emergency management, meaning that every member of the University is encouraged to take a proactive approach to preparing for and preventing emergencies and disaster whenever possible and employees, faculty, and students must comply with the health and safety rules issued by the University, their departments, and their supervisors.

Furthermore, the University adopts the National Incident Management System (NIMS) and its subcomponent, the Incident Command System (ICS), for managing major events, emergencies and disasters. Within the framework of the ICS the University utilizes the following operational structure to manage critical incidents:

- **Incident Commander.** The Incident Commander (IC) operates on scene at an Incident Command Post (ICP or CP) designated at or the near the scene to address the direct impact of an incident or event. Most often a member of University Police, the Incident Commander may join with representatives of other jurisdictions or disciplines to form a Unified Command for large, complex incidents. On-scene command is affected using the Incident Command System (ICS), a component of NIMS.
- **The Emergency Manager.** The Associate Vice President of Campus and Public Safety, as appointed by the Executive Vice President, will act as Emergency Manager for the University. The Executive Vice President can appoint other individuals to act as Emergency Manager based on the specific needs of the incident response. The Emergency Manager operates in the Emergency Operations Center (EOC) and convenes representatives of designated departments to enable university support functions necessary to 1) address the indirect impact of an incident, including continuity of operations, and 2) provide support and guidance to the scene-based Incident Commander. The EOC can operate virtually or in person at the partial or full level of activation.
- **The Critical Incident Management Team (CIMT)** is comprised of members from the University administration and selected department heads and is chaired by the University's Executive Vice President.

The Critical Incident Management Team is divided into two groups, the Policy Group and the Operations Group, depending on their identified role in an emergency. The Critical Incident Management Team will be assembled to address the immediate crisis and disband when the crisis has ended, and normal operating systems are in place.

- **The Policy Group** - In the University EOP, the Policy Group is chaired by the President, with significant responsibility for decision-making assigned to the Executive Vice President/COO. The Policy Group consists of the leadership team of the University. The Policy Group remains in close contact with the Emergency Manager through teleconference, a liaison in the EOC, or physical proximity.
- **The Operations Group** - In the University EOP, the Operations Group is chaired by the Incident Commander. The Group is responsible for tactical decision making of all incident operations and its members are dictated by the type of event. The Group will communicate important operational developments and make recommendations for incident management to the Policy Group.

### Emergency Operations

The Executive Vice President, together with the President or his or her designee, assembles the University's Critical Incident Management Team and manages the response to the emergency.

The President may activate the University

Emergency Operations Plan and the Director of Emergency Management will activate an Emergency Operations Center. The Center will serve as the central point of all communications and serve as a resource for senior leadership and the Incident Commander.

Individual colleges and academic departments will not make independent decisions which are not authorized by the President or consistent with the President's direction.

### Emergency Response Levels:

**Level I Emergency:** Minor, localized incident that occurs in a building or affects a small portion of the campus that can be quickly resolved with existing University resources, (e.g., localized chemical spill, plumbing failure in a building, etc.) Only a quadrant of the

campus or a single building may need to be closed and the determination for doing so will be made by Campus and Public Safety, UDPD, or FREAS, in concert with the President, his or her designee, and/or the Executive Vice President. The Public Relations Office will provide the University community with information about the incident using the emergency notification systems and local media outlets.

**Level II Emergency:** Major emergency that disrupts a substantial portion of the University community (e.g. major or multiple building fire, severe flooding, major chemical spill, terrorist threats or criminal activity). As soon as information becomes available about the severity of the incident the President or designee, in concert with the Executive Vice President, the Provost, the Chief of Police and other members of the University's Policy Group will evaluate the scope of the incident, coordinate essential services and disseminate emergency information through the Office of Communications and Marketing. Because such incidents escalate quickly and may have serious consequences for critical University functions and/or life safety, the campus may be closed in whole or in part as appropriate.

**Level III Emergency:** Disaster affecting the entire University grounds and the surrounding community (e.g. hurricane, tornado, widespread chemical or biological agent contamination). Disasters of this magnitude require the immediate assembling of the Critical Incident Management Team, both the Policy and Operations Groups, who will work with the President or designee and surrounding agencies to address the crisis and return University operations to normal as soon as possible. As information is received, emergency conditions may intensify or lessen, and this will affect the closure of campus facilities.

### **Recovery Operations**

Following the resolution of the immediate safety and security concerns of an incident, the university will enter the recovery phase. This period may last hours for a small incident or could last years following a major incident. Continuity of Operations, sometimes aligned with the recovery phase, is the effort to carry on or promptly resume critical functions. University continuity plans are developed and enacted at the department level and complement this plan. University policy requires that departments supporting emergency operations complete and maintain a continuity plan. Long term recovery operations following major disasters or events involving assistance from the State of Delaware or federal government should be coordinated by the Associate Director of Emergency Management.

### **Related Policies**

<https://sites.udel.edu/generalcounsel/policies/extreme-weather-and-emergency-conditions/>

## Appendix C:

### Emergency Notification Policy

**Section:** Emergency Management; University of Delaware Police Department

**Policy Name:** Emergency Notification Policy

**Responsible University Office:** Campus & Public Safety

**Origination Date:** April 28, 2014

**Revisions:** September 28, 2022

**Policy Number:** 7-52

#### I. Scope of Policy

This policy addresses the emergency notification process at the University of Delaware. This policy applies to all university departments, faculty, staff, students, and visitors

#### II. Policy Statement

The University follows the provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. One of the requirements of the Act is that a campus must immediately notify the campus community upon confirmation of an immediate threat to the safety of the campus. The University employs various communication systems to provide the campus community with a Public Safety Advisory, a Crime Alert (Timely Warning), or an Emergency Notification (Alert) for events that may present a threat to public safety. This policy outlines protocols and details the criteria for the dissemination of critical information.

#### III. Policy Standards and Procedures

##### A. Public Safety Advisory.

A Public Safety Advisory will be evaluated for situations that do not require a Timely Warning Notice or Emergency Notification, but nevertheless present an important opportunity to share safety or security-related information with the campus community. A Public Safety Advisory may be required when crimes occur within the Clery campus boundary line, but on private property that is not Clery-reportable; off-campus crimes (Clery or non-Clery crimes) occurring in a location in which a high concentration of students or employees may be found; or other safety or security-related situations that are prudent to share with members of the campus community to apprise them of the circumstances and encourage them to remain steadfast in observing, reporting, and intervening, as appropriate, to promote safety.

1. Examples include, but are not limited to, the occurrence of a crime (or pattern of crimes) on or off campus that does not require a Timely Warning Notice such as a string of bike thefts or incidents of vandalism, or other safety-related incidents such as a snow or ice storm, sinkhole, water main incident, power outage, flooding and road closure.
2. A Public Safety Advisory will be sent through the LiveSafe app and posted on the University Police social media pages.

##### B. Crime Alert (Timely Warning).

A Timely Warning Notice (referred to as a "Crime Alert") will be distributed for all Clery crimes that occur on or within the UD Clery Geography (i.e., reportable On-Campus, Non-campus, and Public Property locations), when there is a potential serious or continuing threat to students, faculty and staff,

1. Examples include Homicide, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Domestic Violence, Dating Violence, Hate/Crimes and Stalking.
2. A Crime Alert will be sent to the entire university community, using email and social media pages.

##### C. Emergency Notification (Alert).

An Emergency Notification will be issued for all confirmed instances of an immediate threat to the health or safety of students or

employees on campus (unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency).

1. Examples include, but are not limited to, active threat, terrorism, violent civil disturbance, violent crime on or close to campus (weapon displayed or discharged), explosion, hazardous materials incident, bomb threat or a significant weather - related incident such as a tornado or earthquake
2. An Emergency Notification (Alert) will be sent through text message and require at least one follow-up notification as an all clear or updates about continuing steps to be taken

#### **D. Notification Protocol**

1. The process for activating a Public Safety Advisory, Crime Alert, or an Emergency Notification begins when a threat or emergency situation is reported to the UDPD or to another responsible University official. For most emergency threats and incidents, the first notice of the situation will be a call to the 9-1-1 Center at either the University or the Newark Police Department.
2. In the event of a threat or emergency in which the Chief of Police or Command Staff is not on-duty or not yet at the incident, a designee, typically either the on-duty Senior Officer of UDPD or a UDPD Dispatcher, will confirm the threat and authorize the appropriate level of notification with basic information and safety instructions. The on-duty Senior Officer of UDPD will utilize the Chain of Command to ensure timely notification of the UDPD Command Staff. The on-duty Senior Officer of UDPD and the UDPD Dispatchers have been trained in and has direct and remote access to the communication systems (i.e. UD Alert, email, LiveSafe app, etc.).
3. For events communicated to UDPD and occurring in the jurisdiction of the Newark Police Department or other regional public safety departments, the on-duty Senior Officer of UDPD will evaluate the situation and make a determination whether the situation meets the protocol of the Clery Act requiring a Public Safety Advisory, a Crime Alert, or an Emergency Notification.
4. The University Police will determine the content of the notification after assessing the situation and choosing appropriate messaging. Pre-approved templates and short messages ("Run, Hide, Fight") are on file within the University 9-1-1 Center.
5. Emergency Status Updates and "All Clear" Notifications. Emergency notification status updates will be made when new information or instructions are available. An "All Clear" notification should also be transmitted once the emergency situation has been resolved or determined to be under control by the on-scene Incident Commander.
6. The following communication systems may be used:
  - ii. UD Alert (Text, Voice, and Email)
  - iii. LiveSafe app
  - iv. Emergency Homepage Override
  - v. Social Media
  - vi. Local and regional media (radio, television, print media)

## Appendix D

### 2022 UD Drug Free Schools Notification

#### Introduction

The Drug-Free Schools and Communities Act (DFSCA) requires that, as a condition of receiving funds or any other form of financial assistance under any Federal program after October 1, 1990, all institutions of higher education must certify that they have adopted and implemented a program to prevent the unlawful manufacturing, dispensing, possession, use or distribution of illicit drugs and alcohol by students and employees. Likewise, anyone who submits research proposals to federal agencies must certify that they will not engage in any of the aforementioned activities during the period covered by the grant. Individuals who do not make such certification and those who violate its terms will lose federal funds. As required by Federal regulations, this information was developed and distributed to inform all UD community members of the seriousness of the use and abuse of illicit drugs and alcohol. It also sets forth standards of conduct regarding such activity.

#### Health Risks

Illicit Drugs are controlled substances that possess a high potential for abuse, have no currently accepted medical use in the United States and demonstrate a lack of accepted safety for use under medical supervision. Controlled substances so defined fall under seven headings: cannabis (marijuana, hashish); stimulants (amphetamines, cocaine); depressants (barbiturates, tranquilizers, hypnotics); hallucinogens (LSD, PCP); opiates or narcotics (heroin, morphine, opium, codeine); inhalants (sprays, solvents, glue); and designer drugs (synthetic drugs similar in effect to stimulants, hallucinogens and narcotics). To be used legally and safely, some of the drugs above must be prescribed by a physician. This list is not comprehensive; there may be substances omitted that are also illegal and fall under the designation of controlled substances. Illicit drugs can interfere with important brain activities including coordination, memory and learning. They increase the risk of lung cancer, destroy liver cells, initiate severe weight loss and may weaken the immune system. Users may also experience abdominal pain, nausea, vomiting, rapid heartbeat and irregular breathing. Convulsions, coma and death are also possible. Combining drugs can be fatal.

Alcohol is a depressant that slows the activity of the central nervous system and the brain. Alcohol is a central nervous system depressant that is absorbed into the blood stream and transmitted to all parts of the body. Moderate doses reduce physical coordination and mental alertness while larger doses of alcohol drastically impair an individual's ability to function, sometimes rendering them unconscious. Long-term drinking can increase the risk of developing liver and heart disease, circulatory and stomach problems, various forms of cancer and cause irreversible brain damage. Alcohol is a substance regulated by local, state and federal agencies with respect to its purchase, transportation, consumption and possession.

#### Standards of Conduct

The Code of Conduct describes the behavior expected of all students, both on and off campus. Policies are listed alphabetically and establish standards of behavior for students and student organizations at the University. Below are links to the Alcohol Policy and to the Drug Policy as found in the Code.

The [Office of Human Resources](#) provides policies that apply to all employees and addresses the University's prohibitions related to alcohol and drugs and a treatment program for employees whose performance is adversely affected by alcohol or drug misuse.

[Student Code of Conduct](#)

[Alcohol Policy \(Student\)](#)

[Drug Policy \(Student\)](#)

[Faculty and Staff Alcohol/Drug Policy](#)

#### University Sanctions

The University of Delaware students and student organizations are expected to act in accordance with the policies, rules, regulations, laws, and requirements of The University of Delaware, municipalities and counties, the State of Delaware, and the United States. The policies and procedures in the University of Delaware Student Code of Conduct are designed to provide an educational and developmental process, balancing the interests of individual students with the interests of the UD community. Students are responsible not only for the intent of their conduct, but also for the impact of their actions. Employees are expected to follow procedures as outlined on the Human Resources web page. Violation of law may be referred to state or local police. For additional information about employee policies, contact Human Resources at 302-831-2792

[Student Sanctions for Alcohol or Drug Policy Violations](#)

*While the possession and use of cannabis for medical purposes is legal under Delaware law, the manufacture, possession, distribution, dispensing and use of cannabis remains illegal under federal law. Consistent with federal law, including the Controlled Substances Act and the DFSCA, the use and/or possession of cannabis (even for medical purposes) continues to be prohibited while a student is on University-owned or University-controlled property, and/or at any function hosted, authorized or supervised by the college regardless of where held.*

### **Legal Sanctions**

In Delaware, the following violations are punishable by fines and, in some instances, loss of driving privileges (not exhaustive list, illustrative only):

- Purchase, consumption, transportation or possession of alcoholic beverages by a person under age 21
- Misrepresentation of age to purchase alcohol and altering, selling or manufacturing of false identification;
- Selling or furnishing of alcoholic beverages to those under age 21.
- Lying about age to obtain alcohol, making a false ID and furnishing alcohol to individuals under age 21 are misdemeanor offenses.

The legal sanctions for the unlawful possession, use or distribution of illicit drugs are more diverse than the sanctions governing alcohol. Sanctions may vary from fines, for first-time misdemeanor offenses involving simple possession of certain substances, to felony counts and multiple-year terms of imprisonment for more serious violations. A summary of penalties related to illicit drugs and alcohol in Delaware may be found online at the [Delaware Code Online Title 16 Chapter 47](#) and the [Delaware Code Online Title 4 Chapter 9](#). Information regarding federal drug penalties can be found online at the [United States Drug Enforcement Administration website](#). Individuals seeking legal advice regarding drug or alcohol laws should consult legal counsel.

### **Education and Counseling**

Student Wellness and Health Promotion, along with Employee Health and Wellbeing, provides leadership and guidance for drug and alcohol education, resources and support on campus. Resources and programs for students are provided on an on-going basis in collaboration with other departments in the Division of Student Life, including Residence Life and Housing, Community Standards & Conflict Resolution, Fraternity and Sorority Leadership and Learning, and others. [Resources for faculty and staff](#) are available through Human Resources. [Support for students](#) is available through Student Wellness and Health Promotion.

### **Assistance, Treatment and Community Resources**

#### **Emergency Assistance:**

[UDPD](#): 911 or 302-831-2222

[Newark Police](#): 911

[UD Helpline](#): 302-831-1001

[National Suicide and Crisis Lifeline](#): Call or text 988

#### **Campus Resources:**

[Student Wellness & Health Promotion](#): 302-831-3457

[Student Health Services](#): 302-831-2226

[Office of the Dean of Students](#): 302-831-8939

[Community Standards & Conflict Resolution](#): 302-831-2117

[Disability Support Services](#): 302-831-4643

[Human Resources](#): 302-831-2171

[Employee Health & Wellbeing](#): 302-831-8388

#### **Community Resources:**

[Narcotics Anonymous](#)

[Alcoholics Anonymous](#)

[Smart Recovery](#)

[Sanare Today \(formerly Pace, Inc.\)](#)

[Argo Institute, Aquila of DE](#)

[Brandywine Counseling](#)

## BIENNIAL REVIEW

University of Delaware Safe and Drug-Free Schools and Campuses Act Biennial Review.

- [January 1, 2020–December 31, 2022](#)

## Health Risks Associated with Substance Misuse

The University of Delaware is a community that cares about health and wellness. According to recent surveys conducted on representative populations of UD students, the substances of frequent use are alcohol and marijuana.

Frequency of alcohol consumption has been associated with absenteeism from classes (Wyatt, 1992) and falling behind academically (Porter & Pryor, 2007). Alcohol lowers inhibitions and impairs judgment, coordination, and speech. This can lead to dangerous and unsafe behavior that could result in substantial negative consequences to the individual or others. This impairment can occur even at low levels of blood alcohol concentration. When alcohol is abused, there is a significantly increased incidence of physical injury, motor vehicle accidents (nearly half of all fatal accidents) and injuries from assaults. Furthermore, misuse of alcohol within the college environment can be linked (but not causally) to an increased risk of sexual assault.

## Student and Employee Codes of Conduct

### Students

The University of Delaware Code of Conduct is found in the Student Guide to University Policies at <https://www.udel.edu/students/community-standards/student-guide/>.

Violations of the Code, which occur by a University student or student organization, on property owned or controlled by the University, at activities authorized by the University, or in the greater University community are subject to disciplinary action by the University.

Applicable sections include:

#### Alcohol

The University prohibits alcohol intoxication (regardless of age); the unauthorized possession, use, consumption, manufacture, sale, or distribution of alcohol; and driving while impaired due to alcohol consumption. Specifically, this offense includes, but is not limited to:

- The possession, use, consumption, manufacture, sale, or distribution of alcohol by anyone under the legal age to do so;
- The possession, use, consumption, manufacture, sale, or distribution of alcohol in any University building, facility, or property except in the confines of a student's own residence hall room if the student is at least the legal age to do so;
- The possession of beer kegs in any University building, facility, or property;
- The possession or use of any apparatus, including but not limited to beer pong tables and beer funnels, used to facilitate 1) the rapid consumption of alcohol or 2) drinking games; or
- A violation of any University policy or procedure concerning the use of alcohol or enacted to monitor or control the use of alcohol; or
- A violation of any applicable law of the State of Delaware or City of Newark, Delaware relating to alcohol (including, but not limited to, possession of an open container of alcohol, public intoxication and underage



entry into a liquor store).

### ***Use of Alcohol On-Campus***

As described above, the possession, use, consumption, manufacture, sale, or distribution of alcoholic beverages is prohibited except when and where explicitly permitted by this Alcohol Policy.

### ***Student Organizations***

No student organization that hosts, organizes, conducts, or participates in an on-campus function or event sponsored or sanctioned by the University shall serve alcohol or permit the possession, use, consumption, manufacture, sale, or distribution of alcohol except as provided here.

### ***Alcohol in Residence Halls***

A resident who is 21 years of age or older may possess or consume alcoholic beverages in his or her own room. No student under the age of 21 may possess or consume alcohol anywhere, including the student's room. The possession or consumption of alcohol by a student 21 years of age or older is subject to the following limitations and conditions:

- Possession of an open container or consumption of alcoholic beverages in any area other than a resident's room is prohibited.
- A guest may only possess or consume alcohol if the guest is at least 21 years of age and is visiting a resident's room where at least one of the assigned student residents is also of legal drinking age and is present (i.e., if a double-occupancy room is occupied by two students under the age of 21, those students shall not permit the consumption, possession, or use of alcohol by anyone, including guests, in that room. However, if one of the roommates is at least 21 years of age, he or she must be present to allow the possession or consumption of alcohol by guests who are at least 21 years of age).
- The student's (or a guest's) possession, use, or consumption of alcohol shall not infringe upon the privacy, peace, or enjoyment of other students or guests in the residence hall.
- A residence hall student has a duty to know if there is or has been unauthorized use or possession of alcohol in his or her room. Therefore, the responsibility to establish lack of knowledge shall be on the resident in cases where the resident claims no knowledge of such use.

### ***Alcohol at the University Football Stadium***

The unauthorized possession, use, consumption, manufacture, sale, or distribution of alcohol in the University football stadium and in parking areas surrounding the stadium is prohibited. Beer kegs and any alcohol-related games, activities or apparatus (such as a beer pong table, ice slides, beer funnels, etc.) are prohibited at all times. Individuals are not permitted to possess any open container containing alcohol or consume any alcohol in stadium parking areas while the football game is in progress or on any day other than those on which a football game takes place.

### ***Use of Alcohol Off-Campus***

A student hosting or attending an off-campus function should be aware of the applicable laws regarding alcohol and should be aware that the University may also pursue student conduct charges upon the student for such behavior.

### ***Medical Amnesty/Good Samaritan Protocol***

Student health and safety are of primary concern at the University of Delaware. As such, in cases of intoxication and/or alcohol poisoning, the University encourages individuals to seek medical assistance for themselves or others. If an individual seeks medical attention due to his/her level of intoxication, the office of Community Standards and Conflict Resolution (CSCR) may not pursue conduct sanctions against the student for violations of the Alcohol Policy. In lieu of student conduct sanctions, the intoxicated student (and possibly the referring student) will be required to meet with a member of the office of Community Standards and Conflict Resolution (CSCR) staff who may issue educational requirements such as alcohol education class and/or an alcohol and substance misuse assessment. Those students who assist in obtaining medical attention for individuals who are intoxicated may not receive student conduct sanctions for violations of the Alcohol Policy of the Code of Conduct.

## Drugs

The University prohibits the illegal possession, use, consumption, manufacture, sale, or distribution of drugs and drug paraphernalia. Any violations of this drug policy may be subject to sanctions by the Student Conduct System and may be reported to all appropriate law enforcement authorities. The claim that the use of marijuana was for medicinal purposes will not automatically be sufficient for dismissal of any pending charges nor for a determination that the student is not responsible for violating this policy. All University buildings, including residence halls, are designated as smoke-free for all substances.

The term "drugs" broadly includes, but is not limited to, any stimulant, intoxicant (other than alcohol), nervous system depressant, hallucinogen, or other chemical substance, compound, or combination when used to induce an altered state, including any otherwise lawfully available product used for any purpose other than its intended use.

The term "Drug Paraphernalia" broadly includes any material, product, instrument, or item used to create, manufacture, distribute, use, or otherwise manipulate any drug and includes, but is not limited to, hookahs, grinders, vaporizers, hypodermic needles and syringes.

Specific violations of this standard include, but are not limited to:

- The possession, use, consumption, manufacture, sale, or distribution of any illegal drug or drug paraphernalia, prescription or prescription drug not prescribed to the student;
- The transfer, delivery or manufacture or intent to transfer, deliver, or manufacture any drug or drug paraphernalia;
- The possession of a prescription or prescription drug not issued to the student;
- The misuse, sale, delivery, or transfer of a prescription or prescription drug;
- Driving while impaired by any drug, whether it be legal or illegal; or
- A violation of any applicable local, state or federal law relating to drugs or drug paraphernalia.

## Employees

When a University employee's performance is adversely affected by the use of alcohol and/or drugs, the University's commitments to excellence and the general health and welfare of the University community require that corrective action be taken to rehabilitate such employee or to terminate his or her services, if rehabilitation cannot be accomplished within a reasonable length of time.

Substance Misuse Program, Policy 4-16.

No individual employed by the University, guest or visitor shall possess or consume alcoholic beverages on campus except at social events at which alcoholic beverages have been approved and to which the individual has been invited. Consumption of Alcohol on Campus, Policy 2-13.

The use, possession, sale or distribution of illegal drugs or other controlled substances for non-medical or non- research reasons are prohibited at the University. The unauthorized presence of illegal drugs or other controlled substances in the body is prohibited at the University.

Employees must notify the University of any drug conviction resulting from violation at the workplace no later than five days after such conviction. Any employee found in violation of the University's Drug-Free Workplace Policy will be sanctioned and/or required to participate in the University's Faculty/Staff Assistance Program. Drug-Free Workplace, Policy 4-35.

## ***Disciplinary Procedures and Sanctions:***

### **Students**

Students found responsible for violating the University's Alcohol or Drug Policies will have disciplinary sanctions imposed. Possible sanctions include:

- Education
- Disciplinary Warning
- Notice of Reprimand
- Disciplinary Probation
- Deferred Suspension University Housing
- Deferred Suspension from the University
- Suspension and Ban from University Housing
- Suspension from the University
- Expulsion from the University
- Restitution
- Other Sanctions

In addition, the possible sanctions listed above, additional, specific disciplinary measures may be imposed for each violation of the University's Alcohol or Drug policies:

- Any student found responsible for a violation of the Alcohol Policy must complete an alcohol education program and may (depending upon the nature of the violation or the student's previous violations) be referred for an evaluation with a Substance Misuse Counselor.
- Any student found responsible for a violation of the Drug Policy must complete a drug education program and may (depending upon the nature of the violation or the student's previous violations) be referred for an evaluation administered by a Substance Misuse Counselor.

## **Disciplinary Procedures and Sanctions: Employees**

Violations of standards of conduct will result in disciplinary action. Sanctions may include, but are not limited to:

- Suspension of work with or without pay
- Referral for prosecution
- Referral for treatment/rehabilitation
- Termination of employment

## Abused Drugs – Uses and Effects

Narcotics	Trade Name or Other Name	Medical Uses	Dependence	Usual Method	Possible Effects	Effects of Overdose	Withdrawal Symptoms
Heroin	Diamorphine, Horse, Smack, Black Tar, Chiva, Negra	None in the U.S.	Physical- High Psychological- High Tolerance- Yes	Injected, snorted, smoked	Euphoria, drowsiness, respirator depression, constricted pupils, nausea	Slow and shallow breathing clammy skin, convulsions, coma, possible death	Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating
Morphin	MS-Contin, Roxanol, Oramorph SR, MSIR	Analgesic	Physical- High Psychological- High Tolerance- Yes	Oral, Injected			
Hydrocodone	Hydrocodone with Acetaminophen, Vicodin, Vicoprofen, Tussionex, Lortab	Analgesic, Antitussive	Physical- High Psychological- High Tolerance- Yes	Oral			
Hydromorphone	Dilaudid	Analgesic	Physical- High Psychological- High Tolerance- Yes	Oral, injected			
Oxydodone	Roxicet, Oxycodone with Acetaminophen, OxyContin, Endocet, Percocet, Percodan	Analgesic	Physical- High Psychological- High Tolerance- Yes	Oral			
Codeine	Acetaminophen, Guaifenesin, Promethazine with Codeine, Fiorinal, Fioricet, Tylenol with Codeine	Analgesic, Antitussive	Physical- Moderate Psychological- Moderate Tolerance- Yes	Oral, injected			
Other Narcotics	Fentanyl, Demerol, Methadone, Darvon, Stadol, Talwin, Paregoric, Buprenex	Analgesic, Antitussive, Antidiarrheal	Physical- varies Psychological- varies Tolerance- Yes	Oral, injected, snorted, smoked			

Depressants	Trade or Other Names	Medical Uses	Dependence	Usual Method	Possible Effects	Effects of Overdose	Withdrawal Symptoms
Gamma Hydroxybutyric Acid	GHB, Liquid Ecstasy, Liquid X, Sodium Oxybate, Xyrem	None in the U.S.	Physical- Moderate Psychological- Moderate Tolerance- Yes	Oral	Slurred speech, disorientation drunken behavior without odor of alcohol, impaired memory of events, interactions with alcohol	Shallow respiratory, clammy skin, dilated pupils, weak and rapid pulse, coma, possible death	Anxiety, insomnia, tremors, delirium, convulsions, possible death
Benzodiazepines	Valium, Xanax, Halcion, Ativan, Restoril, Rohypnol, Roofies, Klonopin	Antianxiety, Sedative, Anti-convulsant, Hypnotic, Muscle Relaxant	Physical- Moderate Psychological- Moderate Tolerance- Yes	Oral, injected			
Other Depressants	Ambien, Sonata, Meprobamate, Choloral Hydrate, Barbiturates, Methaqualone, Quaalude	Antianxiety, Sedative, Hypnotic	Physical- Moderate Psychological- Moderate Tolerance- Yes	Oral			

Stimulants	Trade and Other Names	Medical Uses	Dependence	Usual Method	Possible Effects	Effects of Overdose	Withdrawal Symptoms
Cocaine	Coke, Flake, Snow, Crack, Coca, Blanca, Perico, Nieve, Soda	Local Anesthetic	Physical- Possible Psychological- High Tolerance- Yes	Snorted, smoked, injected	Increased alertness, excitation, euphoria increased pulse rate & blood pressure, insomnia,	Agitation, increased body temperature, hallucination convulsions, possible death	Apathy, long periods of sleep, irritability, depression, disorientation
Amphetamine/ Methamphetamine	Crank, Ice, Cristal, Krystal Meth, Speed, Adderall, Dexedrine, Desoxyn	Attention Deficit/ Hyperactivity Disorder, Narcolepsy,	Physical- Possible Psychological- High Tolerance- Yes	Oral, injected, smoked			
Methylphenidate	Ritalin, Illy's Concerta, Focalin, Metadate	Attention Disorder	Physical- Possible Deficit/Psychological- High Hyperactivity Tolerance- Yes	Oral, injected, snorted, smoked		Loss of appetite	
Other Stimulant	Adipex P, Ionamin, Prelu- 2, Didrex, Provigil	Vaso-constriction	Physical- Possible Psychological- Moderate Tolerance- Yes	Oral			

## Abused Drugs – Uses and Effects

Hallucinogen	Trade and Other Names	Medical Uses	Dependence	Usual Method	Possible Effects	Effects of Overdose	Withdrawal Symptoms
MDMA and Analogs	Ecstasy, XTC, Adam, MDA, MDEA, MBDB	None	Physical- None Psychological- Moderate Tolerance- Yes	Oral, snorted, smoked	Heightened senses, teeth grinding, and dehydration	Increased body temperature, electrolyte imbalance, cardiac arrest	Muscle aches, drowsiness, depression, acne
LSD	Acid, Mircodot, Sunshine, Boomers	None	Physical- None Psychological- Unknown Tolerance- Yes	Oral	Illusions and hallucinations, altered perception of time and distance	LSD- Longer more intense "trip" episodes	None
Phencyclidine and Analogs	PCP, Angel Dust, Hog, Loveboat, Ketamine, Special K, PCE, PCPy, TCP	Anesthetic (Ketamine)	Physical- Possible Psychological- High Tolerance- Yes	Smoked, oral, injected, snorted		Unable to direct movement, feel pain or remember	Drug seeking behavior – not regulated
Other Hallucinogens	Psilocybe mushrooms, Mescaline, Peyote Cactus, Ayaausca, DMT, Dexto-metharphan	None	Physical- None Psychological- No Tolerance- Yes	Oral			

Cannabis	Trade or Other Names	Medical Uses	Dependence	Usual Method	Possible Effects	Effects of Overdose	Withdrawal
Marijuana	Pot, Grass, Sinsemilla, Blunts, Mota, Yerba, Grifa	None	Physical- Unknown Psychological- Moderate Tolerance-	Smoked, oral	Euphoria, relaxed inhibitions, increased appetite, disorientation	Fatigue, paranoia, possible psychosis	Occasional reports of insomnia, hyperactivity, decreased appetite
Tetrahydrocannabinol	THC, Marinol	Antinauseant, Appetite stimulant	Physical- Yes Psychological- Moderate Tolerance-	Smoked, oral			
Hashish and Hashish Oil	Hash, Hash Oil	Nope	Physical- Unknown Psychological- Moderate Tolerance-	Smoked, oral			

Anabolic Steroids	Trade or Other Names	Medical Uses	Dependence	Usual Method	Possible Effects	Effects of Overdose	Withdrawal Symptoms
Testosterone	Depo Testosterone, Sustanon, Sten, Cypt	Hypogonadism	Physical- Unknown Psychological- Unknown Tolerance- Unknown	Injected	Virilization, edema, testicular atrophy, gynecomastia, acne, aggressive behavior	Unknown	Possible depression
Other Anabolic Steroid	Parabolan, Winstrol, Equipose, Anadrol, Dianabol, Primabolin- Depo, D-Ball	Anemia, Breast Cancer	Physical- Unknown Psychological- Yes Tolerance- Unknown	Oral, injected			

Inhalants	Trade or Other Names	Medical Uses	Dependence	Usual Method	Possible Effects	Effects of Overdose	Withdrawal Symptoms
Amyl and Butyl Nitrite	Pearls, Poppers, Rush, Locker Room	Angina	Physical- Unknown Psychological- Unknown Tolerance- No	Inhaled	Flushing hypotension, headache	Methemoglobinemia	Agitation
Nitrous Oxide	Laughing gas, balloons, whippets	Anesthetic	Physical- Unknown Psychological- Low Tolerance- Unknown	Inhaled	Impaired memory, slurred speech, drunken behavior, slow onset vitamin deficiency, organ damage	Vomiting, respiratory depression, loss of consciousness, possible death	Trembling, anxiety, insomnia, vitamin deficiency, confusion, hallucinations, convulsions
Other Inhalants	Adhesives, spray paint, hair spray, dry cleaning fluid, spot removal, lighter fluid	None	Physical- Unknown Psychological- High Tolerance- No	Inhaled			

Drug	Trade or Other Names	Medical Uses	Dependence	Usual Method	Possible Effects	Effects of Overdose	Withdrawal Symptoms
Alcohol	Beer, wine, liquor	None	Physical- High Psychological- High Tolerance- Yes	Oral	Impaired memory, slurred speech, drunken behavior, slow onset vitamin	Vomiting, respiratory depression, loss of consciousness, possible death	Trembling, anxiety, insomnia, vitamin deficiency, confusion,

## Federal Trafficking Penalties

Drug/Schedule	Quantity	Penalties	Quantity	Penalties
Cocaine (Schedule II)	500-4999 grams mixture	<b>First Offense:</b> Not less than 5 years and not more than 40 years. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.  <b>Second Offense:</b> Not less than 10 years and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	5 kilograms or more mixture	<b>First Offense:</b> Not less than 10 years and not more than life. If death or serious bodily injury, not less than 20 years or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.
Cocaine Base (Schedule II)	28-279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule I)	40-399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10-99 grams mixture		100 grams or more mixture	<b>Second Offense:</b> Not less than 20 years, and not more than life. If death or serious bodily injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.  <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Heroin (Schedule I)	100-999 grams mixture		1 kilogram or more mixture	
LSD (Schedule I)	1-9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5-49 grams pure OR 50-499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10-99 grams pure OR 100-999 grams mixture		100 grams or more pure or 1 kilogram or more mixture	

Drug/Schedule	Quantity	Penalties
Other Schedule I & II drugs Any drug product containing Gamma Hydroxybutric Acid	Any amount	<b>First Offense:</b> Not more than 20 years. If death or serious bodily injury, not less than 20 years or more than life. Fine of \$1 million if an individual, \$5 million if not an individual  <b>Second Offense:</b> Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine of \$2 million if an individual, \$10 million if not an individual
Flunitrazepam (Schedule IV)	Less than 1 mgs	
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 10 years. If death or serious bodily injury, not more than 15 years. Fine of not more than \$500,000 if an individual, \$2.5 million if not an individual  <b>Second Offense:</b> Not more than 20 years. If death or serious bodily injury, not more than 30 years. Fine of not more than \$1 million if an individual, \$5 million if not an individual
All other Schedule IV drugs	Any amount	<b>First Offense:</b> Not more than 5 years. Fine of not more than \$250,000 if an individual, \$1 million if not an individual  <b>Second Offense:</b> Not more than 10 years. Fine of not more than \$500,000 if an individual, \$2 million if not an individual
All other Schedule V drugs	Any amount	<b>First Offense:</b> Not more than 1 year. Fine of not more than \$100,000 if an individual, \$250,000 if not an individual  <b>Second Offense:</b> Not more than 4 years. Fine of not more than \$200,000 if an individual, \$500,000 if not an individual



Drug	Quantity	First Offense	Second Offense
Marijuana (Schedule I)	1,000 kg or more mixture; or 1,000 or more plants	Not less than 10 years. If death or serious bodily injury, not less than 20 years or more than life. Fine of \$4 million if an individual, \$10 million if not an individual	Not less than 20 years, not more than life. If death or serious bodily injury, mandatory life. Fine of \$8 million if an individual, \$20 million if not an individual
	100 kg to 999 kg mixture; or 100 to 999 plants	Not less than 5 years more than 40 years. If death or serious bodily injury, not less than 20 years or more than life. Fine of \$2 million if an individual, \$5 million if not an individual	Not less than 10 years, not more than life. If death or serious bodily injury, mandatory life. Fine of \$4 million if an individual, \$10 million if not an individual
	More than 10 kg hashish; 50 to 99 kg mixture  More than 1 kg of hashish oil; 50 to 99 plants	Not more than 20 years. If death or serious bodily injury, not less than 20 years or more than life. Fine of \$1 million if an individual, \$5 million if not an individual	Not more than 30 years. If death or serious bodily injury mandatory life. Fine of \$2 million if an individual, \$10 million if not an individual
	1 to 49 plants, less than 50 kg mixture	Not more than 5 years Fine of not more than \$250,000 if an individual, \$1 million if not an individual	Not more than 10 years Fine of not more than \$500,000 if an individual, \$2 million if not an individual
Hashish (Schedule I)	10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		

## Delaware Laws and Penalties

Alcoholic Beverages (Delaware Code Title 4)	Penalties
Manufactures, sells, barter, offers for sale or peddles alcoholic liquor without license or permit	Imprisoned not less than 3 months to not more than 6 months
Holding a license or permit and operating outside of the bounds of the license (i.e., selling alcohol to a person that the license does not allow)	Imprisoned not less than 3 months to not more than 6 months Fine \$500 to \$1,000
Sells or provides liquor to someone who is less than 21 years old	Imprisoned up to 30 days Fine \$250 - \$500
Under 21 years old and knowingly lies about his/her age to obtain alcohol	First Offense (Civil Violation): Fine of \$100 Subsequent Offenses: Fine of \$200 to \$500
Under 21 years old and has alcohol in his or her possession	First Offense (Civil Violation): Fine of \$100 Subsequent Offenses: Fine of \$200 to \$500 whoever commits a violation of this subsection must be assessed a civil penalty for a first violation or a second violation. Information concerning this civil offense may not appear on an individual's certified criminal record

## Delaware Laws and Penalties

<b>Tier 3</b> 25 + grams of cocaine 5 + grams of morphine, opium, heroin 5000+ grams of marijuana 25 + grams of amphetamine, phencyclidine, methamphetamine 500 + doses of LSD 62.5 + doses MDMA or other designer drug	<b>Tier 2</b> 10 + grams of cocaine 2 + grams of morphine, opium, heroin 1500+ grams of marijuana 10 + grams of amphetamine, phencyclidine, methamphetamine 50 + doses of LSD 25 + doses MDMA or other designer drug	<b>Tier 1</b> 5 + grams of cocaine 1 + grams of morphine, opium, heroin 175+ grams of marijuana 5 + grams of amphetamine, phencyclidine, methamphetamine 25+ doses of LSD 12.5+ doses MDMA or other designer drug	
<b>Aggravating Factors</b> Committed within a school zone Defendant prevents or attempts to prevent an officer from effecting an arrest by use of force or violence Flees in a vehicle from an officer during arrest and creates a substantial risk of physical injury to others			

Crime (16 Del. C. §§ 4752-4760)	Penalties
Drug Dealing – Aggravated Possession - Class B Felony Manufacture, deliver, possess with the intent to deliver a Tier 3 quantity Manufacture, deliver, possess with the intent to deliver a Tier 2 quantity with an aggravating factor Possess a Tier 3 quantity	<b>Class B Felony:</b> not less than 2 years up to 25 years at Level V
Drug Dealing – Class C or E Felony Manufacture, deliver, possess with the intent to deliver a Tier 2 quantity Possess a Tier 2 quantity	<b>Class C Felony:</b> up to 15 years at Level V <b>Class E Felony:</b> up to 5 years at Level V
Drug Dealing – Class D Felony Manufacture, deliver, possess with the intent to deliver a controlled substance	<b>Class D Felony:</b> up to 8 years at Level V
Drug Possession - Class G Felony – Possess a Tier 1 quantity	<b>Class G Felony:</b> up to 2 years at Level V
Drug Dealing – Resulting in Death – Class B Felony Drug Dealing resulting in Death delivering Tier 1 quantity to another person	<b>Class B Felony:</b> not less than 2 years up to 25 years at Level V
Unlawful Dealing in a Counterfeit or Controlled Substance – Class E Felony – Manufacture, deliver, attempt to manufacture or deliver or possess with the intent to manufacture a counterfeit or purported controlled substance	<b>Class E Felony:</b> up to 5 years at Level V
Maintaining a Drug Property – Class F Felony – Owner, landlord or tenant who knowingly consents to the use of the property to manufacture, delivery or possess a controlled substance	<b>Class F Felony:</b> up to 3 years at Level V

Crime (16 Del. C. §§ 4761 - 4764)	Penalties
Illegal possession and delivery of noncontrolled prescription drugs – Delivery or intent to deliver – Delivery or Intent with an aggravating factor	<b>Class G Felony:</b> Up to 2 years at Level V <b>Class F Felony:</b> Up to 3 years Level V
Possession of controlled substances or counterfeit controlled substances	<b>Class B Misdemeanor:</b> Up to 6 months at Level V and up to \$1150 fine
Possession of Marijuana – Knowingly or intentionally uses, consumes, or possesses other than personal use quantity – Knowingly or intentionally possess a personal use quantity	<b>Unclassified Misdemeanor:</b> Up to 3 months Level V and up to \$575 fine <b>Civil Penalty 1<sup>st</sup> and 2<sup>nd</sup> Violations:</b> \$100 civil penalty 1 <sup>st</sup> violation, \$200-\$500 civil penalty 2 <sup>nd</sup> violation <b>Unclassified Misdemeanor 3<sup>rd</sup> violation:</b> \$100 fine

## Appendix E:

### University of Delaware Misused Substance Policy

<b>Section:</b>	Human Resources Policies
<b>Policy Name:</b>	Alcohol / Drug Policy
<b>Policy Owner:</b>	Executive Vice President
<b>Responsible University Office:</b>	Office of Human Resources
<b>Origination Date:</b>	August 1996
<b>Revisions:</b>	February 1998; September 22, 2003; July 2016
<b>Legacy Policy Number:</b>	4-16

#### I. SCOPE OF POLICY

This policy applies to all employees and addresses the University's prohibitions related to alcohol and drugs and a treatment program for employees whose performance is adversely affected by alcohol or drug misuse. This policy implements the [Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act](#) (34 C.F.R. Part 86).

#### II. POLICY STATEMENT

The University is committed to encouraging and maintaining an academic and work environment that sustains the operation of the University, that respects individual freedom and that promotes the health, safety and welfare of all members of the community. The University strives to meet this commitment through prevention and awareness programs. When a University employee's performance is adversely affected by the use / abuse of alcohol and/or drugs, it is the policy of the University to assist, whenever possible, in the rehabilitation of that employee.

#### III. POLICY STANDARDS AND PROCEDURES

- A. Prohibitions. On all University premises and/or property, and as part of all University activities and business, all employees are prohibited from engaging in:
  1. The unlawful manufacture, use, possession, sale, dispensation or distribution of illegal drugs or other controlled substances for non-medical or non-research reasons; and
  2. The illegal possession, use or distribution of alcohol, drugs, or drug paraphernalia.
- B. Events where alcohol will be served. Unit heads have the authority and responsibility to govern the use of alcohol in areas that they control, to approve or disapprove of events where alcohol will be served, and to ensure that individuals of legal age have access to such alcohol. See UD Policy on [Alcohol Consumption on Campus](#).
- C. Mandatory Reporting of Conviction. Employees must notify the University of any Drug Conviction resulting from violation at the workplace no later than five days after such conviction.
- D. Discipline for Policy Violation. As a condition of employment, employees must abide by the terms of this policy. Any employee found in violation of this policy may be disciplined, up to and including termination of employment, and/or required to participate in a University program through HMS, a Health Advocate Company, through the State of Delaware.

E. Education Programs

1. The University of Delaware has established a drug-free awareness program to inform employees about:
  - a. the University's policy of maintaining a drug-free workplace through distribution of this policy to all employees;
  - b. the availability of drug counseling, rehabilitation and employee assistance programs to help employees whose work performance has been hindered by substance misuse.

F. Rehabilitation Program

1. Employees with an alcohol and/or drug problem are strongly encouraged to discuss the matter with their supervisors, in order that assistance may be provided towards the goal of recovery and continued employability.
2. When it appears that an employee's job performance is adversely affected by the use of alcohol and/or drugs, the Chief Human Resources Officer shall conduct an investigation to determine if there are sufficient job performance problems to indicate that corrective action is required.
3. When the Chief Human Resources Officer is satisfied from the investigation that corrective action is required with respect to an employee, he or she shall:

Arrange one or more conferences among the employee, the Chief Human Resources Officer, the employee's supervisor and unit head to discuss the employees' problems and the kinds of assistance that are available.

  - a. If, in the opinion of the Chief Human Resources Officer, the employee's supervisor, and the unit head, the employee's performance issues are the result of alcohol or substance misuse, the employee shall successfully complete a counseling and treatment program recommended by a professional counselor through a University program created by HMS, a Health Advocate Company, through the State of Delaware.
  - b. The employee may be placed on leave status. Where applicable, the employee shall utilize accumulated sick leave, earned or accrued vacation days, or approved vacation days to maintain his or her pay.
  - c. If, employee demonstrates adequate evidence of rehabilitation, the employee shall be permitted to return to his or her position of employment, with the understanding that a recurrence of alcohol/drug problems such as to affect job performance may be cause for termination in accordance with established University procedures.

G. Substance Misuse Assessment and Intervention

1. Substance Misuse Assessment and Intervention by addictions professionals is available to meet the needs of any UD student to help determine the nature and extent of substance use concerns. Referrals to addictions counseling will be made when appropriate to the Center for Counseling and Student Development.

## **Appendix F:**

### **Valuable Property and Lost and Found**

#### **Valuable Property**

During the school year, the University of Delaware Police Department recovers thousands of dollars' worth of property. Much of the property cannot be returned as the rightful owner cannot be identified. Please keep records of the make, model, and serial number of valuable property (computers, tablets, mobile phones, etc.). If your property is stolen the police will have the needed information to enter it into a nationwide computerized network. When the property is recovered, the recovering police agency will be able to access the owner's information via computer.

#### **Lost and Found**

Looking for your missing property? If so, please contact the Police Department's Lost and Found unit. Lost and Found can be contacted at 831-2222 at any time. If you have found someone's property please forward it to 413 Academy Street where it will be logged and kept for one week. Some exceptions to this are clothing, shoes, food storage devices, backpacks and purses without identifying information – these items are immediately discarded upon receipt. ID cards (driver's licenses or University IDs) and University keys are sent to their appropriate department as they arrive. After the week has elapsed, items are discarded, given to charitable organizations, or sold by the Department (depending on their value) through PropertyRoom.com. If you are looking for something you have lost please call the Lost and Found Unit and they can determine if your property has been turned in; you can then make arrangements to identify it and pick it up.